

V.A.

**CONNECTICUT STATE BOARD OF EDUCATION
Hartford**

TO BE PROPOSED:

October 5, 2016

RESOLVED, That the State Board of Education adopts the 2017 Legislative Proposals and directs the Commissioner to take the necessary action.

Approved by a vote of ____ this fifth day of October, Two Thousand Sixteen.

Signed: _____

Dianna R. Wentzell, Secretary
State Board of Education

Agency Legislative Proposal - 2016 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut State Department of Education

Liaison: Laura J. Stefon
Phone: (860) 713 – 6493
E-mail: laura.stefon@ct.gov

Lead agency division requesting this proposal: Commissioner's Office

Agency Analyst/Drafter of Proposal: Laura J. Stefon

Title of Proposal: An Act Concerning Connecticut's Seal of Bilingual Proficiency

Statutory Reference New Language

Proposal Summary

This bill would allow a superintendent to place a Seal of Bilingual Proficiency on the diploma and transcript of any student able to demonstrate that they are highly proficient in English and another language and will provide employers and colleges with another means of easily identifying those individuals who are proficient in multiple languages.

PROPOSAL BACKGROUND

• Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary? **No**
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? **Yes; several states in recent years have adopted similar legislation: California, New York, Illinois, Washington, etc...**
- (3) Have certain constituencies called for this action? **No**
- (4) What would happen if this was not enacted in law this session? **Students achieving a high level of proficiency in multiple languages would not have an opportunity to be officially recognized on their diploma or high school transcript for having achieved that distinction.**

Origin of Proposal

New Proposal

X Resubmission

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package? **This was part of the Agency's legislative package last session, which died in the Appropriations Committee because of a fiscal note.**
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation? **This proposal had a wide array of support from a variety of stakeholders, including CT COLT and the Chairs and Ranking Members of the Education Committee.**
- (4) What was the last action taken during the past legislative session? **Sent to Appropriations Committee**

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency) **N/A**

Agency Name: Agency Contact (name, title, phone): Date Contacted: Approve of Proposal ___ YES ___ NO ___ Talks Ongoing
Summary of Affected Agency's Comments
Will there need to be further negotiation? ___ YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation) Impact on LEAs or municipalities – cost or savings.
State In addition to costs to the State/Department, please include additional staffing needs to implement, if any. We do not anticipate any costs associated with this proposal.
Federal N/A
Additional notes on fiscal impact

Policy and Programmatic Impacts (Please specify the proposal section associated with the impact) By section, what is the impact of this proposal?

Insert fully drafted bill here

Section 1. Section 10-5 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) The Commissioner of Education shall, in accordance with this section, issue a state high school diploma to any person (1) who successfully completes an examination approved by the commissioner, or (2) who (A) is seventeen years of age and has been officially withdrawn from school in accordance with the provisions of section 10-184 or is eighteen years of age or older, and (B) presents to the commissioner evidence demonstrating educational qualifications which the commissioner deems equivalent to those required for graduation from a public high school. Application for such a diploma shall be made in the manner and form prescribed by the commissioner provided, at the time of application to take the examination described in subdivision (1) of this subsection, the applicant is seventeen years of age or older, has been officially withdrawn from school, in accordance with section 10-184, for at least six months and has been advised, in such manner as may be prescribed by the commissioner, of the other options for high school completion and other available educational programs. For good cause shown, the commissioner may allow a person who is sixteen years of age to apply to take the examination, provided the commissioner may not issue a state high school diploma to such person until the person has attained seventeen years of age.

(b) Application to take or retake the examination described in subdivision (1) of subsection (a) of this section shall be accompanied by a money order or certified check in the nonrefundable amount of thirteen dollars. This amount shall include the fee for the state high school diploma.

(c) No veteran, member of the armed forces, as defined in section 27-103, or any person under twenty-one years of age shall be required to pay the fees described in subsection (b) of this section. The commissioner may waive any fee described in subsection (b) upon the submission of evidence indicating an inability to pay.

(d) The Commissioner of Education shall keep a correct account of all money received under the provisions of this section and shall deposit with the State Treasurer all such money received by said commissioner. Funds paid to a local or regional board of education under this section shall be deposited in the school activity fund established under section 10-237 and expended to defray the costs of such testing and related administration and information.

(e) The commissioner shall establish criteria by which an "honors diploma" may be issued for exemplary performance on the examination.

(f) Not later than September 1, 2017, the State Board of Education shall establish criteria by which a local or regional board of education may affix the Connecticut State Seal of Biliteracy on a diploma awarded to a student who has achieved a high level of proficiency

in English and one or more foreign languages. For purposes of this subsection, "foreign language" means a world language other than English and includes American Sign Language and any language spoken by a federally recognized Native American tribe.

Sec. 2. Section 10-221a of the 2016 supplement to the general statutes is amended by adding subsection (k) as follows (*Effective July 1, 2016*):

(NEW) (k) Commencing with classes graduating in 2018, and for each graduating class thereafter, a local or regional board of education may affix the Connecticut State Seal of Biliteracy, as described in subsection (f) of section 10-5, as amended by this act, to a diploma awarded to a student who has achieved a high level of proficiency in English and one or more foreign languages, as defined in said subsection (f). The local or regional board of education shall include on such student's transcript a designation that the student received the Connecticut State Seal of Biliteracy.

Agency Legislative Proposal – 2017 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

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State Agency: State Department of Education

Liaison: Laura J. Stefon
Phone: (860) 713 - 6493
E-mail: Laura.Stefon@ct.gov

Lead agency division requesting this proposal: Commissioner's Office

Agency Analyst/Drafter of Proposal: Laura J. Stefon

Title of Proposal An Act Concerning In School Suspension and Chronic Absenteeism

Statutory Reference Section 2(2)(B) of PA 15-225

Proposal Summary

This proposal seeks to eliminate the statutory requirement that mandates districts to mark a student as absent for a full school day if such student was issued an in-school suspension (ISS) lasting more than half of a school day. There are numerous unintended consequences from this change in policy which passed during the 2015 legislative session and conflicts with the State Board of Education's approved guidelines for excused and unexcused absences.

First, it has resulted in more students receiving out-of-school suspensions (OSS) when ISS would have been more appropriate. Issuing OSS when an ISS is appropriate robs students of important in-school learning opportunities. There is also no incentive for the school to keep students in the school building, provide instruction, and assume liability for the student when they must still report to the CSDE that the student was absent.

This also could potentially have a negative economic impact on parents who may have to miss – and not get paid for – a day of work to be home with a child. If a parent is unable to take a day off and a student is issued an OSS and is left unsupervised, there is a higher likelihood of them engaging in bad/risky behavior, which could potentially result in contact with law enforcement or involvement with the juvenile justice system.

Lastly, if left in place, this change in definition also makes it difficult for schools to track students who are physically there, but for attendance purposes are considered absent, which is especially problematic during emergency situations. Additionally, this statutory requirement impacts data accuracy: students who are issued an ISS mid-day or return from ISS mid-day would be marked as absent for the entire school day even though they received instruction for half of the day; it changes the definition of an absence which historically meant "not in the school building or under the school's care or responsibility" and it makes it impossible to compare chronic absence trend data from previous years because attendance data is defined differently as a result of this statutory change.

PROPOSAL BACKGROUND

- Reason for Proposal

Please consider the following, if applicable:

- (5) Have there been changes in federal/state/local laws and regulations that make this legislation necessary? **This law is necessary because of the passage of PA 15-225**
- (6) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?
- (7) Have certain constituencies called for this action? **School districts are asking for the change**
- (8) What would happen if this was not enacted in law this session? **Consequences are outlined in proposal summary above**

- Origin of Proposal **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (5) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package? **This proposal is being introduced by the Department for the first time, but it was raised on our behalf by the Education Committee last session. It died in a larger bill on the last night of session.**
- (6) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (7) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (8) What was the last action taken during the past legislative session?

PROPOSAL IMPACT

- Agencies Affected (please list for each affected agency)

Agency Name: **N/A**

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

Will there need to be further negotiation? YES NO

- Fiscal Impact (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)

N/A

State

N/A

Federal

N/A

Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

Policy impact are described in proposal summary.

Insert fully drafted bill here

Removal of section 2(2)(B) of PA 15-225:

Sec. 2. (NEW) (*Effective July 1, 2015*) (a) As used in this section:

(1) "Chronically absent child" means a child who is enrolled in a school under the jurisdiction of a local or regional board of education and whose total number of absences at any time during a school year is equal to or greater than ten per cent of the total number of days that such student has been enrolled at such school during such school year;

(2) "Absence" means (A) an excused absence, unexcused absence or disciplinary absence, as those terms are defined by the State Board of Education pursuant to section 10-198b of the general statutes, as amended by this act., ~~or (B) an in-school suspension, as defined in section 10-233a of the general statutes, that is greater than or equal to one-half of a school day;~~

Agency Legislative Proposal – 2017 Session

Document Name :

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State Agency: State Department of Education

Liaison: Laura J. Stefon
Phone: (860) 713 - 6493
E-mail: Laura.Stefon@ct.gov

Lead agency division requesting this proposal: Academic Department

Agency Analyst/Drafter of Proposal: Isabelina Rodriguez Interim Chief Academic Officer

Title of Proposal An Act concerning School Construction Grant for Cooperative Regional Special Education Facilities

Statutory Reference 10-76e

Proposal Summary Delete entirely or change approving authority from State Board of Education (SBOE) to Department of Administrative Services (DAS).

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

Please consider the following, if applicable:

Construction grants and approvals have been moved to DAS, the Connecticut Department of Education and the SBOE no longer has the authority to approve the funds for these grants, just the programming. Eliminating or changing this piece of legislation will align with current practice.

- **Origin of Proposal** X **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (9) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?*
- (10) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (11) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (12) *What was the last action taken during the past legislative session?*

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Agency Contact (name, title, phone): Date Contacted: Approve of Proposal ___ YES ___ NO ___ Talks Ongoing
Summary of Affected Agency's Comments
Will there need to be further negotiation? ___ YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation) None
State No change
Federal None
Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

This just clarifies which agency oversees school construction and has no programmatic impacts.
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Insert fully drafted bill here

Sec. 10-76e. School construction grant for cooperative regional special education facilities. Any school district which agrees to provide special education, as part of a long-term regional plan approved by the State Board of Education, for children requiring special education who reside in other school districts or a private academy, as defined in section 10-289d, which agrees to provide special education, as part of a long-term regional plan approved by the State Board of Education, for children requiring special education shall be eligible to receive a grant, through progress payments in accordance with the provisions of section 10-287i, in accordance with the provisions of chapter 173, which payments shall total an amount equal to eighty per cent of the net eligible cost to such district or to such academy of purchasing, constructing or reconstructing appropriate facilities to be used primarily for children requiring special education and equipping and furnishing of any such purchase, construction or reconstruction. [, provided such facilities shall be approved by the State Board of Education and shall be an adjunct to or connected with facilities for children in the regular school program, except when the State Board of Education determines that separate facilities would be of greater benefit to the children participating in the long-term special education program.]

Agency Legislative Proposal – 2017 Session

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State Agency: State Department of Education

Liaison: Laura J. Stefon
Phone: (860) 713 - 6493
E-mail: Laura.Stefon@ct.gov

Lead agency division requesting this proposal:

Talent Office

Agency Analyst/Drafter of Proposal:

Sarah Barzee, Chief Talent Officer

Title of Proposal

An Act Concerning Technical Amendments to Certification Assessments

Statutory Reference

C.G.S. 10-145f (a) as amended by Section 4 of Public Act 16-41

Proposal Summary

Add language to provide candidates applying for admission into a Connecticut educator preparation program an option to waive the essential skills testing requirement based on criteria established by the State Board of Education.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

Prior to passage of Public Act 16-41, C.G.S. 10-145f (a) provided for a waiver option to taking the essential skills test for candidates seeking admission into a Connecticut educator preparation program. Waiver criteria have been established by the State Board of Education based on certain scores on the SAT, ACT or GRE which are acceptable in lieu of taking of the essential skills test in reading, writing and mathematics (e.g., Praxis I, Praxis Core).

- **Origin of Proposal** **New Proposal** **Resubmission**

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)
 - **Connecticut State Department of Education**
 - **Connecticut educator preparation programs approved by the State Board of Education offered by institutions of higher education or alternate route programs**
- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation) NONE
State NONE
Federal NONE
Additional notes on fiscal impact

Section 1. Subsection (a) of section 10-145f as amended by section 4 of Public Act 16-41 is repealed and the following is substituted in lieu thereof (Effective July 1, 2017):

(a) Each person formally admitted to a State Board of Education approved teacher preparation program shall **(1)** take the state reading, writing and mathematics competency examination, prescribed by and administered under the direction of the State Board of Education[.], **or (2) has qualified for a waiver of such test based on criteria established by the State Board of Education.** Each person's **essential skills test results** shall be used as a diagnostic tool, in accordance with the guidelines adopted by the State Board of Education pursuant to section 5 of this act, for purposes of providing any necessary remedial instruction to such person while he or she is enrolled in such teacher preparation program.

(b) (1) Any person who does not hold a valid certificate pursuant to section 10-145b, as amended by this act, shall achieve a satisfactory evaluation on the appropriate State Board of Education approved subject area assessment in order to be eligible for a certificate pursuant to said section unless such assessment has not been approved by the State Board of Education at the time of application, in which case the applicant shall not be denied a certificate solely because of the lack of an evaluation on such assessment.

(2) Any person applying for an additional certification endorsement shall achieve a satisfactory evaluation on the appropriate State Board of Education approved subject area assessment in order to be eligible for such additional endorsement, unless such assessment has not been approved by the State Board of Education at the time of application, in which case the applicant shall not be denied the additional endorsement solely because of the lack of an evaluation on such assessment.

(3) On and after July 1, 1992, any teacher who held a valid teaching certificate but whose certificate lapsed and who had completed all requirements for the issuance of a new certificate pursuant to section 10-145b, except for filing an application for such certificate, prior to the date on which the lapse occurred, may file, within one year of the date on which the lapse occurred, an application with the Commissioner of Education for the issuance of such certificate. Upon the filing of such an application, the commissioner may grant such certificate and such certificate shall be retroactive to the date on which the lapse occurred, provided the commissioner finds that the lapse of the certificate occurred as a result of a hardship or extenuating circumstances beyond the control of the applicant. If such teacher has attained tenure and is reemployed by the same board of education in any equivalent unfilled position for which the person is qualified as a result of the issuance of a certificate pursuant to this subdivision, the lapse period shall not constitute a break in employment for such person reemployed and shall be used for the purpose of calculating continuous employment pursuant to section 10-151. If such teacher has not attained tenure, the time unemployed due to the lapse of a certificate shall not be counted toward tenure, except that if such teacher is reemployed by the same board of education as a result of the issuance of a certificate pursuant to this subdivision, such teacher may count the previous continuous employment immediately prior to the lapse towards tenure. Using information provided by the Teachers' Retirement Board, the Department of Education shall annually notify each local or regional board of education of the name of each teacher employed by such board of education whose provisional certificate will expire during the period of twelve months following such notice. Upon receipt of such notice the superintendent of each local and regional board of education shall notify each such teacher in writing, at such teacher's last known address, that the teacher's provisional certificate will expire.

(4) Notwithstanding the provisions of this subsection to the contrary, to be eligible for a certificate to teach subjects for which a bachelor's degree is not required, any applicant who is otherwise eligible for certification in such endorsement areas shall be entitled to a certificate without having met the requirements of the competency examination and subject area assessment pursuant to this subsection for a period not to exceed two years, except that for a certificate to teach skilled trades or trade-related or occupational subjects, the commissioner may waive the requirement that the applicant take the competency examination. The commissioner may, upon the showing of good cause, extend the certificate.

(5) On and after July 1, 2011, any person applying for a certification in the endorsement area of elementary education shall achieve a satisfactory evaluation on the appropriate State Board of Education approved mathematics assessment in order to be eligible for such elementary education endorsement.

Agency Legislative Proposal – 2017 Session

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State Agency: State Department of Education

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Lead agency division requesting this proposal:

Talent Office

Agency Analyst/Drafter of Proposal:

Sarah Barzee, Chief Talent Officer

Title of Proposal

An Act Concerning Technical Amendments to Education Statutes

Statutory References

- **C.G.S. 10-145a Certificates of Qualification**
- **C.G.S. 10-145b(a) Initial Educator Certificate Qualifications**
- **C.G.S. 10-145b(c)(2) Requirement for Temporary Ninety Day Certificates**

Proposal Summary

The proposal recommends technical amendments to the aforementioned education statutory sections for purposes of eliminating obsolete language and clarifying requirements.

PROPOSAL BACKGROUND

- **The amendment to C.G.S. 10-145a eliminates an obsolete provision that was terminated by state certification regulations in 1998. (page 3)**
- **The amendment to C.G.S. 10-145b(a) clarifies requirements for the initial educator certificate removing references to a 4-year baccalaureate teacher preparation program as we also have master's degree teacher preparation and alternate route to certification programs. (page 5)**
- **The amendment to C.G.S. 10-145b(c)(2) eliminates obsolete language since holders of a temporary ninety day certificate are not required to complete the beginning educator program (i.e., Teacher Education and Mentoring Program (TEAM) pursuant to section 10-145o. (page 6)**
- **Origin of Proposal** **New Proposal** **Resubmission**

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation) NONE
State NONE
Federal NONE
Additional notes on fiscal impact

Section 1. Subsection (a) of section 10-145a of the general statutes is repealed (Effective July 1, 2017):

(a) [The State Board of Education may, in accordance with section 10-19 and such regulations and qualifications as it prescribes, issue certificates of qualification to teach, to administer, to supervise or to serve in other positions requiring certification pursuant to regulations adopted by the State Board of Education in any public school in the state and may revoke the same. Any such regulations shall provide that the qualifications to maintain any administrator, supervisor or special service certificate shall incorporate the professional development provisions of section 10-148a. The certificates of qualification issued under this section shall be accepted by boards of education in lieu of any other certificate, provided additional qualifications may be required by a board of education, in which case the state certificate shall be accepted for such subjects as it includes.]

[(b)] Any candidate in a program of teacher preparation leading to professional certification shall be encouraged to successfully complete an intergroup relations component of such a program which shall be developed with the participation of both sexes, and persons of various ethnic, cultural and economic backgrounds. Such intergroup relations program shall have the following objectives: (1) The imparting of an appreciation of the contributions to American civilization of the various ethnic, cultural and economic groups composing American society and an understanding of the life styles of such groups; (2) the counteracting of biases, discrimination and prejudices; and (3) the assurance of respect for human diversity and personal rights. The State Board of Education, the Board of Regents for Higher Education, the Commission on Human Rights and Opportunities and the Permanent Commission on the Status of Women shall establish a joint committee composed of members of the four agencies, which shall develop and implement such programs in intergroup relations.

[(c)] **(b)** Any candidate in a program of teacher preparation leading to professional certification shall be encouraged to complete a (1) health component of such a program, which includes, but need not be limited to, human growth and development, nutrition, first aid, disease prevention and community and consumer health, and (2) mental health component of such a program, which includes, but need not be limited to, youth suicide, child abuse and alcohol and drug abuse.

[(d)] **(c)** Any candidate in a program of teacher preparation leading to professional certification shall complete a school violence, bullying, as defined in section 10-222d, and suicide prevention and conflict resolution component of such a program.

[(e)] **(d)** On and after July 1, 1998, any candidate in a program of teacher preparation leading to professional certification shall complete a computer and other information technology skills component of such program, as applied to student learning and classroom instruction, communications and data management.

[(f)] **(e)** On and after July 1, 2006, any program of teacher preparation leading to professional certification shall include, as part of the curriculum, instruction in literacy skills and processes that reflects current research and best practices in the field of literacy training. Such instruction shall (1) be incorporated into requirements of student major and concentration, and (2) on and after July 1, 2015, include not fewer than twelve clock hours of instruction in the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia, as defined in section 10-3d.

[(g)] **(f)** On and after July 1, 2006, any program of teacher preparation leading to professional certification shall include, as part of the curriculum, instruction in the concepts of second language learning and second language acquisition and processes that reflects current research and best practices in the field of second language learning and second language acquisition. Such instruction shall be incorporated into requirements of student major and concentration.

[(h)] **(g)** On and after July 1, 2011, any program of teacher preparation leading to professional certification may permit teaching experience in a nonpublic school, approved by the State Board of Education, and offered through a public or private institution of higher education to count towards the preparation and eligibility requirements for an initial educator certificate, provided such teaching experience is completed as part of a cooperating teacher program, in accordance with the provisions of subsection (d) of section 10-220a.

[(i)] **(h)** On and after July 1, 2012, any candidate entering a program of teacher preparation leading to professional certification shall be required to complete training in competency areas contained in the professional teaching standards established by the State Board of Education, including, but not limited to, development and characteristics of learners, evidence-based and standards-based instruction, evidence-based classroom and behavior management, assessment and professional behaviors and responsibilities and the awareness and identification of the unique learning style of gifted and talented children, social and emotional development and learning of children, and cultural competency. The training in social and emotional development and learning of children shall include instruction concerning a comprehensive, coordinated social and emotional assessment and early intervention for children displaying behaviors associated with social or emotional problems, the availability of treatment services for such children and referring such children for assessment, intervention or treatment services. The training in cultural competency shall include instruction concerning the awareness of students' background and experience that lead to the development of skills, knowledge and behaviors that enable educators and students to build positive relationships and work effectively in cross-cultural situations.

[(j)] **(i)** On and after July 1, 2016, any program of teacher preparation leading to professional certification shall require, as part of the curriculum, clinical experience, field experience or student teaching experience in a classroom during four semesters of such program of teacher preparation. Such clinical experience, field experience or student teaching experience shall occur: (1) In a school district that has been categorized by the Department of Education as District Reference Group A, B, C, D or E, and (2) in a school district that has been categorized by the department as District Reference Group F, G, H or I. Such clinical experience, field experience or student teaching experience may include a cooperating teacher serving as a mentor to student teachers, provided such cooperating teacher has received a performance evaluation designation of exemplary or proficient, pursuant to section 10-151b, for the prior school year.

[(k)] **(j)** On and after July 1, 2012, any program of teacher preparation leading to professional certification shall include, as part of the curriculum, instruction in the implementation of student individualized education programs as it relates to the provision of special education and related services, including, but not limited to, the provision of services to gifted and talented children.

Section 2. Subsection (a) and (c) of section 10-145b of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2017):

(a) The State Board of Education, upon receipt of a proper application, shall issue an initial educator certificate to any person who [has graduated] (1) **holds a bachelor's degree from an institution of higher education accredited by the Board of Regents for Higher Education or Office of Higher Education or is regionally accredited and** [from a four-year baccalaureate program of teacher education as approved by said state board], (2) **has completed an educator preparation program** [from a four-year baccalaureate program] approved by said state board or **the appropriate governing body in the state in which the institution is located** [from a college or university accredited by the Board of Regents for Higher Education or Office of Higher Education or regionally accredited, or (3) from an the summer or weekend and evening] **or has completed an** alternate route to certification program **approved by said board or the appropriate governing body in the state in which the program is located and has met requirements under the temporary ninety day certificate pursuant to this section or the resident educator certificate pursuant to section 10-146m** [administered by the Office of Higher Education, provided such person has taken such teacher training equivalents as the State Board of Education shall require and, unless such equivalents are taken at institutions outside of this state, as the board of regents shall accredit]. In addition, on and after July 1, 1993, each applicant shall have completed a subject area major as defined by the State Board of Education, except as provided in section 10-145l. Each such initial educator certificate shall be valid for three years, except as provided in subsection (c) of this section, and may be extended by the Commissioner of Education for an additional year for good cause upon the request of the superintendent in whose school district such person is employed or upon the request of the assessment team reviewing such person's performance.

(b) During the period of employment in a public school, a person holding an initial educator certificate shall (1) be under the supervision of the superintendent of schools or of a principal, administrator or supervisor designated by such superintendent who shall regularly observe, guide and evaluate the performance of assigned duties by such holder of an initial certificate, and (2) participate in a beginning educator program if there is such a program for such person's certification endorsement area.

(c) (1) The State Board of Education, upon request of a local or regional board of education, shall issue a temporary ninety-day certificate to any applicant in the certification endorsement areas of elementary education, middle grades education, secondary academic subjects, special subjects or fields, special education, early childhood education and administration and supervision, or in the certification endorsement areas corresponding to teacher shortage areas, as determined by the Commissioner of Education pursuant to section 10-8b, when the following conditions are met:

(A) The employing agent of a board of education makes a written request for the issuance of such certificate and attests to the existence of a special plan for supervision of temporary ninety-day certificate holders;

(B) The applicant meets the following requirements, except as otherwise provided in subparagraph (C) of this subdivision:

(i) Holds a bachelor's degree from an institution of higher education accredited by the Board of Regents for Higher Education or Office of Higher Education or regionally accredited with a major either in or closely related to the certification endorsement area in which the requesting board of education is placing the applicant or, in the case of secondary or special subject or field endorsement area, possesses at least the minimum total number of semester hours of credit required for the content area, except as provided in section 10-145l;

(ii) Has met the requirements pursuant to subsection (b) of section 10-145f;

(iii) Presents a written application on such forms as the Commissioner of Education shall prescribe;

(iv) Has successfully completed an alternate route to certification program provided by the Board of Regents for Higher Education or the Office of Higher Education or public or independent institutions of higher education, regional educational service centers or private teacher or administrator training organizations and approved by the State Board of Education;

(v) Possesses an undergraduate college overall grade point average of at least "B" or, if the applicant has completed at least twenty-four hours of graduate credit, possesses a graduate grade point average of at least "B"; and

(vi) Presents supporting evidence of appropriate experience working with children; and

(C) The Commissioner of Education may waive the requirements of subparagraphs (B)(v) or (B)(vi), or both, of this subdivision upon a showing of good cause.

(2) [A person serving under a temporary ninety-day certificate shall participate in a beginning support and assessment program pursuant to section 10-220a which is specifically designed by the state Department of Education for holders of temporary ninety-day certificates.]

[(3)] Notwithstanding the provisions of subsection (a) of this section to the contrary, on and after July 1, 1989, the State Board of Education, upon receipt of a proper application, shall issue an initial educator certificate, which shall be valid for three years, to any person who has taught successfully while holding a temporary ninety-day certificate and meets the requirements established in regulations adopted pursuant to section 10-145d.

(d) (1) On and after July 1, 2016, in order to be eligible to obtain an initial educator certificate, each person shall be required to complete (A) a course of study in special education comprised of not fewer than thirty-six hours, which shall include an understanding of the growth and development of exceptional children, including handicapped and gifted and talented children and children who may require special education, and methods for identifying, planning for and working effectively with special needs children in a regular classroom, and (B) a course or courses of study in special education relating to instruction on classroom techniques in reading, differentiated instruction, social-emotional learning, cultural competencies and assistive technology. The provisions of this subdivision shall not apply to any person who has been issued an initial educator certificate prior to July 1, 2016.

(2) On and after July 1, 2016, in order to be eligible to obtain a provisional educator certificate, each person shall be required to complete a course of study in special education comprised of not fewer than thirty-six hours, which shall include an understanding of the growth and development of exceptional children, including handicapped and gifted and talented children and children who may require special education, and methods for identifying, planning for and working effectively with special needs children in a regular classroom.

(3) Notwithstanding the provisions of this subsection to the contrary, each applicant for such certificates who has met all requirements for certification except the completion of the course in special education shall be entitled to a certificate (A) for a period not to exceed one year, provided the applicant completed a teacher preparation program either in the state prior to July 1, 1987, or outside the state, or completed the necessary combination of professional experience or coursework as required by the State Board of Education or (B) for a period not to exceed two years if the applicant applies for certification in an area for which a bachelor's degree is not required.

(e) On and after July 1, 1989, the State Board of Education, upon receipt of a proper application, shall issue a provisional educator certificate to any person who (1) has successfully completed a beginning educator program and one school year of successful teaching as attested to by the superintendent, or the superintendent's designee, in whose local or regional school district such person was employed, (2) has

completed at least three years of successful teaching in a public school in another state or a nonpublic school approved by the State Board of Education or appropriate governing body in another state within ten years prior to application for such provisional educator certificate, as attested to by the superintendent, or the superintendent's designee, in whose school district such person was employed, or by the supervising agent of the nonpublic school in which such person was employed, and has met preparation and eligibility requirements for an initial educator certificate, or (3) has successfully taught with a provisional teaching certificate for the year immediately preceding an application for a provisional educator certificate as an employee of a local or regional board of education or facility approved for special education by the State Board of Education.

(f) Any person holding a standard or permanent certificate on July 1, 1989, shall be eligible to receive upon application a professional educator certificate to replace said standard or permanent certificate. On and after July 1, 1989, standard and permanent certificates shall no longer be valid.

(g) On or after July 1, 1989, and prior to July 1, 2016, to qualify for a professional educator certificate, a person who holds or has held a provisional educator certificate under subsection (e) of this section shall have completed thirty credit hours of course work beyond the baccalaureate degree. It is not necessary that such course work be taken for a master's degree and such work may include graduate or undergraduate courses. On and after July 1, 2016, to qualify for a professional educator certificate, a person who holds or has held a provisional educator certificate under subsection (d) of this section shall hold a master's degree in an appropriate subject matter area, as determined by the State Board of Education, related to such teacher's certification endorsement area.

(h) (1) Unless otherwise provided in regulations adopted under section 10-145d, in not less than three years or more than eight years after the issuance of a provisional educator certificate pursuant to subsection (e) of this section and upon the statement of the superintendent, or the superintendent's designee, in whose school district such certificate holder was employed, or the supervisory agent of a nonpublic school approved by the State Board of Education, in whose school such certificate holder was employed, that the provisional educator certificate holder and such superintendent, or such superintendent's designee, or supervisory agent have mutually determined or approved an individual program pursuant to subdivision (2) of subsection (g) of this section and upon the statement of such superintendent, or such superintendent's designee, or supervisory agent that such certificate holder has a record of competency in the discharge of such certificate holder's duties during such provisional period, the state board upon receipt of a proper application shall issue such certificate holder a professional educator certificate. A signed recommendation from the superintendent of schools, or the superintendent's designee, for the local or regional board of education or from the supervisory agent of a nonpublic school approved by the State Board of Education shall be evidence of competency. Such recommendation shall state that the person who holds or has held a provisional educator certificate has successfully completed at least three school years of satisfactory teaching for one or more local or regional boards of education or such nonpublic schools. Each applicant for a certificate pursuant to this subsection shall provide to the Department of Education, in such manner and form as prescribed by the commissioner, evidence that the applicant has successfully completed coursework pursuant to subsection (g) of this section, as appropriate.

(2) Each professional educator certificate shall be valid for five years and continued every five years thereafter.

(3) Except as otherwise provided in section 10-146c, upon receipt of a proper application, the State Board of Education shall issue to a teacher from another state, territory or possession of the United States or the District of Columbia or the Commonwealth of Puerto Rico who (A) is nationally board certified by an organization deemed appropriate by the Commissioner of Education to issue such certifications, (B) has taught in another state, territory or possession of the United States or the District of Columbia or the Commonwealth of Puerto Rico for a minimum of two years in the preceding ten years, and (C) holds a master's degree in an appropriate subject matter area, as determined by the State Board of Education, related to such teacher's certification endorsement area, a professional educator certificate with the appropriate endorsement, subject to the provisions of subsection (i) of this section relating to denial of applications for certification. Applicants who

have taught under an appropriate certificate issued by another state, territory or possession of the United States or the District of Columbia or the Commonwealth of Puerto Rico for two or more years shall be exempt from completing the beginning educator program based upon such teaching experience upon a showing of effectiveness as a teacher, as determined by the State Board of Education, which may include, but need not be limited to, a demonstrated record of improving student achievement. An applicant with two or more years of teaching experience in this state at a nonpublic school, approved by the State Board of Education, in the past ten years shall be exempt from completing the beginning educator program based upon such teaching experience upon a showing of effectiveness as a teacher, as determined by the State Board of Education, which may include, but need not be limited to, a demonstrated record of improving student achievement.

(i) (1) The State Board of Education may revoke any certificate, authorization or permit issued pursuant to sections 10-144o to 10-149, inclusive, for any of the following reasons: (A) The holder of the certificate, authorization or permit obtained such certificate, authorization or permit through fraud or misrepresentation of a material fact; (B) the holder has persistently neglected to perform the duties for which the certificate, authorization or permit was granted; (C) the holder is professionally unfit to perform the duties for which the certificate, authorization or permit was granted; (D) the holder is convicted in a court of law of a crime involving moral turpitude or of any other crime of such nature that in the opinion of the board continued holding of a certificate, authorization or permit by the person would impair the standing of certificates, authorizations or permits issued by the board; or (E) other due and sufficient cause. The State Board of Education shall revoke any certificate, authorization or permit issued pursuant to said sections if the holder is found to have intentionally disclosed specific questions or answers to students or otherwise improperly breached the security of any administration of a mastery examination, pursuant to section 10-14n. In any revocation proceeding pursuant to this section, the State Board of Education shall have the burden of establishing the reason for such revocation by a preponderance of the evidence. Revocation shall be in accordance with procedures established by the State Board of Education pursuant to chapter 54.

(2) When the Commissioner of Education is notified, pursuant to section 10-149a or 17a-101i, that a person holding a certificate, authorization or permit issued by the State Board of Education under the provisions of sections 10-144o to 10-149, inclusive, has been convicted of (A) a capital felony, under the provisions of section 53a-54b in effect prior to April 25, 2012, (B) arson murder, pursuant to section 53a-54d, (C) a class A felony, (D) a class B felony, except a violation of section 53a-122, 53a-252 or 53a-291, (E) a crime involving an act of child abuse or neglect as described in section 46b-120, or (F) a violation of section 17a-101a, 53-21, 53-37a, 53a-60b, 53a-60c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-90a, 53a-99, 53a-103a, 53a-181c, 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278 or subsection (a) of section 21a-277, any certificate, permit or authorization issued by the State Board of Education and held by such person shall be deemed revoked and the commissioner shall notify such person of such revocation, provided such person may request reconsideration pursuant to regulations adopted by the State Board of Education, in accordance with the provisions of chapter 54. As part of such reconsideration process, the board shall make the initial determination as to whether to uphold or overturn the revocation. The commissioner shall make the final determination as to whether to uphold or overturn the revocation.

(3) The State Board of Education may deny an application for a certificate, authorization or permit for any of the following reasons: (A) The applicant seeks to obtain a certificate, authorization or permit through fraud or misrepresentation of a material fact; (B) the applicant has been convicted in a court of law of a crime involving moral turpitude or of any other crime of such nature that in the opinion of the board issuance of a certificate, authorization or permit would impair the standing of certificates, authorizations or permits issued by the board; or (C) other due and sufficient cause. Any applicant denied a certificate, authorization or permit shall be notified in writing of the reasons for denial. Any applicant denied a certificate, authorization or permit may request a review of such denial by the State Board of Education.

(4) A person whose certificate, permit or authorization has been revoked may not be employed in a public school during the period of revocation.

(5) Any local or regional board of education or private special education facility approved by the commissioner shall report to the commissioner when an employee, who holds a certificate, permit or authorization, is dismissed pursuant to subdivision (3) of subsection (d) of section 10-151.

(j) Not later than thirty days after receipt of notification, any initial educator certificate holder who is not granted a provisional educator certificate, or any provisional educator certificate holder who is not granted a professional educator certificate, or any professional educator certificate holder who is not granted a continuation, under the provisions of sections 10-145a to 10-145d, inclusive, and 10-146b, may appeal to the State Board of Education for reconsideration. Said board shall review the records of the appropriate certification period, and, if a hearing is requested in writing, hold such hearing not later than sixty days after such request and render a written decision not later than thirty days after the conclusion of such hearing. Any teacher aggrieved by the decision of said board may appeal from such decision in accordance with the provisions of section 4-183 and such appeal shall be privileged with respect to assignment of such appeal.

(k) For the purposes of this section “supervisory agent” means the superintendent of schools or the principal, administrator or supervisor designated by such superintendent to provide direct supervision to a provisional certificate holder.

(l) Upon application to the State Board of Education for the issuance of any certificate in accordance with this section and section 10-145d, there shall be paid to the board by or on behalf of the applicant a nonreturnable fee of two hundred dollars in the case of an applicant for an initial educator certificate, two hundred fifty dollars in the case of an applicant for a provisional educator certificate and three hundred seventy-five dollars in the case of an applicant for a professional educator certificate, except that applicants for certificates for teaching adult education programs mandated under subparagraph (A) of subsection (a) of section 10-69 shall pay a fee of one hundred dollars; persons eligible for a certificate or endorsement for which the fee is less than that applied for shall receive an appropriate refund; persons not eligible for any certificate shall receive a refund of the application fee minus fifty dollars; and persons holding standard or permanent certificates on July 1, 1989, who apply for professional certificates to replace the standard or permanent certificates, shall not be required to pay such a fee. Upon application to the State Board of Education for the issuance of a subject area endorsement there shall be paid to the board by or on behalf of such applicant a nonreturnable fee of one hundred dollars. With each request for a duplicate copy of any such certificate or endorsement there shall be paid to the board a nonreturnable fee of fifty dollars.

Agency Legislative Proposal – 2017 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): **OFIO_spr2017**

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: State Department of Education

Liaison: Laura J. Stefon
Phone: (860) 713 - 6493
E-mail: Laura.Stefon@ct.gov

Lead agency division requesting this proposal: **OFFICE OF FINANCE & INTERNAL OPER / BUREAU OF GRANTS MGMT**

Agency Analyst/Drafter of Proposal: **Kathy Demsey**

Title of Proposal **tech_changes_and_statutory_cleanup: 2percent_setaside_repeal**

Statutory Reference **CGS 10-262k**

Proposal Summary

The compensatory portion of the Education Cost Sharing Grant (ECS) has become duplicative, now that the State has instituted Alliance Grants in accordance with CGS 10-262u. We propose elimination of the compensatory portion of ECS, while maintaining the Alliance grants targeted to this same purpose.

Please attach a copy of fully drafted bill (required for review)

PROPOSAL BACKGROUND

- **Reason for Proposal**

Please consider the following, if applicable:

- (9) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?* **YES**
- (10) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?* **Unsure**
- (11) *Have certain constituencies called for this action?* **NO**
- (12) *What would happen if this was not enacted in law this session?* **SDE would pay compensatory funds to towns, requiring those funds be dedicated to education (in addition to Alliance funds), and preventing those towns from deciding if they have greater need for education or general operating expenses/tax relief. Absent this change in legislation, the number of districts eligible for compensatory funds will grow due to the anticipated increase in grant mastery percentage resulting from institution of the Smarter Balanced testing. This is not consistent with the intent of the setaside.**

- **Origin of Proposal** **X** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (13) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?*
- (14) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (15) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (16) *What was the last action taken during the past legislative session?*

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

NONE

Agency Name: Agency Contact (name, title, phone): Date Contacted: Approve of Proposal ___ YES ___ NO ___ Talks Ongoing
Summary of Affected Agency's Comments
Will there need to be further negotiation? ___ YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation) For fy2017, 28 towns are eligible for the compensatory education/2 percent setaside, for a total of \$24,929,882. As many as five districts may avail themselves of this option, for a total of \$3,160,914. (Note that these data are preliminary, and actual figures may differ.)	
State	NONE
Federal	NONE
Additional notes on fiscal impact	

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

<p>The State provides relief to targeted school districts through the Alliance District grants (CGS 10-262u). These Alliance funds are directed to the same efforts as the compensatory education component of ECS. Under current statute, school districts are able to receive payment under two separate funding streams for much of the same work. While there is no savings to the state, this does return spending authority to the towns for funds that would have otherwise been required as dedicated to specific education initiatives.</p>

Insert fully drafted bill here

~~[Sec. 10-262k. Grants for compensatory education programs. Notwithstanding any provision of the general statutes, the board of education which has jurisdiction over the schools in any town (1) with a total population, as defined in subdivision (7) of subsection (a) of section 10-261, greater than twenty thousand, and (2) in which the grant mastery percentage, as defined in subdivision (12) of section 10-262f, is greater than twenty per cent may annually apply to the Commissioner of Education, on such forms as the commissioner may prescribe, to receive not more than two per cent of the town's grant entitlement pursuant to section 10-262h for the subsequent fiscal year for compensatory education programs. At the time of application, the board of education shall notify the board of finance in each town or city having a board of finance, the board of selectmen in each town having no board of finance or otherwise the authority making appropriations for the school district of the application. Upon submission of a timely application to the commissioner, the commissioner shall deduct such amount from the payment made to the town in October of such subsequent fiscal year pursuant to section 10-262i, and the board of education shall receive a grant in such amount.]~~

Agency Legislative Proposal - 2017 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut State Department of Education

Liaison: Laura J. Stefon

Phone: (860) 713 – 6493

Lead agency division requesting this proposal: Bureau Of Choice Programs

Agency Analyst/Drafter of Proposal: Mark Linabury/Robin Cecere

Title of Proposal: An Act Concerning the Definition of a Diverse Educational Setting for Interdistrict Magnet Schools

Statutory Reference:

10-264I

Proposal Summary:

10-264I: The proposal applies the reduced-isolation setting (RIS) calculation to interdistrict magnet schools outside of the Sheff region to assess racial compliance. The RIS calculation labels all students that are not Black and Latino as students that contribute to a diverse racial setting thereby yielding better compliance rates. **Non-Sheff racial Compliance calculation (Non-Minority=White; Minority=American Indian, Asian, Black or African American, Hispanic/Latino, Native Hawaiian or other Pacific Islander, Two or More Races)** **Reduced Isolation Racial Compliance Calculation (Reduced Isolation=White, American Indian, Asian, Native Hawaiian or other pacific Islander, Two or More Races=do not have any parts Black or Latino; Minority=Black or African American, Hispanic/latino, Two or More races=any parts Black or Latino).**

PROPOSAL BACKGROUND

- Reason for Proposal

Please consider the following, if applicable:

(1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*

No

(2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*

No

(3) *Have certain constituencies called for this action?* *No*

(4) *What would happen if this was not enacted in law this session?* *Current law would remain resulting in greater likelihood of interdistrict magnet schools outside of the Sheff region falling into racial noncompliance.*

- **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name:

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments:

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal: (please include any municipal mandate that can be found within legislation) None

State: None

Federal: None

Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)

10-264l: The policy and programmatic impact include that employing the RIS will allow a standard calculation to be used across all interdistrict magnet schools in the state. Currently, RIS is limited to those magnets located and operated in the Sheff region. The RIS calculation yields better compliance rates. Noncompliant schools Under 10-264l(b)(3) must request a one year waiver from the Commissioner to be awarded a magnet grant.

Insert fully drafted bill here

Subsection (a) of section 10-264l of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

- (a) The Department of Education shall, within available appropriations, establish a grant program (1) to assist (A) local and regional boards of education, (B) regional educational service centers, (C) the Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College and Three Rivers Community College, and (D) cooperative arrangements pursuant to section 10-158a, and (2) in assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O’Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O’Neill, et al., as extended, as determined by the Commissioner of Education, to assist (A) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (B) the Board of Trustees of the Connecticut State University System on behalf of a state university, (C) the Board of Trustees of The University of Connecticut on behalf of the university, (D) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, and (E) any other third-party not-for-profit corporation approved by the commissioner with the operation of interdistrict magnet school programs. All interdistrict magnet schools shall be operated in conformance with the same laws and regulations applicable to public schools. For the purposes of this section “an interdistrict magnet school program” means a program which (i) supports racial, ethnic and economic diversity, (ii) offers a special and high quality curriculum, and (iii) requires students who are enrolled to attend at least half-time. An interdistrict magnet school program does not include a regional agricultural science and technology school, a technical high school or a regional special education center. On and after July 1, 2000, the governing authority for each interdistrict magnet school program that is in operation prior to July 1, 2005, shall restrict the number of students that may enroll in the program from a participating district to eighty per cent of the total enrollment of the program. The governing authority for each interdistrict magnet school program that begins operations on or after July 1, 2005, shall restrict the number of students that may enroll in the program from a participating district to seventy-five per cent of the total enrollment of the program, and shall ensure that such program provides a diverse educational setting, as defined in

subdivision (4) of subsection (b) [maintain such a school enrollment that at least twenty-five per cent but not more than seventy-five per cent of the students enrolled are pupils of racial minorities, as defined in section 10-226a]. The governing authority of an interdistrict magnet school that the commissioner determines will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, shall restrict the number of students that may enroll in the program from a participating district in accordance with the provisions of this subsection, provided such enrollment is in accordance with the reduced-isolation setting standards of such 2013 stipulation and order.

Subsection (b) of section 10-264I of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) Applications for interdistrict magnet school program operating grants awarded pursuant to this section shall be submitted annually to the Commissioner of Education at such time and in such manner as the commissioner prescribes, except that on and after July 1, 2009, applications for such operating grants for new interdistrict magnet schools, other than those that the commissioner determines will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, shall not be accepted until the commissioner develops a comprehensive state-wide interdistrict magnet school plan. The commissioner shall submit such comprehensive state-wide interdistrict magnet school plan on or before October 1, 2016, to the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations.

(2) In determining whether an application shall be approved and funds awarded pursuant to this section, the commissioner shall consider, but such consideration shall not be limited to: (A) Whether the program offered by the school is likely to increase student achievement; (B) whether the program is likely to reduce racial, ethnic and economic isolation; (C) the percentage of the student enrollment in the program from each participating district; and (D) the proposed operating budget and the sources of funding for the interdistrict magnet school. For a magnet school not operated by a local or regional board of education, the commissioner shall only approve a proposed operating budget that, on a per pupil basis, does not exceed the maximum allowable threshold established in accordance with this subdivision. The maximum allowable threshold shall be an amount equal to one hundred twenty per cent of the state average of the quotient obtained by dividing net current expenditures, as defined in section 10-261, by average daily membership, as defined in said section, for the fiscal year two years prior to the fiscal year for which the operating grant is requested. The Department of Education shall establish the maximum allowable threshold no later than December fifteenth of the fiscal year prior to the fiscal year for which the operating grant is requested. If requested by an applicant that is not a local or regional board of education, the commissioner may approve a proposed operating budget that exceeds the maximum allowable threshold if the commissioner determines that there are extraordinary programmatic needs. In the case of an interdistrict magnet school that will assist

the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as determined by the commissioner, the commissioner shall also consider whether the school is meeting the reduced-isolation setting standards set forth in such 2013 stipulation and order. If such school has not met the reduced-isolation setting standards prescribed in such 2013 stipulation and order, it shall not be entitled to receive a grant pursuant to this section unless the commissioner finds that it is appropriate to award a grant for an additional year or years for purposes of compliance with such 2013 stipulation and order. If requested by the commissioner, the applicant shall meet with the commissioner or the commissioner's designee to discuss the budget and sources of funding.

(3) Except as provided in this section, section 116 of public act 14-217* and the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, the commissioner shall not award a grant to (A) a program that is in operation prior to July 1, 2005, if more than eighty per cent of its total enrollment is from one school district, except that the commissioner may award a grant for good cause, for any one year, on behalf of an otherwise eligible magnet school program, if more than eighty per cent of the total enrollment is from one district, and (B) a program that begins operations on or after July 1, 2005, if more than seventy-five per cent of its total enrollment is from one school district or if the program does not provide a diverse educational setting, as defined in subdivision 4 of this subsection [less than twenty-five or more than seventy-five per cent of the students enrolled are pupils of racial minorities, as defined in section 10-226a], except that the commissioner may award a grant for good cause, for one year, on behalf of an otherwise eligible interdistrict magnet school program, if more than seventy-five per cent of the total enrollment is from one district or the program does not provide a diverse educational setting, as defined in subdivision 4 of this subsection [less than twenty-five or more than seventy-five per cent of the students enrolled are pupils of racial minorities]. The commissioner may not award grants pursuant to the exceptions described in subparagraphs (A) and (B) of this subdivision for an additional consecutive year or years, except as provided for in section 116 of public act 14-217*, the 2008 stipulation for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as determined by the commissioner.

(4) For purposes of this section, an interdistrict magnet school program provides a diverse educational setting if no more than seventy-five per cent of the students enrolled in such program are identified as any part Black/African American or any part Hispanic.

Agency Legislative Proposal - 2017 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc):

(If submitting an electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut State Department of Education

Liaison: Laura J. Stefon
Phone: (860) 713 – 6493
E-mail: laura.stefon@ct.gov

Lead agency division requesting this proposal:

Bureau of Choice Programs

Agency Analyst/Drafter of Proposal:

Janet Foster

Title of Proposal:

An Act Concerning Technical Change to Open Choice

Statutory Reference

10-266aa(e)

Proposal Summary

The OPEN Choice language calls for RESCs to submit, to the Department, an estimate of seats available for the following school year. This data is due by April 15. These counts have historically been quite high, relative to the actual participation rates of the subsequent year. Therefore, these data are not particularly useful for budgeting and/or projections. We are seeking the removal of that language.

PROPOSAL BACKGROUND

- **Reason for Proposal**

Please consider the following, if applicable:

- (13) Have there been changes in federal/state/local laws and regulations that make this legislation necessary? **No**
- (14) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? **n/a**
- (15) Have certain constituencies called for this action? **No**
- (16) What would happen if this was not enacted in law this session? **RESCs would still submit data.**

- **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (17) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (18) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (19) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (20) What was the last action taken during the past legislative session?

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency)

Agency Name: Agency Contact (name, title, phone): Date Contacted: Approve of Proposal ___ YES ___ NO ___ Talks Ongoing
Summary of Affected Agency's Comments
Will there need to be further negotiation? ___ YES ___ NO

- **Fiscal Impact** (please include the proposal section that causes the fiscal impact and the anticipated impact)

Municipal (please include any municipal mandate that can be found within legislation)
State : None
Federal: None
Additional notes on fiscal impact

- **Policy and Programmatic Impacts** (Please specify the proposal section associated with the impact)
The Policy and programmatic impacts are that more accurate data will be collected allowing for more realistic and accurate budgetary projections.

10-266aa(e) of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(e) Once the program is in operation in the region served by a regional educational service center pursuant to subsection (c) of this section, the Department of Education shall provide an annual grant to such regional educational service center to assist school districts in its area in administering the program and to provide staff to assist students participating in the program to make the transition to a new school and to act as a liaison between the parents of such students and the new school district. Each regional educational service center shall determine which school districts in its area are located close enough to a priority school district to make participation in the program feasible in terms of student transportation pursuant to subsection (f) of this section, provided any student participating in the program prior to July 1, 1999, shall be allowed to continue to attend the same school such student attended prior to said date in the receiving district until the student completes the highest grade in such school. [Not later than April fifteenth of each school year, each regional educational service center shall report to the Department of Education the number of spaces available for the following school year for out-of-district students under the program.] If there are more students who seek to attend school in a receiving district than there are

spaces available, the regional educational service center shall assist the school district in determining attendance by the use of a lottery or lotteries designed to preserve or increase racial, ethnic and economic diversity, except that the regional educational service center shall give preference to siblings and to students who would otherwise attend a school that has lost its accreditation by the New England Association of Schools and Colleges or has been identified as in need of improvement pursuant to the No Child Left Behind Act, P. L. 107-110. The admission policies shall be consistent with section 10-15c and this section. No receiving district shall recruit students under the program for athletic or extracurricular purposes. Each receiving district shall allow out-of-district students it accepts to attend school in the district until they graduate from high school.

Required Agency Approvals

Bureau Chief/Manager

Date

Chief Officer

Date

*Note: For CTHSS, this should be Board Chair and Superintendent.

*Note: Forms must have both signatures to be reviewed by Legal Director for consideration.

Legal Director

Date