

VI.A.

**CONNECTICUT STATE BOARD OF EDUCATION
Hartford**

TO BE PROPOSED:

December 2, 2020

RESOLVED, That the State Board of Education adopts these 2021 Legislative Proposals and directs the Commissioner to take the necessary action.

Approved by a vote of _____ this second day of December, Two Thousand Twenty.

Signed: _____
Dr. Miguel A. Cardona, Secretary
State Board of Education



Agency Legislative Proposal - 2021 Session

Document Name: 082520_SDE_TransitionServices

(If submitting electronically, please label with date, agency, and title of proposal – 092621_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 Special Education

Agency Analyst/Drafter of Proposal: Bryan Klimkiewicz / Alycia Trakas

Title of Proposal: An Act Concerning The Age When A Special Education Student Shall Begin Receiving Transition Services

Statutory Reference: CGS 10-76d(a)(9); Public Act 19-49: An Act Concerning Transitional Services for Children with Autism Spectrum Disorder

Proposal Summary:

EFFECTIVE JULY 1, 2019 - PA 19-49: An Act Concerning Transitional Services for Children with Autism Spectrum Disorder changed CGS 10-76d(a)(9) to require transitional services to commence no later than the date on which the first individual education program takes effect for a child who is at least fourteen years of age and diagnosed with autism spectrum disorder. Transitional services (for all other students) are required to commence no later than the date on which the first individual education program takes effect for a child who is at least sixteen years of age, or younger if determined appropriate by the PPT. This is an issue for several reasons. 1) In education, students qualify for special education based on a disability category, not on a medical diagnosis. Districts may or may not know if a student has a medical diagnosis of autism spectrum disorder. The CSDE collects data regarding students with the primary disability category of autism. Students with a medical diagnosis of autism may qualify for special education within that primary disability category OR within another disability category. The CSDE can only assist districts in meeting this new requirement based on the primary disability category of autism. 2) This change requires transitional services to begin two years earlier for students in one disability category, rather than for all students with disabilities (regardless of their primary disability). According to 2019-2020 Primary Disability Prevalence Rate data, 12.9% of students (K-12) receive special education/related services within the primary disability category of autism. 2021 LEGISLATION PROPOSAL - The proposed change will require transitional services to commence no later than the date in which the first individual education program takes effect for a child who is at least fourteen years of age (regardless of their diagnosis or disability category) – requiring transitional services to begin earlier (age 14 versus age 16) for all students with disabilities. 2021 PROPOSAL to CGS 10-76d(a)(9) - The planning and placement team shall, in accordance with the provision of the Individuals with Disabilities Education Act 20 USC 1400, et seq., as amended from time to time, develop and update annually a statement of transition service needs for each child requiring special education. Commencing no later than the date on which the first individual education program takes effect for a child who is at least



fourteen years of age, such program shall include (A) appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills; and (B) the transition services, including courses of study, needed to assist a child in reaching those goals. The individual education program shall be updated annually thereafter in accordance with the provisions of this subdivision. Nothing in this subdivision shall be construed as requiring the Department of Aging and Disability Services (ADS) to lower the age of transition services for a child with disabilities from sixteen to fourteen years of age.

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?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

(1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary? Yes, PA 19-49 only requires transition services to be in place at age 14 for a child diagnosed with autism spectrum disorder. This proposed change will require transition services to be in place at age 14 for all students with an IEP, regardless of their diagnosis or disability category. (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Yes, according to the National Technical Assistance Center on Transition (NTACT) as of 2017, about 29 states require transition services before the age of 16 (1 – age 13, 23 – age 14, 1 – age 14.5, 1 – end of 8th grade, and 2 – age 15). (3) Have certain constituencies called for this action? Yes, the Education Committee (see Proposed Bill No. 5986). (4) What would happen if this was not enacted in law this session? LEAs are now required to implement transition services at two different ages – age 14 if a child has been diagnosed with autism spectrum disorder (students qualify for special education based on a disability category, not a medical diagnosis) and age 16 for all other students with disabilities with an individual education program (IEP). We strongly believe that Connecticut's K-12 public education system must not only emphasize rigorous, well-rounded academics and citizenship, but also evolve to meet the needs of the state's economy. In addition to providing pathways to college through demanding academic coursework and dual enrollment opportunities, we acknowledge and embrace the immense potential of K-12 public education to offer career pathways that align to the state's workforce needs. College and career pathways are not mutually exclusive; many students who explore careers seek postsecondary education or training to further their skills while others who are singularly focused on college will benefit from gaining exposure to potential careers. Regardless of a student's path, our goal is to equip all students with options for success and happiness in their lives beyond high school. For transition-age students with an individualized education program (IEP), the student's IEP includes postsecondary goals related to education/training, employment, and, where appropriate, independent living skills, and the transition services, including courses of study, needed to assist the student in reaching the student's goals. Specific information from the IEP that is not confidential or does not imply, either directly or inadvertently, that a student has a disability, could be incorporated into the Student Success Plan (SSP) (e.g., postsecondary goals, career interests and preferences, use of technology) for better alignment. The SSP begins in 6th grade and continues through high school to



provide the student support and assistance in setting goals for social, emotional, physical, and academic growth, meeting rigorous high school expectations, and exploring postsecondary education and career interests. The CSDE believes that the wealth of information in the SSP can be a critical element in the development the IEP to support the unique college and career pathway of students with disabilities. Beginning transition services for all students with an IEP at age 14 allows for stronger alignment of student programming, earlier in a student’s school career, to increase and maximize the opportunities, experiences, and pathways available for students with disabilities in CT.

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?*

1) I believe this proposal did not pass because the previous session was cancelled due to COVID-19.

PROPOSAL IMPACT

AGENCIES AFFECTED *(please list for each affected agency)*

Agency Name: Agency Contact (name, title, phone): Date Contacted:
Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
Summary of Affected Agency’s Comments
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO

FISCAL IMPACT *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal <i>(please include any municipal mandate that can be found within legislation)</i> None.
State None.
Federal None.
Additional notes on fiscal impact The proposal makes changes to individual education programs for all students with disabilities, which is not anticipated to result in a fiscal impact to the State Department of Education or local and regional boards of education, as these students are receiving an individual education program under current law.



The proposal has no fiscal impact to the Department of Aging and Disability Services (ADS), formerly the Department of Rehabilitation Services (DORS), as it specifies that ADS does not have to lower, from 16 to 14, the age of transitional services for a child with disabilities.

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

Pursuant to the IDEA Section 300.320(b) Transition services. - Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include— (1) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and (2) The transition services (including courses of study) needed to assist the child in reaching those goals. CT HISTORY: P.A. 87-324, in Subsec. (a), provided for individual transition plans commencing with the 1988-1989 school year; P.A. 92-262 amended Subsec. (a)(6) to add provisions concerning transition services and authorized transition services as part of a child's program before his fifteenth birthday; P.A. 00-48 rewrote Subsec. (a)(7), changing the time frame for the development of the statement of transition service needs from age 15 to age 14 and requiring the statement to focus on courses of study; June 30 Sp. Sess. P.A. 03-6 amended Subsec. (a)(7) by adding provision re federal Individuals With Disabilities Education Act and by deleting provisions re a student's individualized education program and a detailed provision of transition services including interagency responsibilities; P.A. 19-49 rewrote Subsec. (a)(9), changing the time frame for the development of the statement of transition services needs to age 14, but only for students diagnosed for autism spectrum disorder, while the development of the statement of transition services needs remains age 16 for all other students with disabilities.

◇ **EVIDENCE BASE**

What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

The Bureau of Special Education currently monitors 17 IDEA Part B Indicators. Indicator 13, Secondary Transition, monitors a district's compliance with transition services for students with disabilities. Our data system for monitoring districts, as well as our differentiated support structure currently exists. Our Indicator 13 data across the state does not meet the 100% compliance required by OSEP, however, only a handful of districts within our monitoring system are identified as non-compliant, a decrease over the last several years. The proposed changes will allow a larger number of IEPs to be monitored for Indicator 13 compliance, thus expanding our current technical assistance and support for a greater number of school districts (which have the resources, structure, and capability to do).

[Insert fully drafted bill here](#)

AN ACT CONCERNING THE AGE WHEN A SPECIAL EDUCATION STUDENT SHALL BEGIN RECEIVING TRANSITION SERVICES



Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subdivision (9) of subsection (a) of section 10-76d of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

(9) The planning and placement team (PPT) shall, in accordance with the provision of the Individuals with Disabilities Education Act, 20 USC 1400, et seq., as amended from time to time, develop and update annually thereafter a statement of transition service needs for each child requiring special education. **[Commencing no] Beginning not** later than the **[date on which the]** first individual education program (IEP) **[takes] to be in effect when the child turns 14 [for a child who is at last fourteen years of age and diagnosed with autism spectrum disorder], or younger if determined appropriate by the PPT, the IEP [such program]** shall include (A) appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and (B) the transition services, including courses of study, needed to assist **[a] the** child in reaching those goals. **[The individual education program shall be updated annually thereafter in accordance with the provisions of this subdivision.]** Nothing in this subdivision shall be construed as requiring the Department of **[Rehabilitation] Aging and Disability Services** to lower the age of transition services for a child with disabilities from sixteen to fourteen years of age.



Agency Legislative Proposal - 2021 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 Stefon
Phone: (860) 713-6493
E-mail: Laura.Stefon@ct.gov

Lead agency division requesting this proposal: **Bureau of Educator Standards and Certification, Talent Office**

Agency Analyst/Drafter of Proposal: **Shuana Tucker, Chief Talent Officer; Christopher M. Todd, Bureau Chief; Wendy Harwin and Megan Alubicki, Education Consultant; Gladys Labas, Equity and Language Services Consultant**

Title of Proposal An Act Concerning Minor Revisions to Bilingual Education Certification

Statutory Reference Sec. 10-145h. Requirements for certification as a bilingual education teacher.

Proposal Summary: This Act proposes to:

- 1) Revise testing requirements for bilingual educator certification; and
- 2) Clarify the grade levels authorized under bilingual certification endorsements.
- 3) Create two new secondary bilingual endorsements.

• PROPOSAL BACKGROUND

Reason for Proposal

Bilingual certification authorizes educators to teach academic content in two languages. Educators must be fully proficient in both languages of instruction. Eligibility for a bilingual endorsement requires educators to demonstrate oral proficiency in English and oral and written proficiency in the second language of instruction, by passing national proficiency tests. However, most educators have demonstrated oral and written proficiency in at least one of these languages by earning a degree from an institution that provides instruction in that language. Accepting an earned degree from an institution where the language of instruction is English to demonstrate written English proficiency, and an earned degree from an institution where the language of instruction is the second language sought, to demonstrate oral and written proficiency in that language would eliminate time consuming, expensive testing without lowering standards.

English learners may come to our classrooms from areas of strife or poverty, resulting in limited or interrupted access to academic instruction. Some of these students, placed in age-appropriate grades, may need elementary level instruction to catch up to their peers. Authorizing elementary bilingual teachers to serve students in grades K through 9 and middle grades bilingual teachers in grades 4 through 9 improves district flexibility to create multi-age groups that better serve the academic needs of these students. Over 92% of students in mandated bilingual education programs are in grades K-9.

Eligibility for secondary bilingual certification requires teachers to meet coursework requirements for a specific content area, as well as coursework and testing for bilingual certification. This is an expensive and time-consuming burden, which creates a barrier. Many bilingual certified educators could teach additional secondary subject areas, but are not able to complete the number of courses required in the content area. Similarly, there are special subjects and world language teachers who have the language skills, but cannot earn a bilingual endorsement without completing many additional content courses in an academic area. This proposal addresses the severe shortage of bilingual teachers by reducing the the number of credits required to teach in secondary bilingual programs. It seeks to create secondary level bilingual STEM and bilingual humanities endorsements, aligned with the new High School graduation requirements. These



bilingual STEM and humanities endorsements would permit the holders to teach any bilingual content that falls within these broader content area categories, allowing more flexibility for districts and reducing barriers for teachers while maintaining content knowledge standards, so that bilingual students would continue to be served by competent and knowledgeable teachers.

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

PROPOSAL IMPACT

- **Agencies Affected** (please list for each affected agency) *Please only complete this section if you have already been working with another agency. If not, I will reach out to the appropriate agency’s legislative liaison upon approval from the Commissioner.*

Agency Name: Agency Contact (name, title, phone): Date Contacted: Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
Summary of Affected Agency’s Comments
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> 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) <i>Impact on LEAs or municipalities – cost or savings.</i> None
State <i>In addition to costs to the State/Department, please include additional staffing needs to implement, if any.</i> None
Federal <i>Please note if any federal funds are received, used, etc. as a result of this proposal.</i> None
Additional notes on fiscal impact Reducing the number of tests and courses required for certification reduces the financial burden on educators. Extending the grade levels elementary and middle grades bilingual teachers are authorized to teach may reduce the fiscal burden on some districts by allowing greater flexibility to assign existing teachers to meet the changing grade levels of their mandated bilingual programs.

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



By section, what is the impact of this proposal?

Sec 10-145h: Ensure proficiency in all languages of instruction, without unnecessary testing. Extend bilingual elementary certification to authorize educators to serve in in grades K-9; and bilingual middle grades certification endorsements to authorize educators to serve in grades 4-9. Create new endorsements that offer additional educators a less burdensome pathway to secondary bilingual certification, while maintaining content mastery standards.



Insert fully drafted bill here

- New language should be underlined
- Language to be removed should be in **[bold brackets]**

Sec. 10-145h. Requirements for certification as a bilingual education teacher.

(a) On and after July 1, 20[15]21, the State Board of Education shall require an applicant for certification as a bilingual education teacher to demonstrate written competency in English and written and oral competency in the other language of instruction as a condition of certification. Written competency in English shall be demonstrated by successful passage of the essential skills test approved by the State Board of Education, except that an earned degree at a regionally accredited college or university where the language of instruction is English may be accepted in lieu. Written competency in the other language shall be demonstrated on an examination, if available, of comparable difficulty as specified by the Department of Education, except that an earned degree at a regionally accredited college or university where the language of instruction is the other language requested may be accepted in lieu. If such an examination is not available, competency shall be demonstrated by an appropriate alternative method as specified by the department. Oral competency in the other language shall be demonstrated by an appropriate method specified by the Department of Education.

(b) On and after July 1, 2015, the State Board of Education shall require persons seeking to become (1) elementary level bilingual education teachers to meet coursework requirements in elementary education and bilingual education, and (2) secondary level bilingual education teachers to meet coursework requirements in both the subject area they will teach and in bilingual education. The State Board of Education may issue an endorsement in bilingual education to an applicant who has (A) completed coursework requirements in (i) elementary education and bilingual education, or (ii) the subject area they will teach and bilingual education, and (B) successful passage of examination requirements for bilingual education, as approved by the State Board of Education.

(c) On and after July 1, 2000, the State Board of Education shall require bilingual education teachers holding provisional educator certificates to meet the requirements of this subsection in order to qualify for a professional educator certificate to teach bilingual education. (1) Such bilingual education teachers who teach on the elementary level shall take fifteen credit hours in bilingual education and fifteen credit hours in language arts, reading and mathematics. (2) Such bilingual education teachers who teach on the middle or secondary level shall take fifteen credit hours in bilingual education and fifteen credit hours in the subject matter that they teach. Such professional educator certificate shall be valid for bilingual education and the grade level and content area of preparation.

(d) Certification in elementary bilingual education shall be valid for grades kindergarten to nine, inclusive, and middle grades bilingual education certification shall be valid for grades four to nine, inclusive.

(e) Not later than July 1, 2021, the Commissioner of Education shall approve guidelines for unique endorsements to authorize teaching secondary bilingual humanities and secondary bilingual STEM courses. (1) Certified bilingual educators who have completed at least 15 semester hours of



credit in combined content coursework in the humanities shall be eligible to teach secondary humanities courses in the bilingual program; certified bilingual teachers who have completed at least 15 semester hours of credit in combined content coursework in STEM fields shall be eligible to teach secondary STEM courses in the bilingual program. (2) Certified educators who have completed at least 15 semester hours of credit in combined content coursework in the humanities and the required coursework and testing for a bilingual endorsement shall be eligible to teach secondary humanities courses in the bilingual program; Certified educators who have completed at least 15 semester hours of credit in combined content coursework in the STEM fields and the required coursework and testing for a bilingual endorsement shall be eligible to teach secondary STEM courses in the bilingual program;

Required Agency Approvals

Shuana Tucker, Ph.D.
Chief Talent 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



Agency Legislative Proposal – 2020 Session

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

2020 Modification to Resident Educator Certification

(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:

Talent Office

Agency Analyst/Drafter of Proposal:

Dr. Shuana Tucker, Chief Talent Officer
Christopher Todd, Bureau Chief

Title of Proposal

An Act Concerning the Resident Educator Certificate

Statutory References

- **C.G.S. 10-145m – Resident Educator Certificate**

Proposal Summary

The proposal recommends expanding access to Connecticut’s Resident Educator Certificate (10-145m) by removing GPA & testing barriers and expanding access to state board approved Masters of Teaching (MAT) programs.



PROPOSAL BACKGROUND

The Connecticut State Department of Education, in particular, the Bureau of Educator Standards & Certification is committed to maintaining high standards of expectation for all teachers while working to reduce barriers into the teaching profession.

The Connecticut Resident Educator Certificate, as prescribed in 10-145m, is a viable pathway into the profession for many aspiring educators. Under the supervision and mentorship of a veteran educator or building administrator, the Resident Educator Certificate authorizes an aspiring educator to be gainfully employed as the teacher of record while simultaneously enrolled in a State Board of Education approved preparation program leading to certification.

This proposal expands both access to and the possible expansion of utilization of Connecticut's Resident Educator Certificate as a viable pathway to the profession for candidates enrolled in both Alternate Route to Certification (ARC) and traditional Masters of Teaching (MAT) certification programs.

- **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 10-145m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*).

Sec. 10-145m. Resident teacher certificate. (a) The State Board of Education, upon receipt of a proper application, shall issue a resident teacher 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, who (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 regionally accredited, ~~[(2) possesses a minimum undergraduate college cumulative grade point average of 3.00]~~ (2) completed a major or 30 semester hours of content specific credit or has achieved a qualifying score, as determined by the State Board of Education, on the appropriate State Board of Education approved subject area assessment, and ~~[(4)]~~ (3) is enrolled in an alternate route to certification program or post-bachelor program leading to certification approved by the State Board of Education, that meets the guidelines established by the Every Student Succeeds Act (ESSA). ~~[No Child Left Behind Act, P.L. 107-110]~~.

(b) Each such resident teacher certificate shall be valid for two years, and may be extended by the Commissioner of Education for an additional one year for good cause upon the request of the superintendent of schools for the school district employing such person.

(c) During the period of employment in a public school, a person holding a resident teacher certificate shall be the teacher of record and 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 a resident teacher certificate.

(d) Notwithstanding the provisions of subsection (a) of section 10-145b, on and after July 1, 2009, 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 (1) successfully completed an alternate route to certification program, approved by the State Board of Education, that meets the guidelines established by the No Child Left Behind Act, P.L. 107-110, (2) taught successfully as the teacher of record while holding a resident teacher certificate, and (3) meets the requirements established in subsection (b) of section 10-145f.



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



Agency Legislative Proposal - 2021 Session

Document Name: 091120_SDE_FingerprintRevisions

(If submitting electronically, please label with date, agency, and title of proposal – 092621_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: Legal Affairs

Agency Analyst/Drafter of Proposal: Matt Venhorst

Title of Proposal: An Act Concerning Technical Changes to Laws Requiring Fingerprinting in Schools

Statutory Reference: C.G.S. Sec. 10-221d and 10-232a

Proposal Summary:

Connecticut law mandates that school employees undergo, among other checks, national criminal history records checks, which obtain criminal history information from a database maintained by the Federal Bureau of Investigation (FBI). As a condition of accessing this information, the FBI requires that the state statutes mandating these background checks for school employees list governmental (public) and non-governmental (non-public) entities separately in statute. As such, Connecticut currently has separate statutes applicable to public and non-public entities (C.G.S. Sections 10-221d and 10-232a, respectively). The proposed changes here seek to re-classify charter school governing boards and cooperative arrangements based on the FBI's classification of these entities as non-public. The FBI is requiring these changes in order to allow educational entities to have continued access to its criminal history database.

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?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

These changes are required in order to allow educational entities to receive access to the FBI's criminal history database.



[Empty box for additional information]

◇ **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?*

n/a

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: Department of Emergency Services and Public Protection (DESPP)
Agency Contact (name, title, phone): Versie Jones, Auditor, DESPP, (860)685-8020
Date Contacted:

Approve of Proposal **YES** **NO** **Talks Ongoing**

Summary of Affected Agency’s Comments
 DESPP has indicated that these changes are required by the FBI. DESPP is in the process of reviewing this proposal.

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



Applicants from entities now considered non-public will be assessed a state fee (assessed by DESPP) because these applicants are no longer eligible to have state fingerprinting fees waived because they work for a governmental employer.

Federal

Additional notes on fiscal impact

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

◇ **EVIDENCE BASE**

What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

Insert fully drafted bill here

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-221d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) As used in this section and sections 10-232b and 10-232c, “eligible school operator” means a school or school district authorized to receive national criminal history record information from the Federal Bureau of Investigation pursuant to P.L. 92-544, and shall include a local or regional board of education, the Technical Education and Career System, **[the governing council of a state or local charter school, a cooperative arrangement pursuant to section 10-158a]** and an interdistrict magnet school operator other than an operator who is a third-party not-for-profit corporation approved by the Commissioner of Education.

(b) Each eligible school operator shall, subject to the provisions of section 31-51i, (1) require each applicant for a position with such eligible school operator to state, in writing, whether such applicant has ever been convicted of a crime or whether criminal charges are pending against such applicant at



the time of such application and, if charges are pending, to state the charges and the court in which such charges are pending, (2) require each applicant to submit to a records check of the Department of Children and Families child abuse and neglect registry established pursuant to section 17a-101k, before such applicant may be hired by such eligible school operator, and (3) on and after July 1, 2019, require, subject to the provisions of subsection (e) of this section, each applicant for a position with such eligible school operator to submit to state and national criminal history records checks within thirty days from the date of employment and may require, subject to the provisions of subsection (e) of this section, any person hired prior to said date to submit to state and national criminal history records checks. The criminal history records checks required by this subsection shall be conducted in accordance with section 29-17a. If the eligible school operator receives notice of a conviction of a crime which has not previously been disclosed by such person to the eligible school operator, the eligible school operator may (A) terminate the contract of a certified employee, in accordance with the provisions of section 10-151, and (B) dismiss a noncertified employee, provided such employee is notified of the reason for such dismissal. If the eligible school operator receives notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Board of Education, the eligible school operator shall send such notice to the State Board of Education. The provisions of this subsection shall not be construed to cause an eligible school operator to disseminate the results of any national criminal history records check.

(c) If an eligible school operator requests, a regional educational service center shall arrange for the fingerprinting of any person required to submit to state and national criminal history records checks pursuant to this section or for conducting any other method of positive identification required by the State Police Bureau of Identification or the Federal Bureau of Investigation and shall forward such fingerprints or other positive identifying information to the State Police Bureau of Identification which shall conduct criminal history records checks in accordance with section 29-17a. Such regional educational service center shall maintain such fingerprints or other positive identifying information, which may be in an electronic format, for a period of four years, at the end of which such fingerprints and positive identifying information shall be destroyed. The State Police Bureau of Identification shall provide the results of such checks to such eligible school operator. No regional educational service center shall charge a fee for services under this subsection that exceeds any fee that the center may charge any applicant for a position with such center.

(d) State and national criminal history records checks for substitute teachers completed within one year prior to the date of employment with an eligible school operator and submitted to the employing eligible school operator shall meet the requirements of subsection (b) of this section. An eligible school operator shall not require substitute teachers to submit to state and national criminal history records checks pursuant to subsection (b) of this section if they are continuously employed by such eligible school operator, provided a substitute teacher is subjected to such checks at least once every five years. For purposes of this section, substitute teachers shall be deemed to be continuously employed by an eligible school operator if they are employed at least one day of each school year by such eligible school operator.

(e) The provisions of this section shall not apply to (1) a student employed by the eligible school operator that operates a school which the student attends, or (2) a person employed by an eligible



school operator as a teacher for a noncredit adult class or adult education activity, as defined in section 10-67, who is not required to hold a teaching certificate pursuant to section 10-145b for his or her position.

(f) Notwithstanding the provisions of subsection (g) of section 31-51i, and to the extent permissible under state and federal laws regarding the dissemination of criminal history records, the State Board of Education shall, upon request of an eligible school operator, make available to such eligible school operator requesting information concerning an applicant for a position with such eligible school operator (1) any information concerning the applicant's eligibility for employment in a position with such eligible school operator requiring a certificate, authorization or permit issued pursuant to chapter 166, (2) whether the department has knowledge that the applicant has been disciplined for a finding of abuse or neglect or sexual misconduct, as defined in section 10-222c, and any information concerning such a finding, and (3) whether the department has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges. The provisions of this subsection shall not be construed to cause the state board to investigate any such request or disseminate the results of any national criminal history records check.

Section 2. Section 10-232a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) As used in this section and sections 10-232b and 10-232c, "nongovernmental school operator" means an operator of an interdistrict magnet school that is a third-party not-for-profit corporation approved by the Commissioner of Education, the governing council of a state or local charter school, an endowed or incorporated academy approved by the State Board of Education pursuant to section 10-34, a special education facility approved by the State Board of Education pursuant to section 10-76d, **[or]** the supervisory agent of a nonpublic school or a cooperative arrangement pursuant to section 10-158a.

(b) Each nongovernmental school operator shall, subject to the provisions of section 31-51i, (1) require each applicant for a position with such nongovernmental school operator to state, in writing, whether such applicant has ever been convicted of a crime or whether criminal charges are pending against such applicant at the time of such application and, if charges are pending, to state the charges and the court in which such charges are pending, (2) require each applicant to submit to a records check of the Department of Children and Families child abuse and neglect registry established pursuant to section 17a-101k, before such applicant may be hired by such nongovernmental school operator, and (3) on and after July 1, 2019, require, subject to the provisions of subsection (e) of this section, each applicant for a position with such nongovernmental school operator to submit to state and national criminal history records checks within thirty days from the date of employment and may require, subject to the provisions of subsection (e) of this section, any person hired prior to said date to submit to state and national criminal history records checks. The criminal history records checks required by this subsection shall be conducted in accordance with section 29-17a, the federal National Child Protection Act of 1993 and the federal Volunteers for Children Act of 1998. If the nongovernmental school



operator receives notice of a conviction of a crime which has not previously been disclosed by such person to the nongovernmental school operator, the nongovernmental school operator may (A) terminate the contract of a certified employee, in accordance with the provisions of section 10-151, if applicable, and (B) dismiss a noncertified employee, provided such employee is notified of the reason for such dismissal. If the nongovernmental school operator receives notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Board of Education, the nongovernmental school operator shall send such notice to the State Board of Education. The provisions of this subsection shall not be construed to cause a nongovernmental school operator to disseminate the results of any national criminal history records check.

(c) If a nongovernmental school operator requests, a regional educational service center shall arrange for the fingerprinting of any person required to submit to state and national criminal history records checks pursuant to this section or for conducting any other method of positive identification required by the State Police Bureau of Identification or the Federal Bureau of Investigation and shall forward such fingerprints or other positive identifying information to the State Police Bureau of Identification which shall conduct criminal history records checks in accordance with section 29-17a, the federal National Child Protection Act of 1993 and the federal Volunteers for Children Act of 1998. Such regional educational service center shall maintain such fingerprints or other positive identifying information, which may be in an electronic format, for a period of four years, at the end of which such fingerprints and positive identifying information shall be destroyed. The State Police Bureau of Identification shall provide the results of such checks to such nongovernmental school operator. No regional educational service center shall charge a fee for services under this subsection that exceeds any fee that the center may charge any applicant for a position with such center.

(d) State and national criminal history records checks for substitute teachers completed within one year prior to the date of employment with a nongovernmental school operator and submitted to the employing nongovernmental school operator shall meet the requirements of subsection (b) of this section. A nongovernmental school operator shall not require substitute teachers to submit to state and national criminal history records checks pursuant to subsection (b) of this section if they are continuously employed by such nongovernmental school operator, provided a substitute teacher is subjected to such checks at least once every five years. For purposes of this section, substitute teachers shall be deemed to be continuously employed by a nongovernmental school operator if they are employed at least one day of each school year by such nongovernmental school operator.

(e) The provisions of this section shall not apply to (1) a student employed by the nongovernmental school operator that operates a school which the student attends, or (2) a person employed by a nongovernmental school operator as a teacher for a noncredit adult class or adult education activity, as defined in section 10-67, who is not required to hold a teaching certificate pursuant to section 10-145b for his or her position.

(f) Notwithstanding the provisions of subsection (g) of section 31-51i, and to the extent permissible under state and federal laws regarding the dissemination of criminal history records, the State Board of Education shall, upon request of a nongovernmental school operator, make available to such nongovernmental school operator requesting information concerning an applicant for a position with



such nongovernmental school operator, (1) any information concerning the applicant's eligibility for employment in a position with such nongovernmental school operator requiring a certificate, authorization or permit issued pursuant to chapter 166, (2) whether the department has knowledge that the applicant has been disciplined for a finding of abuse or neglect or sexual misconduct, as defined in section 10-222c, and any information concerning such a finding, and (3) whether the department has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges. The provisions of this subsection shall not be construed to cause the state board to investigate any such request or disseminate the results of any national criminal history records check.



Agency Legislative Proposal - 2021 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): 091120_SDE_CharterSchFingerprinting

(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: **Legal and Governmental Affairs**

Agency Analyst/Drafter of Proposal: **Matthew Venhorst, Staff Attorney; Jessa Mirtle, Legal Director**

Title of Proposal **An Act Concerning Revisions to the Laws Regarding Charter School Background Checks**

Statutory Reference **10-66rr**

Proposal Summary **This proposal changes the way in which criminal background checks are conducted on charter school governing council members and members of charter management organizations. The Connecticut Department of Emergency Services and Public Protection (DESPP) has indicated that, based on FBI protocols, the checks are unable to be implemented as written in the current version of 10-66rr.**

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? Yes. DESPP has indicated that, based on issues discovered during an FBI audit of DESPP practices, 10-66rr may not be implemented as written.*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? N/A. Connecticut appears to have a unique background check requirement for this class of individuals, in that the SBE requires that the background checks be conducted but the employing entity is required to make the decision regarding suitability for employment/placement.*
- (3) *Have certain constituencies called for this action? Yes. DESPP has indicated that the current version of 10-66rr may not be implemented as written.*
- (4) *What would happen if this was not enacted in law this session? The background checks required by C.G.S. Sec. 10-66rr may not be implemented as contemplated in the law.*



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

If this is a resubmission, please share: *These should be answered only if it is a resubmission*

- (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) *Please only complete this section if you have already been working with another agency. If not, I will reach out to the appropriate agency's legislative liaison upon approval from the Commissioner.*

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 *If the proposal is implemented as written, background checks need not go through DESPP and applicants would therefore no longer pay DESPP's state fee for obtaining fingerprint checks.*

Federal *None*

Additional notes on fiscal impact

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



N/A

Section 10-66rr of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

On and after July 1, 2015, the State Board of Education shall require members of the governing council of a state or local charter school and members of a charter management organization to submit to a records check of the Department of Children and Families child abuse and neglect registry, established pursuant to section 17a-101k, and to state and national criminal history records checks before the state board grants initial certificates of approval for charters pursuant to section 10-66bb, or before such members may be hired by the governing council of a state or local charter school or charter management organization. The governing council of a state or local charter school shall require each contractor doing business with a state or local charter school, who performs a service involving direct student contact, to submit to a records check of the Department of Children and Families child abuse and neglect registry, established pursuant to section 17a-101k, and to state and national criminal history records checks before such contractor begins to perform such service. [Any criminal history records checks required under this section shall be conducted in accordance with section 29-17a.]



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



Agency Legislative Proposal - 2021 Session

Document Name: 090220_SDE_StateFundsRecovery

(If submitting electronically, please label with date, agency, and title of proposal – 092621_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: Legal Affairs

Agency Analyst/Drafter of Proposal: Matt Venhorst

Title of Proposal: An Act Concerning the Recovery of Misused State Funds

Statutory Reference: Title 10, Chapter 164, Part IVb (Charter Schools)

Proposal Summary:

The auditors at APA specifically recommended that the SDE “should propose legislative changes to Section 10-66tt that would clearly identify its governance responsibilities regarding charter management organizations . . .to resolve certain financial losses.” The intent of this proposal is to be responsive to that recommendation and authorize the state to recover state funds found to have been misused by an entity that runs a charter school (such as a charter management organization). While C.G.S. Sec. 10-66ee(h) currently authorizes the Commissioner to recover from a charter school grant funds that have been used improperly, there is no similar authority with respect to a charter management organization.

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?*
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?*
- (3) Have certain constituencies called for this action?*
- (4) What would happen if this was not enacted in law this session?*

This proposal was recommended by the Auditors of Public Accounts following the closure of Path Academy Charter School.



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: Office of the Attorney General – Still pending feedback

Agency Contact (name, title, phone):

Date Contacted:

Approve of Proposal **YES** **NO** **Talks Ongoing**

Summary of Affected Agency's Comments

This office has not yet been contacted.

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

This statute, which authorizes the recovery of state funds, potentially could have a positive fiscal impact.

Federal

Additional notes on fiscal impact



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

◇ **EVIDENCE BASE**

What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

N/A

Insert fully drafted bill here

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Sec. 1. (NEW) *(Effective from Passage)* (a) The Department of Education may institute a civil action in the Superior Court, or in the United States District Court, where applicable, against any person, firm, corporation, business or combination thereof, including a charter management organization, it believes, or has reason to believe has misused state funds or engaged in the misuse of state resources, to enjoin said parties from continuing such conduct within this state and to seek repayment of such funds as well as damages on behalf of the State. In such actions it shall be represented by the Attorney General.

(b) Upon the institution of such civil action, the Attorney General shall have the right to take the deposition of any witness the Attorney General believes, or has reason to believe, has information relative to the prosecution of such action, upon application made to the Superior Court, notwithstanding the provisions of other statutes limiting depositions. The Attorney General shall also have the right to take such depositions in other states and to utilize the laws of such other states relative to the taking of depositions where allowed by the laws of such states.

(c) In any case where damages or the misuse of state funds or resources referred to in subsection (a) of this section shall be proven by a fair preponderance of the evidence, the court shall order repayment by any or all defendants of said damages through the Department of Education.

(d) The court shall also have the right, in its discretion, to assess treble damages against said defendants.



Agency Legislative Proposal - 2021 Session

Document Name: date_SDE_CTECSsuperintedent

(If submitting electronically, please label with date, agency, and title of proposal – 092621_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: CTECS

Agency Analyst/Drafter of Proposal: Susan Scott, CTECS Legal Director

Title of Proposal: An Act Concerning the Technical Education and Career System Superintendent

Statutory Reference: Conn. Gen. Stat. Section 10-95 (c) and 10-95q

Proposal Summary:

To resolve a conflict within the general statutes regarding the appointment of the CTECS superintendent.

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?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

This proposal supports the theme of structural reforms to state government. There are two conflicting statutory provisions for selecting and appointing a new superintendent for CTECS. Subsection (c) of section 10-95 of the Connecticut General Statutes states "The board and the Commissioner of Education shall jointly recommend a candidate for the superintendent of the Technical Education and Career System who shall be appointed as superintendent by the State Board of Education." Subsection (a)(1) of section 10-95q of the Connecticut General Statutes states "the Technical Education and Career System board may recommend a candidate for superintendent of the Technical Education and Career System to the Commissioner of Education. The commissioner may hire or reject any candidate for superintendent recommended by the board. If the commissioner rejects a candidate for superintendent, the board shall recommend another candidate for superintendent to the commissioner." If the



current Superintendent were to leave his position, the ambiguity in the law would delay the appointment of a successor. Any delay in appointing CTECS' leadership would be highly detrimental to the operation of the state's technical education and career school system.

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?*

This technical revision was proposed in section 5 of SB-172 in the 2020 legislative session. A public hearing was held March 6, 2020 at which there was no testimony against section 5 of the bill. The proposal did not move forward due to the impact of COVID-19 pandemic on the operations of the CGA.

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)*
 There is no municipal fiscal impact.

State



There is no state fiscal impact.
Federal There is no federal fiscal impact.
Additional notes on fiscal impact

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

The proposal will ensure the efficient operation of the Connecticut Technical Education and Career System in the event of a leadership change by correcting a conflict in the general statutes regarding the process of appointing the CTECS superintendent.

◇ **EVIDENCE BASE**

What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

N/A

Insert fully drafted bill here

Subsection (c) of section 10-95 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(c) [The board and the Commissioner of Education shall jointly recommend a candidate for superintendent of the Technical Education and Career System who shall be appointed as superintendent by the State Board of Education. Such] The superintendent of the Technical Education and Career System shall be appointed in accordance with the provisions of section 10-95q. The superintendent shall be responsible for the operation and administration of the system. The board may enter into cooperative arrangements with local and regional boards of education, private occupational schools, institutions of higher education, job training agencies and employers in order to provide general education, vocational, technical, technological or postsecondary education or work experience. The superintendent, in conjunction with the commissioner, may arrange for training to be provided to the board at such times, and on such matters, as are deemed appropriate to assist the board in the conduct of its business.



Agency Legislative Proposal - 2021 Session

Document Name: date_SDE_CTECS10-76q

(If submitting electronically, please label with date, agency, and title of proposal – 092621_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: CTECS

Agency Analyst/Drafter of Proposal: Susan Scott, Legal Director

Title of Proposal: An Act Concerning the Provision of Special Education Services at Technical High Schools

Statutory Reference: Conn. Gen. Stat. 10-76q

Proposal Summary:

This proposal is offered in conjunction with any proposal to repeal subsection (C) of 10-76q. This proposal creates a new subsection (c) that requires the local or regional board of education to call a planning and placement team meeting prior to a student being enrolled in the Technical Education and Career System and invite a member of the CTECS system to participate.

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?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

◇ **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?*



This particular proposal is new, but there have been previous bills submitted to repeal section (c) of 10-76q. It incorporates recent guidance that was developed by CTECS and the Bureau of Special Education regarding the admissions process. This proposal creates a new subsection (c) that requires the local or regional board of education to call a planning and placement team meeting prior to a student being enrolled in the Technical Education and Career System and invite a member of the CTECS system to participate.

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: N/A Agency Contact (name, title, phone): Date Contacted:
Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
Summary of Affected Agency's Comments
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal <i>(please include any municipal mandate that can be found within legislation)</i> Unknown.
State Removal of current section (c) will result in increased costs for the CTECS system.
Federal None.
Additional notes on fiscal impact

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

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◇ EVIDENCE BASE

What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.

Insert fully drafted bill here

Section 10-76q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(a) The State Board of Education, in accordance with regulations adopted by said board, shall: (1) Provide the professional services necessary to identify, in accordance with section 10-76a, children requiring special education who are enrolled at a technical education and career school; (2) identify each such child; (3) determine the appropriateness of the technical education and career school for the educational needs of each such child ; (4) provide an appropriate educational program for each such child; (5) maintain a record thereof; and (6) annually evaluate the progress and accomplishments of special education programs provided by the Technical Education and Career System.

(b) Where it is deemed appropriate that a child enrolled in a technical education and career school receive special education, the parents or guardian of such child shall have a right to the hearing and appeal process as provided for in section 10-76h.

[(c) If a planning and placement team determines that student requires special education services which preclude such student's participation in the vocational education program offered by a technical education and career school, the student shall be referred to the board of education in the town in which the student resides for the development of an individualized educational program and such board of education shall be responsible for the implementation and financing of such program.]

c) Prior to a student's enrollment in a technical high school, the local or regional board of education where the student applicant resides shall convene a planning and placement team meeting. The purpose of the meeting is to address the student's transition to the technical high school and ensure that the student's individualized education plan reflects the current supports and services that the student requires in order to access a free and appropriate public education in the least restrictive environment. A representative from the technical high school shall be invited to such meeting.



Agency Legislative Proposal - 2021 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): **Leave this blank**

(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: **Academics, Fiscal**

Agency Analyst/Drafter of Proposal: **Laura J. Stefon**

Title of Proposal **An Act Concerning Various Minor and Technical Revisions to the Education Statutes**

Statutory Reference

Section 1: 10-5c
Section 2: 10-148b(b)
Section 3: 10-3b
Section 4: 10-10d

Proposal Summary

Section 1: Removes obsolete statutory language regarding the Academic Advancement Program. In 2013 legislation allowing local boards of education to determine eligible credits based on the demonstration of mastery, made this statute irrelevant.

Section 2: Removes obsolete statutory language regarding continuing education classes. In 2013 legislation was passed that no longer requires districts to report all professional learning offered for the purposes of tracking continuing education to the Department. Currently, we gather this information in form of self-reported district surveys that are not reliable.

Section 3: Removes obsolete statutory language regarding a SERC reporting requirement. This legislation was originally passed prior to SERC becoming a quasi-public agency effective June 13, 2014. Since then, the Department has no statutory oversight of SERC, which is subject to review by the Auditors of Public Accounts as well as any state regulation related to a state procurement agency. Additionally, the data being requested is currently available on CT Open Data, the DAS Contracting Portal, and CSDE's website.

Section 4: Removes language regarding a duplicative reporting requirement. This section of statute creates a duplicative data collection and reporting requirement. The Department collects various fiscal and student data, which is available to the public on the Department's data portal, EdSight. For the collection of financial data in particular, the Department launched the Education Financial



System, which collects annual expenditure data at the school and district level. This information will be available on EdSight for fiscal accountability and reporting purposes. Additionally, some of the data required to be reported on by this section concerning geography and cost of living indicators are not collected by the Department as they are not education-related statistics.

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?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

Please see various explanations outlined above

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

If this is a resubmission, please share: *These should be answered only if it is a resubmission*

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package? *It did not pass because the legislative session was stopped short by COVID.*
- (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) *Please only complete this section if you have already been working with another agency. If not, I will reach out to the appropriate agency's legislative liaison upon approval from the Commissioner.*

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.

Federal Please note if any federal funds are received, used, etc. as a result of this proposal.

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

- New language should be underlined
- Language to be removed should be in **[bold brackets]**

Section 1. Section 10-5c of the general states is repealed:

[Sec. 10-5c. Academic advancement program. (a) The Department of Education shall establish an academic advancement program to allow local and regional boards of education to permit students in grades eleven and twelve to substitute (1) achievement of a passing score on an existing nationally recognized examination, approved by the State Board of Education, or series of examinations approved by the State Board of Education, (2) a cumulative grade point average determined by the State Board of Education, and (3) at least three letters of recommendation from school professionals, as defined in section 10-66dd, for the high school graduation requirements pursuant to section 10-221a. The State Board of Education shall issue an academic advancement program certificate to any student who has successfully completed such program. Such academic advancement program certificate shall be



considered in the same manner as a high school diploma for purposes of determining eligibility of a student for enrollment at a public institution of higher education in this state. (b) Notwithstanding the high school graduation requirements pursuant to section 10-221a, for the school year commencing July 1, 2014, and each school year thereafter, a local or regional board of education shall permit a student to graduate from high school upon the successful completion of the academic advancement program described in subsection (a) of this section.]

Section 2. Section 10-148b of the general states is repealed and the following is substituted in lieu thereof (effective upon passage):

Sec. 10-148b. Professional development program re scientifically-based reading research and instruction. Review and assessment of professional development. (a) On or before July 1, 2013, the Commissioner of Education shall create a program of professional development for teachers, as defined in section 10-144d, and principals in scientifically-based reading research and instruction, as defined in section 10-14u. Such program of professional development shall (1) count towards the professional development requirements pursuant to section 10-148a, (2) be based on data collected from student reading assessments, (3) provide differentiated and intensified training in reading instruction for teachers, (4) outline how mentor teachers will train teachers in reading instruction, (5) outline how model classrooms will be established in schools for reading instruction, (6) inform principals on how to evaluate classrooms and teacher performance in scientifically-based reading research and instruction, and (7) be job-embedded and local whenever possible. In the case of any certified individual who is required to complete the reading instruction survey, pursuant to section 10-145r, the program of professional development for such individual shall be designed using the results of such survey, in accordance with said section 10-145r.

[(b) The Commissioner of Education shall annually review the professional development required under section 10-148a for certified employees who hold a professional educator certificate with an early childhood nursery through grade three or an elementary endorsement and who hold a position requiring such an endorsement. The commissioner shall assess whether such professional development meets the state goals for student academic achievement through implementation of the common core state standards adopted by the State Board of Education, research-based interventions in reading and the Individuals With Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time. The commissioner shall submit such review to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a.]

Section 3. Section 10-3b of the general states is repealed:

[Sec. 10-3b. Annual report to the General Assembly re State Education Resource Center. Not later than January 15, 2014, and annually thereafter, the Commissioner of Education shall submit a report, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to education and government administration containing (1) all contracts, including personal service agreements, awarded by the Department of Education and the State Education Resource Center to private vendors and regional education service centers during the previous year for purposes of fulfilling the duties of the Department of Education; (2) all amounts and sources of private funding, including grants, received by the Department of



Education and the State Education Resource Center; and (3) the amounts paid by the Department of Education or the State Education Resource Center for the salary, fringe benefits and other compensation for any department or center employee or consultant. Such report shall also be posted on the Internet web sites of the Department of Education and the State Education Resource Center.]

Section 4. Section 10-10d of the general states is repealed:

[Sec. 10-10d. Not later than June 30, 2014, the Department of Education shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, as necessary to implement a fiscal accountability data collection report that will include all sources, amounts and uses of all public and private funds by school districts and by public schools, including public charter schools. The department shall report, not later than December 31, 2014, and annually thereafter, all such data as well as school size, student demographics, geography, cost-of-living indicators, and other factors determined by the department to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and education in accordance with the provisions of section 11-4a of the general statutes.]