



DENISE MERRILL

SECRETARY OF THE STATE
CONNECTICUT

**TESTIMONY OF DEPUTY SECRETARY OF THE STATE JAMES F. SPALLONE IN
SUPPORT OF RAISED BILL NO. 303,
“AN ACT CONCERNING BOARDS OF EDUCATION”**

Good afternoon Senator Stillman, Representative Fleischmann and members of the Education Committee.

For the record, I am James Spallone, Deputy Secretary of the State of Connecticut. I am here to testify on Raised Bill 303, “An Act Concerning Boards of Education.” Secretary Merrill was unable to join you in person today, but wishes to thank you for raising this bill.

The office of the Secretary of the State requested that the committee raise this bill after questions arose last summer regarding the effect of a state reconstitution of a local board of education pursuant to Sec. 10-223e of the General Statutes on pending or upcoming elections to a local school board.

As the Committee is aware, last July the Commissioner of the Department of Education, pursuant recently enacted state law, reconstituted the Board of Education of City of Bridgeport. At the time the actions were taken by the state to reconstitute the board, the statutory election calendar for a municipal election was going into effect. There are scores of statutory deadlines for town committees, candidates, town clerks, registrars of voters and others in every election year. An election cycle calendar typically spans several months.

Under General Statutes Section 9-3, the Secretary of the State is the commissioner of elections. Therefore, the office is often asked to interpret election statutes and give advice to local elections officials. As news of the Bridgeport board's resignation and the state takeover of its functions was reported, the Office of the Secretary of the State began fielding calls and emails from various parties with an interest in the election asking questions such as whether there would be an election, whether parties should endorse candidates, whether interested persons should circulate petitions, what would happen if a court intervened and when there would be an election after the state's intervention ended. There was no guidance in Title 9 or Title 10, including Section 10-223e, relevant to these questions.

The bill before you this afternoon appropriately amends Sec. 10-223e to clarify the effect of a state reconstitution of a local board of education on the election process for a local board by:

- Specifically providing that termination of the local board suspends the electoral process during reconstitution of the board.

- Providing that if the commissioner is going to extend reconstitution of the board after the initial 3-year period, he do so at least 180 days before the end of the three year period. This 180-day period provides enough time to hold an election if the commissioner chooses not to extend the reconstitution of the board.
- Providing that the commissioner give notice to the Secretary of the State and the town clerk upon termination of a local board of education so that elections officials can advise candidates and other interested parties accordingly.
- Providing that the commissioner shall give notice to the local town clerk and Secretary of the State 175 days prior to the end of the term of the reconstituted board.
- Providing that the electoral process shall commence upon the conclusion of a period of state reconstitution, following either a regular municipal election or special municipal election calendar.
- Defining the term “electoral process” for purposes of the bill.

Raised Bill 303 provides clarity and structure to candidates, political parties, local election officials and the Office of the Secretary of the State in the event of a state reconstitution of a local board of education.

Our office strives to make our election process clear to all interested parties. Secretary Merrill, therefore, supports this bill and urges a favorable report.

Thank you for the opportunity to testify this afternoon. I would be pleased to answer any questions.

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