



# STATE OF CONNECTICUT

## STATE DEPARTMENT OF EDUCATION



### Connecticut General Assembly Education Committee Public Hearing Testimony of Commissioner Charlene M. Russell-Tucker February 19, 2025

Good morning, Senator McCrory, Representative Leeper, Senator Berthel, Representative Zupkus, and members of the Education Committee. As the Commissioner of the Connecticut Department of Education (Department), I am pleased to have the opportunity to provide you with testimony today regarding a series of bill proposals on your agenda.

#### **SB 1287, An Act Concerning Schools and SB HB 6924 An Act Concerning Public Education in the State**

The Department recognizes that these proposals are placeholder bills, however, we must emphasize that if we are required to conduct two additional studies related to the state of our schools and public education in Connecticut, we would require additional resources that are not currently included in the budget.

#### **SB 1288, An Act Implementing the Recommendations of the Department of Education**

The Department would like to thank the Chairs of the Education Committee for raising this bill on our behalf, which includes the recommendations of the State Department of Education (SDE).

**Section 1** - amends 10-264/(b) to extend both the enrollment standards for magnet schools and the authority for the Commissioner to impose a penalty for noncompliance to every fiscal year as requested by the Department. Lines 78-82 strike the language added last year in PA 24-81, Section 114, that includes resident students attending a magnet school in the student count for the resident town. Although this language was included last year as part of PA 24-81, the practice had always been to include such students in the student count for ECS purposes. The department would be open to adding this language back in, as it has no practical fiscal effect except to conform with long established practice by which such students are included in the student count for ECS purposes.

**Section 2** - adopts the Department's requested language to define reasonable costs as actual costs for reimbursement by the sending district for special education services for students enrolled in a magnet school. Pertaining to line 106-120 – the Department submitted a proposal to change responsibility for costs of 504 services from the sending district to the receiving interdistrict magnet schools since 504 is focused toward ensuring a student has equitable access to a learning environment and often involves changes to the learning environment. Therefore, this makes the receiving interdistrict magnet school best positioned to plan and financially support 504 accommodations. In Section 2, however, the amended language eliminates responsibility of the sending district for costs for 504 services but does not identify the party responsible for such costs and states that either the sending school or receiving district may provide the services. We recommend that the language in lines 106-120 clarify that the receiving magnet school is responsible for ensuring that students requiring 504 services receive the services mandated by the student's plan and for the cost of providing such 504 services to such student.

**Section 3** - adopts the language proposed by the Department and (1) assigns responsibility for the Planning and Placement Team (PPT) and the Individualized Education Program (IEP) to the sending district for students attending an Open Choice school who require special education services, (2) defines “reasonable costs” as actual costs for special education services, and (3) assigns responsibility for 504 services and costs to the receiving district for Open Choice students attending such school.

**Sections 4 & 5** - adopt the language proposed by the Department to include Goodwin University Educational Services as an eligible recipient for grants-in-aid for capital improvements to existing magnet schools along with Regional Educational Service Centers as a non-taxing authority.

**Section 6** - adopts the language proposed by the Department to designate that the school choice lottery algorithm and protocols managed by the Regional School Choice Office (RSCO) in the Greater Hartford Region are not public records and are not subject to the provisions of the Connecticut Freedom of Information Act, C.G.S. §1-210. Public access to the information would risk the integrity of the application and lottery system and interfere with the state’s ability to meet its obligations pursuant to the pending litigation in Sheff.

**Section 7** - adds the language requested by the Department to eliminate the per pupil/supplemental for magnet transportation in the Sheff Region and provide for payment of actual costs of such transportation since transportation is a required term of the stipulation and court order. We would fully support this language if line 238 is revised, as requested by the Department, to eliminate the “within available appropriations” language. Authorizing payment of actual transportation costs, without limiting such payments to the appropriation, meets the commitment in the stipulation and order in the Sheff v. O’Neill case and the obligations to transportation service providers through contracts with the administrator of the transportation program in the Sheff Region. We recommend two additional technical adjustments: one at line 267 to add “up to” before the first grant payment amount to maintain flexibility in the amount that is distributed at the initial date based on timing of costs, and the second at line 268 to move the final grant payment date from November 1st to March 1st of the following fiscal year based on feedback from Capitol Region Education Center (CREC) on when the required audit is completed.

**Section 8** - removes the mandate that certified kindergarten to three (K-3) educators holding an initial, provisional, or professional educator certificate with an early childhood nursery through 3 or an elementary endorsement take a survey on reading instruction. Only 17.6 percent of elementary teachers are now eligible to take the Reading Survey as they graduated college prior to the requirement that they pass the Reading Test for certification. Furthermore, administering and preparing for the Reading Survey diverts valuable time and resources away from teaching and professional growth and development, and disproportionately affects staff with greater longevity in the field of education. The Department continues to support the professional growth needs of educators and has continuously provided no cost professional learning to increase their expertise in providing foundational reading instruction, identifying gaps in student skills, and monitoring students' progress to create a solid foundation in evidence-based early literacy skills. Additionally, the Department has provided statewide literacy leadership training, assistance in the selection and implementation of the approved K-3 reading curriculum models and programs, family engagement programming, and supports to establish a districtwide, multi-tiered K–3 reading school improvement model.

**Section 9** - eliminates references to the provisional educator certificate from the Teacher Education and Mentoring (TEAM) legislation. With the phase-out of the provisional educator certificate set for July 1, 2025, updating the language will streamline the certification process and eliminate any confusion regarding TEAM completion as a requirement to advance certification. The updated language includes a reference to requirements to advance to the professional educator certificate set forth in subdivision (3) of subsection (g) of section 10-145b.

**Section 10** - appears to be identical language to what was in Public Act 23-167 and is thus already in 10-145o(e)(1).

**Section 11** – adopts the Department’s proposal to change the Department’s responsibility to conduct yearly request for proposals for new charter schools to every 2 years to align the approval process with the Governor’s Biennial Budget process and streamline the work of the Department.

**Sections 12 & 13** – amends language in §10-74v to replace “an informational handout” with “a bill of rights” for students receiving services under an IEP or a 504 plan. The Department appreciates the amendment from “handout” to “bill of rights;” however, this only resolves one of two major issues identified by the Department in our proposal as drafted. Section 12 requires the Department to develop student “Bill of Rights” that is age appropriate across three grade levels (K-4) (5-8), and (9-12). The developmental span of students in those age bands – for example, K-4 -- is extremely vast, including but not limited to a student’s ability to read print/text. This issue is compounded for students who have Intellectual Disabilities, are Blind, and/or Non-Verbal students with Autism, leaving many not able to access the “Bill of Rights” as designed. Therefore, the Department recommends that one student “Bill of Rights” be generated and posted on the website. Parents and School Based Teams can modify the resource based on the individual student’s needs. Parents already receive their procedural safeguards which include all of the parent/student rights under the Individuals with Disabilities Education Act (IDEA).

**Section 14 & 15** - enable the Department to establish criteria for a state Seal of Civic Education and Engagement, which would enable any diploma-issuing entity to affix the State of Connecticut Seal of Civics Education and Engagement on a diploma awarded to a student who has met civic proficiency. We would request the following change to ensure that any diploma issuing entity would be able to benefit from this program, including private schools:

“(NEW) (m) Commencing with classes graduating in 2027 [2026], and for each graduating class thereafter, [a local or regional board of education] a Connecticut diploma-issuing entity may affix the Connecticut State Seal of Civics Education and Engagement, as described in subsection (g) 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 civics education and engagement. 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 Civics Education and Engagement.”

**Section 16** - sets a tuition schedule for an approved private special education program’s (APSEP) base tuition and cost for services for students with disabilities to assist the contracted local education agency (LEA) to appropriately prepare for the current and subsequent year tuition costs. Requiring APSEPs to communicate any base tuition rate and services costs year over year, prior to an LEA’s budget cycle,

will allow the LEA to plan for said tuition expenses for their students. We would request that language be included to clearly indicate that the rates may not be increased between January and June.

**Section 17** – clarifies that "reasonable cost" means the actual cost incurred by the charter school in providing and implementing the services mandated by a student's individualized education program.

### **HB 6923, An Act Concerning the Use of Smart Devices in Schools**

The Department is supportive of this proposal, as it would codify in statute the Governor's position that districts should adopt cell phone policies that are in line with the State Board of Education Position Statement and Policy Guidance: Personal Technology Use in Connecticut Schools, adopted by the State Board in August 2024. The Governor's budget provides for a matching grant (\$100,000) to districts to support the implementation of policies related to the use of personal technology devices in schools, including cell phones. The Department collected data regarding district implementation of personal technology policies. Almost 90 percent of responding districts reported already having a district policy that addresses student personal technology use. Those who do not currently have a district policy are either in the process of developing one or have school specific guidelines in place to address personal technology use. Additionally, two-thirds of respondents reported that their policy was either "very effective" or "somewhat effective" in increasing student engagement and learning; 45 percent reported fewer behavior issues during classroom time; 29 percent reported fewer overall discipline referrals as a result of the policy.

### **SB 1244, An Act Making Investments in In-District Special Education**

The Department would like to acknowledge that out-of-district programs are important options in the continuum of supports and services for our students; however, they are often highly costly options for districts. Therefore, we appreciate the thoughtful, collaborative, and supportive approach the Governor has taken to exploring ways to help reduce the placement costs for some of our most vulnerable students while also increasing the quality and connectedness of their educational experiences. This proposal would require the Department to develop a methodology for determining maximum rates of tuition for providers of special education services and establish and annually update a tuition rate schedule based on that methodology. The Department is currently undertaking a multi-state rate setting study that will inform this effort. This proposal would also require local and regional boards of education to conduct a comprehensive review of all spending related to the provision of special education services every 5 years and report those findings to the Department. Lastly, the proposal establishes a High-Quality Special Education Incentive Grant program beginning in fiscal year 2027. This new program will competitively award funding to districts to provide more high-quality special education services in-district or regionally, reducing reliance on out-of-district placements.

### **HB 6866, An Act Implementing the Governor's Budget Recommendations for Education**

The Department is in favor of the Governor's Education Budget bill and would like to highlight a few sections in particular.

**Section 7** - provides for a matching grant to districts to support the implementation of school policies related to the use of personal technology devices, including cell phones. The Department appreciates the support for districts in designing age-appropriate policies in line with the State Board of Education

Position Statement and Policy Guidance: Personal Technology Use in Connecticut Schools, adopted by the State Board in August 2024. The Department's data indicate that two-thirds of districts with personal technology use policies reported that their policy was either "very effective" or "somewhat effective" in increasing student engagement and learning; 45percent reported fewer behavior issues during classroom time; 29 percent reported fewer overall discipline referrals as a result of the policy.

**Section 8** - provides \$9.9 million in fiscal year 2027 to support the continuation of the Learner Engagement and Attendance Program, or LEAP. This evidence-based program has been evaluated over its multi-year implementation and has shown to be successful in improving attendance as well as improving school-family relationships, leading to improved academic success for our students. Since its inception, LEAP home visitors have conducted over 71,000 home visits for over 42,000 students, assisting in a statewide reduction in chronic absenteeism from 23.7 percent in school year 2021-22 to 17.7 percent in 2023-24. This improvement in attendance means that over 30,000 more students are attending school regularly. Additionally, LEAP has also served as a connector of services for families, such as mental health and housing supports, as well as placing students in summer and afterschool programming.

**Section 14** – supports the Governor's dual enrollment efforts as outlined in Governor's Bill 6869.

**Section 15** – creates a competitive student support grant program for municipalities, local and regional boards of education and not-for-profit organizations to provide for after school, before school, summer and other wrap-around programming for students that prioritizes academic growth and recovery; mental, social and emotional health; trade, vocational or career education; and, building connections and service opportunities within the community.

**Section 16** – supports the commitment to high-dosage tutoring as outlined in this bill. The proposed framework demonstrates a thorough understanding of evidence-based tutoring practices, incorporating critical elements such as small group sizes, regular scheduling during school hours, and alignment with core instruction. We particularly commend the emphasis on tutor quality, curriculum standards, incorporating high-quality curriculum and instructional materials and the requirement for collaboration between tutors and classroom educators. Note that the Department's evaluation of a similar tutoring program funded through COVID relief funds showed that participating students demonstrated a 7.5 percentage point increase in math proficiency rates on Smarter Balanced, as well as 6.5 percent of a standard deviation increase in Smarter Balanced test scores. The establishment of a competitive matching grant program, beginning in fiscal year 2027, continues to provide a structured approach to implementation while ensuring local district buy-in. The two-year grant period allows for meaningful program development and assessment of outcomes. This initiative represents a significant step forward in the collective commitment to providing targeted academic support to our students. We look forward to working with partners and LEAs on this ongoing implementation.

### **HB 6867, An Act Creating the Universal Preschool Endowment**

This proposal establishes a Universal Preschool Endowment, of which the Department is supportive. Connecticut has made great strides in expanding access to childcare over the past 5 years, adding more than 11,000 subsidized childcare spaces. Yet challenges remain. As Commissioner Bye states in her written testimony, the Governor's proposal will deposit a portion of the state's anticipated surpluses over the next several years into the Universal Preschool Endowment. The endowment will be seeded

by \$300 million from the FY25 surplus, and in the following years any unappropriated surpluses from the General Fund will be transferred into the endowment. The Office of the Treasurer will manage the funds, and the Office of Early Childhood (OEC) Commissioner may expend up to 10 percent of the balance of the endowment in any fiscal year. In the first year, the OEC may expend up to \$30 million. This proposal is an investment in families in Connecticut and supports the early childhood and K-12 education systems, and workforce, along with the State's long-term future.

Thank you for providing us with an opportunity to offer testimony on these bills and we look forward to working with members of the Education Committee and the entire General Assembly throughout the remainder of this legislative session.