



STATE OF CONNECTICUT STATE DEPARTMENT OF EDUCATION



Connecticut General Assembly Education Committee Public Hearing Testimony of Commissioner Charlene M. Russell-Tucker March 13, 2024

Good afternoon, Senator McCrory, Representative Currey, Senator Berthel, Representative McCarty, and members of the Education Committee. I am Charlene Russell-Tucker, Commissioner of the Connecticut Department of Education (Department). I am pleased to have an opportunity to provide you with testimony today regarding the bills on your agenda.

H.B. 5435, An Act Concerning the Development of a Plan for The Conversion of the State Board of Education to an Advisory Board Within the Department of Education

The Department appreciates this proposal. As the Committee is aware, states organize their governance structures differently to meet the needs of their states. In Connecticut, the State Board of Education is technically the “department head”, empowering the Board to make certain administrative and policy decisions that are usually entrusted to a commissioner. If this proposal were to move forward, the Department, working with the Office of the Governor, would need sufficient time to develop a plan for transferring responsibilities and ensuring parent, teacher, and community involvement in the new governance model.

H.B. 5436, An Act Concerning Educator Certification

The Department would like to begin by thanking the many individuals who participated in the Connecticut Educator Certification Council (Council) convened by the Department after the close of the last legislative session. For many months Council members met and debated numerous proposals to modernize the state’s certification process. It is important to remember where we are starting – Connecticut’s Educator Certification Regulations have not been updated since 1998, and, while we all agree updates are necessary, we need to recognize that change will take time as we develop new approaches. This draft represents that work and includes many items which received consensus from the group and can move forward immediately. Should the Connecticut Educator Preparation and Certification Board become a construct of law, the Department expects that they will continue the work of researching and deliberating the other Council recommendations that require a bit more work to implement. The Department fully supports this proposal and offers the following testimony.

Section 1 - Simplifies certification to two tiers, rather than the current three. This will streamline educator licensure by extending the length of an Initial Certificate and allowing educators to move directly to the Professional Certificate. Additionally, by eliminating a certificate tier, this will provide financial savings while also making the requirements for transition between levels more meaningful. Furthermore, we support the opportunity for educators to advance their certificates through multiple measures, as described in lines 183-186, rather than requiring all educators to demonstrate expertise in the same manner.

Sections 2&3 - Extend the elementary endorsement to include both kindergarten and PreK. By ensuring our elementary programs will align with early childhood standards (lines 534-538 in Section

4), we believe that inclusion of PreK and kindergarten in the elementary endorsement will be appropriately supported. That said, this will require collaboration with and between multiple stakeholders for effective implementation. The goal attainment is that this change to the elementary endorsement will benefit educators and districts alike and help address teacher shortages we have had in our early elementary settings. This will be particularly valuable following the recent changes to the age for kindergarten entry.

Similarly, the expansion of our secondary endorsements down to grade 4 will provide greater flexibility to place additional educators with valuable content knowledge in our middle schools.

Section 4 - Automatically reflects modifications in the grade span, rather than requiring educators to request the change. This not only allows the Department to indicate changes on current educators' certificates in a more expeditious manner, it also reduces additional time and paperwork requirements for both educators and Department staff alike.

Section 5 – Allows educators to document content knowledge and thereby pursue additional endorsements without also requiring extensive, additional coursework. This has been a successful pathway to bring additional qualified educators into the fields of science, math, technology education, and world languages; we expect to see similar growth in our special subject areas of health, PE, art, music, and food and consumer sciences (home economics).

Section 6 – Aligns with Section 1 and establishes the three clear pathways to obtaining certification. Candidates will be able to pursue initial certification by completing a traditional Connecticut approved program, an approved Connecticut alternate route to certification program, or an approved certification program in any other state. In conjunction with the previously established Enhanced Reciprocity and Interstate Agreement, individuals who wish to enter the field of education will have a variety of options to do so.

Section 7 - Focuses on encouraging school support staff to make teaching a lifelong career. By developing new pathways, allowing paraeducators and other support staff to move more smoothly into the role of teacher, we believe this is a great opportunity to recruit those who have already demonstrated an interest and commitment to education and to the students of Connecticut.

Section 8 - Encourages candidates with a wider range of backgrounds to enroll in alternate route to certification programs. Not only can students benefit from individuals coming into the teaching profession after serving our country or teaching at the higher education level, but encouraging experts in other fields to pursue education as a career; diverse backgrounds and experiences will further enrich the schooling experience for Connecticut students.

Sections 9-11 – Shifts the responsibilities of the Connecticut Advisory Council for Teacher Professional Standards (CACTPS) pertaining to teacher preparation and certification to a new Connecticut Educator Preparation and Certification Board to support modernizing educator preparation, as well as attracting and retaining effective and diverse educators. We are committed to continuous improvement of our programs, and to providing more support and professional learning to Connecticut educators, as a means of enriching this important career.

The Department also supports the new semi-autonomous board which includes a strong representation of both K-12 educators and higher education representatives of education preparing institutions. More effective change can be made when skilled and veteran educators can bring their expertise, together with the current State Board of Education, to continuously develop standards and proposals to improve education in Connecticut. The Department notes, however, that without proper administrative and fiscal support, it may not be possible for this new board to fulfill its very important purpose to modernize certification in Connecticut in an efficient and timely manner.

Sections 12-14 – Delineate tasks to the new board, which include developing additional pathways for educators to add endorsements and advance their certification, determining the adequacy and relevance of existing endorsement areas, implementing program standards which align with the Council for the Accreditation of Educator Preparation (CAEP), and applying evidence-based state and national data to determine future changes that would strengthen educator preparation, certification, and employment. The Department also supports tasking the new board with considering methods other than standardized assessments for candidates to demonstrate fundamental content knowledge, and with reviewing current statutes and regulations to identify obsolete, or conflicting language, or new statutes. As the board will be charged with many responsibilities during the first year, the Department also supports deferring other tasks to the second year, such as consideration of the transfer of program admission criteria to program providers and developing standards for new and continuing program approval beyond those set by CAEP.

H.B. 5437, An Act Concerning Mandate Relief

Section 1 – Establishes an Educator Professional Development Mandate Review Advisory Council charged with developing and submitting an annual report on its review of the implementation and cost of existing requirements relating to professional development and in-service training of educators and local and regional boards of education. The Department is supportive of this section and welcomes receiving information from the Advisory Council on the possible elimination of unfunded mandates related to this area. We strongly recommend that work be aligned to the existing council with a similar charge (i.e., the working group created under PA 23-160 convened by the Connecticut Association of Boards of Education (CABE), to review the growing number of mandates placed on the Department of Education and local and regional boards of education.

Sections 2&3 - These sections require the Department to implement a new statewide data system to gather detailed records about educator participation in professional learning opportunities. This new system will essentially create a significant new data reporting burden for districts as well. The state and districts will also incur significant new, unbudgeted, costs. The Department cannot support this new requirement.

Sections 4&5 - Repeal duplicative training mandates included in the in-service training requirements for educators. The Department supports empowering the local professional development and evaluation committee to determine the manner and frequency of the professional learning opportunities and ensuring that the expected content is covered at least once every five years. This is particularly helpful because the topics required to be included in in-service training offered to educators has increased significantly in recent years. The extended timeframe is a welcome addition.

Section 12 - Relieves students enrolled in incorporated or endowed academies who are also not residents of the state of Connecticut from the high school graduation requirement to complete a college financial aid application or a Local Education Agency (LEA) Student Financial Aid Waiver. The Department does not support this change. Requiring schools to have students, even non-resident students, complete financial aid applications ensures that all students have the opportunity to be considered for financial aid. This additional provision is not necessary because current legislation already provides a mechanism by which a family is able to individually waive this requirement, and after March 15th the district can also institute the waiver.

S.B. 380, An Act Concerning School Discipline

Section 1 - Makes several changes to the parameters for when schools can impose out-of-school suspensions for Preschool to Grade 2. First, note that C.G.S. 10-233(f) prohibits the suspension or expulsion of students in pre-K through Grade 2 unless the incident was “of a violent or sexual nature that endangers persons.” Additionally, preschool program providers are prohibited from imposing out-of-school suspensions (OSS) on preschool students. All preschool suspensions must be in-school suspensions (ISS). Secondly, this section changes the threshold for imposing an OSS from conduct that is of a “violent or sexual nature that endangers persons” to conduct that “causes physical harm.” The answer to fewer out-of-school suspensions is in the interpretation of a child’s behavior by adults within the context of such young child’s emotional and intellectual development. Adult interpretations of behavior “that cause physical harm” may result in similar outcomes for students. Work regarding the clarification of the terms “violent and sexual nature” is being addressed by the School Discipline Collaborative later this month as required under 2023 legislation. The Department recommends that the Collaborative be permitted to complete the current work underway before any changes to this statute are made.

The Department understands the potential need for the student to receive additional services however, not all children will need such trauma-informed services. The language in this section should reflect that those additional services be considered, similar to the language in subsection (C) regarding that an assessment of the need for special education services be considered when a student is suspended out of school.

The Department appreciates the limit on the number of days such students are removed from classes so that the least amount of instructional time is lost. However, the Department maintains that the length of the suspension should be determined by local school officials to ensure the safety and emotional well-being of the suspended student as well as other students and staff. Schools may need time to implement supports for such student, including the arrangements for the provision of services that align with behavioral intervention plans, individualized education programs (IEP), and Section 504 plans.

Section 2 - Changes the age of a student for which law enforcement must notify the school of their arrest from age seven to age ten. However, if such an arrest occurs, that information should be shared with the school superintendent so as to be able to provide support to that student upon their return to school. This proposal would not permit such a notification. This section also limits such notification to arrests that involve “a firearm on school grounds or at a school-sponsored activity,” but not off school grounds and not if the student is arrested for possessing a facsimile of a firearm as described in section 53-206c.

Section 4 - Requires the Social and Emotional Learning and School Climate Advisory Collaborative to develop standards for a school climate survey and a model school climate improvement plan. As proposed in subsection (9), the Department, as a member of the Collaborative, will work with the Collaborative to establish standards for the quantity and quality of data collected on a school climate survey that also includes data on diversity, equity and inclusion and the development of a model school climate improvement plan.

Section 8 – Requires districts to report on or before February 1, 2025, the number of acts of bullying based on a student's membership in a protected class. The proposed language in this section seems to be asking the Department to ascertain if the bullying was directed at a student *because* of their actual or perceived membership in that protected class. The Department cannot ascertain such intent of the student exhibiting the bullying behavior.

Section 9 - Requires the Department to appoint a director of school climate improvement to serve as the statewide social and emotional learning and school climate expert, and assigns duties to that position. The Department would require additional resources to fill this position that were not included in the Governor's budget.

S.B. 381, An Act Concerning the Teaching Profession and Revisions to the Mandated Reporter Requirements

Sections 1&2 - (1) Establishes a minimum starting annual salary for teacher; (2) provides a state subsidy to school districts to cover the cost of implementing the new minimum starting salary for teachers. The Department understands the recommendation to pay teachers a livable wage, however, we recognize the challenge that will arise by mandating a minimum starting salary regardless of a district's financial ability to pay. Additionally, this language could be deemed a violation of the U.S. Constitution's Contracts Clause, but at the very least it poses a potential financial burden to districts, for although Section 2 directs the Office of Policy and Management (OPM) to create a fund to subsidize the difference between the current minimum wages and \$60,000, it uses the following language "the funds available in such independent appropriation," which suggests that if the funds are not available, the cost will be borne by districts. Data necessary to estimate the cost of this program is not currently available to SDE or OPM. Regardless, it is reasonable to assume that the costs of this proposal are significant and are they not included in the Governor's Midterm budget proposal.

Section 3 – Provides ARPA funded COVID-19 recognition payments to teachers who were providing instruction during the pandemic. The Department supports the intention of this section, however, recognizes that the funding was not included in the Governor's Midterm budget.

Section 5 - Amends the charge of the Connecticut Advisory Council for Teacher Professional Standards. With the creation of the new Connecticut Educator Preparation and Certification Board being proposed in H.B. 5436, An Act Concerning Educator Certification, this language better reflects a new focused charge of the Advisory Council and removes language pertaining to teacher preparation, teacher preparation programs, and certification.

Section 7 - Adds a just cause standard and requires a neutral hearing officer in teacher contract termination hearings. Changing ground for tenured teacher termination from "due and sufficient cause" to "just cause" could unduly narrow the bases upon which a school board could terminate such

teacher under 10-151. This language would also make the hearing officer's decision binding on the school board. Previously, the law provided that the hearing panel's factual findings were binding, but not the recommendation. The school board has ultimate responsibility over the administration of the district and the protection of children, and ceding the decision as to whether an individual should or should not be terminated could seriously undermine the school board's right to oversee the schools.

Section 8 - Appears to remove the Department from the arbitration process, with respect to selecting and appointing the actual arbitrators, however, there is no provision for how the arbitrators will be selected in lieu of the Department's involvement or what happens if the parties cannot agree on an arbitrator.

Sections 10-16 – Pertain to mandated reporting under Title 17a, and while they make certain additions to the reporting scheme, they nonetheless underscore the necessity of reporting within the statutory timeframes, thereby continuing the existing protections of students who are the suspected victims of abuse or neglect.

Section 17 - This section adds language that would preclude from a pre-employment background check under subsection (a)(2), the provision of information that an applicant had been previously substantiated for abuse, neglect, or sexual misconduct if that substantiation had been reversed upon an internal, Department of Children and Families (DCF) appeal. We believe this could be highly problematic, as we routinely investigate such matters through our Bureau of Investigations and Professional Practices (BIPP). This poses a risk to students. The background check could include a statement that such conduct was originally substantiated and reversed on appeal, but this information should not be precluded. It is in the best interests of students to err on the side of caution.

Section 19 - Clarifies that school boards that must defer to DCF and law enforcement investigations of possible employee misconduct can still conduct a preliminary inquiry as to determine whether there are grounds to make a mandated report to DCF. This language aligns with Section 10(b).

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.



Summary of the Connecticut Educator Certification Council (CECC) Proposal and CSDE Recommendations

94 Percent of the CECC’s Recommendations Accepted/Supported by CSDE

The CSDE accepted/supported 94 percent of the Council’s recommendations (17 of the 18 sections). This includes 12 sections that are represented in HB 5436 and five sections we believe should be delegated to the new Standards Board for further review and final decision-making. Only one proposal is not currently accepted because the CSDE’s newly released EPP data dashboard needs to be well understood across all stakeholder communities before considering any changes.

Proposals from CECC Listed by Proposal Sections	CSDE Recommendations to Ed Committee
CECC Proposals Accepted and Fully Supported as Submitted & Included in HB 5436	
Section 1: Establishes there will be three distinct pathways to certification. // Extends Initial Certificate to ten years.	Section 1: included in Sections 1 and 6 of HB 5436
Section 2: Repeal Provisional Certificate.	Section 2: included in Section 1(e) of HB 5436. Additional language allows current Provisional educators to maintain certification if they do not qualify for Professional.
Section 3/4: Repeal/replace requirements to advance Provisional to Professional. // Set new requirements to advance from Initial to Professional.	Section 3/4: included in Section 1(g) of HB 5436 with addition of experience requirement to move from Initial to Professional.
Section 7: Change elementary endorsement to include grades PK-6. Programs must align with CAEP and NAEYC.	Section 7: included in Section 2 and Section 3(k) of HB 5436
Section 10: Change ARC pathway to allow for non-degree candidates to complete a dual degree/cert program.	Section 10: included in Section 7 of HB 5436
Section 11: Allow additional candidates to enroll in ARC programs and support programs for non-degree candidates.	Section 11: included in Section 8 of HB 5436
Section 14: Move some CACTPS responsibilities to new standards board.	Section 14: included in Section 9 of HB 5436



Proposals from CECC Listed by Proposal Sections	CSDE Recommendations to Ed Committee
CECC Proposals Accepted and Supported with Modifications & Included in HB 5436	
<p>Section 8: Extend secondary endorsements to cover grades 4-12. // New board will consider additional changes to endorsements. // Extend ability to add certain endorsements based on testing to include additional content areas. // Require a planned program for cross-endorsement in TESOL, Bilingual, Special Education, and School Library Media. // Standards board will explore additional pathways to add endorsements.</p>	<p>Section 8: included in Section 2 and 5 of HB 5436</p> <ul style="list-style-type: none">• Also adds additional allowance for cross-endorsement in special subjects (Home Economics, PE, etc.) based on testing.• Modifies CECC proposal that requires a full program for cross-endorsements in TESOL, SpEd, Bilingual, Library Media, <u>as this is more restrictive than current practice.</u>
<p>Section 9: Establish pathways to obtain certification: (a) complete approved CT program, (b) complete approved CT ARC program, (c) complete approved program in another state and hold a valid certificate, (d) other pathways as determined by Commissioner. // Restricts acceptable out-of-state programs to those approved by CAEP or those that are “regionally accredited.”</p>	<p>Section 9: included in Section 6 in HB 5436</p> <ul style="list-style-type: none">• Modification of pathway three to also accept out-of-state programs approved by out-of-state Departments of Education.• Note: not all states use CAEP; some states use AAQEP and other states do not require approval by either body. Colleges are “regionally accredited” – programs are not.
<p>Section 15: Establishes new standards board responsible for advising changes in certification and EPP programs. New board will work in conjunction with Board of Education – both boards must agree to changes. // Details members of standards board and tasks them to create bylaws. Appoints someone to support the work of the board (facilitator and research expert). // Tasks board with considering alternative ways to demonstrate content mastery. // Tasks board with: (a) considering additional pathways to advance from Initial to Professional and add endorsements, (b) align programs with new endorsements, (c) consider additional new endorsement areas, (d) supporting CAEP alignment, (e) create EPP support & accountability, (f) determine whether “90-Day Certificate” should continue, and (g) supporting data dashboard.</p>	<p>Section 15: included in Sections 10-13 of HB 5436</p> <ul style="list-style-type: none">• Modification that Chairperson, Vice Chair and Secretary will guide/direct the board in lieu of requiring non-voting “facilitator” and “research expert.”
<p>Section 16: Tasks new board with establishing new standards for program approval.</p>	<p>Section 16: included in Section 10 of HB 5436</p> <ul style="list-style-type: none">• Pushes establishment of new standards out by one additional year given the extent of board responsibilities.



Proposals from CECC Listed by Proposal Sections	CSDE Recommendations to Ed Committee
CECC Proposals Supported – Delegation to the new Standards Board	
Section 5: Eliminates all assessments.	Section 5: Delegates potential changes in assessments to new standards board.
Section 6: EPPs may use edTPA for accountability but are not required to do so.	Section 6: Delegates change to new standards board. <ul style="list-style-type: none">• New accountability measures to be determined before removing edTPA as an accountability tool
Section 12: Allows ARCs to accept experience in lieu of program requirements.	Section 12: Delegates to new standards board. <ul style="list-style-type: none">• Board should be involved in determining which program requirements may be waived by ARC programs.
Section 13: Repeal many regulations effective June 2025	Section 13: Delegates to new standards board. <u>The regulations were not reviewed by CECC.</u> <ul style="list-style-type: none">• The Board should thoughtfully determine the impact of removing each specific section of regulations so as to not inadvertently eliminate necessary direction or flexibility.• Note: CSDE is not opposed to repealing some regulations or setting a <u>realistic date</u> for sunseting.
Section 18: Gives CT EPPs complete authority over all program requirements not specifically addressed by statutes* or CAEP.	Section 18: Delegates to new standards board. <ul style="list-style-type: none">• <u>All</u> existing EPP program requirements should not be removed until some minimum requirements have been determined by new board.• Note: *statutes do not address specific program requirements.



Proposals from CECC Listed by Proposal Sections	CSDE Recommendations to Ed Committee
CECC Proposal NOT Currently Supported	
<p>Section 17: Make additions to Data Dashboard – new board should develop a standardized measure for determining EPP completer effectiveness.</p>	<p>Section 17: The CSDE recently released a comprehensive EPP dashboard Educator Preparation Provider (EPP) Dashboard (ct.gov). This dashboard provides a range of metrics including the total number of candidates, number of completers, completers certified within one year, pass rates on licensure examinations, and employment in Connecticut public schools. These data can be disaggregated by EPP, race/ethnicity, gender, and endorsement area. Authorized users at EPPs also have access to candidate-level data. Before attempting to make any changes, and consider new metrics, the CSDE recommends that the stakeholder communities take the time to understand the data, the trends, and the inherent limitations among the existing metrics and any new metrics.</p>

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