

OLR BILL ANALYSIS

Proposed Substitute for SB 24 (LCO 2822)

AN ACT CONCERNING EDUCATIONAL COMPETITIVENESS

§ 1—EDUCATION COST SHARING (ECS) GRANT INCREASES FOR FY 13

The bill increases the amounts of most towns' ECS grants for FY 13. Under current law, each town's ECS grants for FY 13 is the same as its FY 12 ECS grant. The grant increases total \$50 million in the aggregate. Individual town grants are listed in the attached table (see page 48). The bill makes no changes in the ECS formula.

EFFECTIVE DATE: July 1, 2012

§§ 2 & 3—MINIMUM BUDGET REQUIREMENT FOR FY 13

Increased MBR Base for FY 13

The bill increases town minimum budget requirements (MBR) for FY 13 to require most towns to budget at least (1) the amount they budgeted for education in FY 12 plus (2) any increase in their ECS grant increase for FY 13. It requires any allowable MBR reductions to be subtracted from this higher MBR base.

The bill also establishes a separate MBR for FY 13 for the "alliance districts" it establishes (see next section).

Savings from Efficiencies or Interdistrict Collaboration

Current law allows qualifying towns to reduce their MBRs within certain limits if (1) their school district enrollment falls, (2) they have permanently closed one or more schools because of falling enrollment, or (3) they have no high school and are paying tuition for fewer students to attend high school in another district. The bill adds a fourth MBR reduction option.

It allows a town to reduce its MBR for FY 13 to reflect 50% of any new savings from (1) regional collaboration or cooperative

arrangements with one or more other districts or (2) increased efficiencies within its school district, as long the savings can be documented. The education commissioner must approve the intradistrict efficiencies. The MBR reduction is limited to 0.5% of the district's FY 12 appropriated education budget.

EFFECTIVE DATE: July 1, 2012

§§ 2 & 3—ALLIANCE DISTRICTS

The bill requires the education commissioner to hold back ECS grant increases for towns with low-performing school districts and establishes conditions for releasing the funds. The school districts subject to the conditional funding are called "alliance districts."

Designating the Districts

An alliance district is one that is among the districts with the lowest academic performance as measured by a district performance index the bill establishes. For FY 13, the bill limits the number of such districts to 30. Districts keep the designation for five years, but the bill allows the education commissioner to remove a district from the list after determining it has violated its approved improvement plan (see below).

The bill requires the commissioner, by June 30, 2016, to determine if there are any additional alliance districts.

The bill also establishes category called "educational reform" districts, which are the 10 districts with the lowest district performance indexes. This group appears to be a subset of the alliance districts.

District Performance Index

A town's district performance index is its students' weighted performance on the statewide mastery tests in reading, writing, and mathematics given in grades three through eight and 10, and science in grades five, eight, and 10. The index is calculated by:

1. weighting student scores in each subject as follows: zero for below basic (the lowest score), 25% for basic, 50% for proficient,

75% for goal, and 100% for advanced;

2. adding the weighted student scores for each subject together;
3. multiplying the student results in each subject by 30% for math, reading, and writing and 10% for science; and
4. adding the weighted subject scores together.

The weightings produce the lowest indexes for districts with lowest test scores.

Under the bill, the test score data used for the index is either (1) the data of record on the December 31st following the tests, or (2) that data as adjusted by the State Department of Education (SDE) according to a board of education's request for an adjustment filed by the November 30th following the tests.

Conditional Funding

The bill requires the state comptroller to hold back any ECS grant increase payable to an alliance district town in FY 13 or any subsequent fiscal year and transfer the money to the education commissioner. An alliance district may apply to receive its ECS grant increase when and how the education commissioner prescribes. The bill allows the commissioner to pay the funds to the district on condition that they are spent according to its approved district improvement plan (see below) and the guidelines the bill allows the State Board of Education (SBE) to adopt.

The bill requires any balance of funds allocated to each alliance district that remains unspent at the end of any fiscal year to be carried over and remain available to the district for the next fiscal year.

District Improvement Plan

Alliance districts must use their conditional ECS funding to improve local achievement and offset other local education costs the commissioner approves. To be eligible to receive the funds, a district must submit an application to the commissioner with objectives and

performance targets. It must also submit a plan that may include:

1. a tiered intervention system for its schools based on their needs;
2. ways to strengthen reading programs to ensure reading mastery in grades K-3 that focus on (a) standards and instruction, (b) proper data use, (c) intervention strategies, (d) current information for teachers, (e) parental engagement, and (f) teacher professional development;
3. additional learning time, including extended school day or year programs run by school personnel or external partners;
4. a talent strategy that includes teacher and school leader recruitment and assignment, career ladder policies that draw on the SBE-adopted model and locally adopted teacher evaluation guidelines and that may include provisions demonstrating increased ability to attract, retain, promote, and bolster staff performance according to performance evaluation findings and, for new personnel, other indicators of effectiveness;
5. training for school leaders and other staff on new teacher evaluation models;
6. provisions for cooperating and coordinating with early childhood education providers to ensure alignment between those programs and district expectations for students entering kindergarten;
7. provisions for cooperating and coordinating with other government and community programs to ensure students receive adequate support and “wraparound services,” including community school models; and
8. any additional categories or goals the commissioner determines.

The plan must also demonstrate collaboration with “key stakeholders” the commissioner identifies in order to achieve efficiencies and align the intent and practice of current programs with

those of the conditional programs identified in the bill.

Minimum Local Funding Requirements for Alliance Districts

The bill requires alliance districts to maintain a minimum level of annual local funding for education.

The bill requires each alliance district's budgeted appropriation for education for FY 13 to at least (1) equal to its budgeted appropriation for education for FY 12 and (2) meet the bill's required minimum local education funding percentage for the year. Under the bill, the minimum local funding percentages are 20% for FY 13, 22.5% for FY 14, 25% for FY 15, and 30% for FY 16 and subsequent fiscal years. Although an alliance district designation lasts for five years, the bill allows the education commissioner to remove it as of the following July 1 if a district fails to meet this local funding percentage.

The education commissioner can allow an alliance district town to reduce its FY 13 appropriation for education if it can demonstrate that its local contribution for education for FY 13 has increased compared to the local contribution used to determine its local funding percentage under the bill.

Under the bill, the local funding percentage must be determined by dividing, for the fiscal year two years prior to the grant year, a district's:

1. total current education spending excluding (a) capital construction and debt service, private school health services, and adult education, (b) other state education grants, federal grants other than those for adult education and impact aid, and income from school meals and student activities, (c) income from private and other sources, and (d) tuition,
2. by its total current education spending excluding only capital construction and debt service, private school health services, and adult education.

State Oversight

The bill allows the commissioner to (1) withhold conditional funding if an alliance district fails to comply with the bill's requirements and (2) renew the conditional funding if a district's school board provides evidence that the district is meeting the objectives and performance targets of its plan.

Districts receiving conditional funding must submit annual expenditure reports in a form and manner the commissioner prescribes. The commissioner must determine whether to (1) require a district to repay amounts not spent in accordance with its approved application or (2) reduce the district's grant by that amount in a subsequent year.

EFFECTIVE DATE: July 1, 2012

§ 4—COMPETITIVE GRANTS FOR IMPROVING STUDENT PERFORMANCE

The bill establishes annual competitive grants, within available appropriations, for school districts seeking to improve student performance using methods the bill suggests for an alliance district improvement plan (see above). Grant amounts must range from \$50,000 to \$750,000. District may also accept matching funds from nonprofit, tax-exempt organizations for grant-funded programs as long as the matching funds do not limit their scope.

The competitive grant program is open to both alliance and non-alliance districts. The education commissioner must prescribe the time and manner of the grant applications, but the bill allows an alliance district to submit its conditional funding plan instead of a separate application.

The bill allows SDE to develop necessary guidelines and grant criteria to administer the program. As with conditional grants, districts receiving competitive grants must submit an expenditure report to SDE in a form and manner the department prescribes. SDE must determine whether a district must (1) refund unspent money when the program for which it was awarded ends or (2) repay any amounts not

spent in accordance with its application.

Districts must spend grants for educational purposes and cannot use grant funds to supplant local education funding.

EFFECTIVE DATE: July 1, 2012

§§ 5-7 — LOCAL FUNDING FOR CHARTER SCHOOLS

District Financial Support for Local Charter Schools

The bill specifies the financial contribution that the school board for a district where a local charter school is located must provide to the school. Under the bill, the board's support must at least equal its per-pupil cost for the prior fiscal year, minus any per-pupil special education costs paid by a student's home district, multiplied by the number of students attending the school in the current fiscal year.

Under current law and the bill, the school board of a local charter school student's home district must pay the school's fiscal authority an amount for that student specified in the school's charter. The payment must include reasonable special education costs for a student requiring special education.

The bill defines the district's per-pupil cost is its net current expenditures for education divided by the number of public school students enrolled at the board's expense as of October 1st or the immediately preceding full school day, plus the number of students who attended full-time summer school sessions at district expense in the preceding summer.

The district's "net current expenditures" are its total education spending excluding (1) student transportation, (2) capital costs supported by school construction grants and debt service, (3) adult education, (4) health services for private school students, (5) tuition, (6) income from federal- and state-aided school meal programs, and (7) fees for student activities.

District Payment in Return for Use of Charter School Data

Starting with FY 12, the bill allows a school district where a state

charter school is located to ask SDE to authorize it to use student performance data from the state charter school exclusively to determine the school district's performance under the state's performance management and support plan for districts in need of improvement.

Under the bill, a district may use the data only if it pays the charter school \$1,000 annually for each of its resident students who attends the school. If the district fails to pay the required tuition, the bill allows the education commissioner to withhold it from the town's ECS grant and pay it to the charter school's fiscal agent as a supplemental grant.

Charters currently report this information and it is not incorporated into the district's data. Presumably, the charter school data would be added to the student performance data of all the non-charter school students in the district.

Districts may make this request starting with the 2012-13 school year and must submit the request in a manner SDE prescribes. Any district that uses school performance data from a state charter school must do so for a two-year period and must give SDE at least six months' notice of its intention to renew or end that use. The bill requires SBE to issue guidelines concerning the element required for such a request and the standards for reviewing it.

EFFECTIVE DATE: July 1, 2012

§§ 5-7 – STATE FUNDING FOR CHARTER SCHOOLS

Per-Student Grant for State Charter Schools

Starting in FY 13, the bill increases the state's annual grant to state charter schools from \$9,400 to \$10,500 per student.

State Grants for Local Charter Schools

Operating Grants. Starting in FY 13, the bill allows SBE, within available appropriations, to approve operating grants of up to \$3,000 per student for eligible local charter schools. As under the regular charter school funding law, SBE must determine the number of students enrolled and make operating grant payments of 25% of the

grant amount by July 15th and September 15th based on estimated student enrollment on May 1st and 25% of the amount by January 15th and April 15th based on actual enrollment as of October 1st.

Start-Up Grants. The bill also allows SBE to award grants of up to \$500,000 for startup costs for an eligible local charter school to be established on or after July 1, 2012.

Eligibility. For a charter school to be eligible for an operating or startup grant, the SBE must determine that the applicant has either:

1. high-quality, feasible strategies for, or a record of success in, serving students who (a) have a history of low academic performance or behavioral or social difficulties, (b) receive free or reduced-price school lunches, (c) are eligible for special education, or (d) are English language learners; or
2. a high-quality, feasible plan for, or a record of success in, turning around existing schools with consistently substandard student performance.

The eligible charter school must (1) apply to SBE for the grant as the board prescribes and (2) if it receives a grant, file reports and financial statements required by the education commissioner. SDE may (1) redistribute unspent funds appropriated for startup grants for the same purposes in the next fiscal year and (2) develop needed criteria and guidelines to administer the grants.

State Charter School Grants and ECS

The bill specifies that funding for state charter school grants is considered to be an ECS grant. The legal effect of this provision is unclear since ECS grants go to towns and the bill does not incorporate charter schools into the ECS grant formula. By law, students enrolled in state charter schools cannot be counted by their home districts as resident students for ECS grant purposes, while students attending a local charter school are counted as resident students in their home districts.

EFFECTIVE DATE: July 1, 2012

§ 8—APPROVAL PROCESS FOR NEW CHARTER SCHOOLS

This bill makes changes to the process to approve state and local charter schools, including limiting the approval of new schools only to those located in low-achieving districts or districts with low-achieving schools.

It also establishes additional preferences for granting charters, adds new grounds to consider regarding charter renewals, imposes a new lottery process, and grants waivers from the required lottery process for student enrollment. It ties all these changes to whether a charter is specifically designed to enroll, retain, and serve students with one or more characteristics that identify them as potentially needy students.

Application Process

By law, the SBE annually reviews and approves all applications for local and state charter schools. For local charters the local host school district must also approve them.

Under the bill, the SBE can grant new state or local charters only to those located in a town (1) with at least one school in the commissioner's network of schools or (2) whose district is designated as a low-achieving district. Current law does not limit charter school locations.

The bill also adds more focuses or types of schools to which SBE must give preference when reviewing charter school applications. The law already gives preference to charter applications containing certain elements, such as locating schools in priority districts or districts with the student population made up of 75% or more minorities. The bill requires SBE to give preference to applications whose primary purpose is to:

1. serve one or more of the populations (a) with a history of low academic performance or behavioral and social difficulties, (b) receiving free or reduced priced lunches, (c) requiring special education, or (d) who are English language learners; or

2. improve the academic performance of an existing school that has consistently demonstrated substandard academic performance, as determined by the education commissioner.

In addition to providing the preference for serving one or more of the needy populations mentioned above, it also gives preference to applications that demonstrate highly credible and specific strategies to attract, enroll, and retain students from those same populations.

The bill requires applications to include a student recruitment and retention plan that, at a minimum, includes a clear description of a plan and the school's capacity to recruit and retain students from those previously mentioned populations.

Charter Renewal

The law provides a list of reasons why a charter renewal application may be denied. The bill adds to that list the school made insufficient efforts to effectively attract, enroll, and retain students from among the same populations the bill adds for application preference and the student recruitment plan.

Enrollment Lottery and Waiver

The bill requires that enrollment lotteries held for state or local charter schools must be conducted for the entire enrollment area of the school and must ensure that all students in the community have an opportunity to participate in the lottery. Currently lotteries are held when more students seek to enroll in a school than there are available spots, but students in an enrollment area are not automatically entered into the lottery.

The bill also allows the education commissioner to waive this requirement if the school has a primary purpose of serving at least one of the following populations:

1. students with a history of low academic performance,
2. free or reduced priced lunch recipients, pursuant to federal law and regulations,
3. those with a history of behavioral and social difficulties,

4. special education students,
5. English language learners, or
6. students of a single gender.

The schools seeking the waiver must propose an alternate lottery procedure designed to recruit students appropriate to the school's special purpose.

The bill also provides that when an existing low-achieving school is converted into a charter school, it must make all reasonable efforts to continue to serve the same students who attended the school when it was low achieving.

EFFECTIVE DATE: July 1, 2012

§ 9—UNIFORM SYSTEM OF ACCOUNTING AND CHART OF ACCOUNTS

The bill requires SDE to develop and implement a uniform system of accounting for school expenditures that includes a chart of accounts for use at the school district level. It also gives SDE the authority to impose "select measures," which the bill allows SDE to define, on individual schools.

Starting with FY 14, the bill requires each board of education, regional education service center (RESC), and state charter school to implement the system by filing a chart of accounts to meet the requirements of an existing statute requiring boards of education to (1) annually submit receipts, expenditures, and statistics to the education commissioner and (2) have the information certified by an independent public accountant selected to audit municipal accounts. Existing law imposes penalties of between \$1,000 and \$10,000 for failing to submit the information on time (CGS § 10-227).

The bill permits the Office of Policy and Management (OPM) to annually audit the chart of accounts for any board of education, RESC, or state charter school.

EFFECTIVE DATE: Upon passage

§ 10—STUDY OF SMALL DISTRICT ISSUES

The bill requires the SDE to study issues related to districts with fewer than 1,000 students (“small districts”). The department must consider:

1. financial disincentives, such as a small district reduction percentage (see below), for small districts whose per-pupil costs exceed the state average for the prior year;
2. financial incentives for such district to consolidate;
3. the \$100-per-student ECS grant regional bonus as well as the effect of other state reimbursement bonuses for regional districts and cooperative arrangements; and
4. the ECS minimum budget requirement.

The bill defines per-student cost as a district’s net current expenditures divided by its average student membership (student count) as of October 1. Likewise, the state average per-student cost is the sum of the net current expenditures of all local and regional school districts divided by the sum of their average student memberships as of October 1.

It defines a “small district reduction percentage” as a reduction in education starting at 10% for the first year a district is 10% or more above the state per-student average cost and increasing by an additional 10 percentage points each year for five years to a maximum of 50% if the district continues to spend at least 10% more than the state average per-pupil cost.

SDE must report the findings and recommendations of its study to the Education Committee by January 1, 2013.

EFFECTIVE DATE: Upon passage

§ 11—GRANT INCREASES FOR NON-SHEFF MAGNET SCHOOLS

Starting in FY 13, the bill increases annual state per-pupil operating

grants for non-*Sheff* interdistrict magnet schools as shown in Table 1. Non-*Sheff* magnets are schools that do not explicitly help the state meet the goals of the 2008 settlement in the *Sheff v. O’Neill* school desegregation case relating to Hartford and its surrounding towns.

TABLE 1: INCREASES FOR NON-SHEFF MAGNETS

Type of Interdistrict Magnet School	Per-Student Grant	
	Current Law	Bill
Operated by local school district (“host magnet”)	\$6,730	\$7,440
Operated by RESC (“RESC magnet”) with less than 55% of its students from a single town	\$7,620	\$8,180
RESC magnet with 55% or more of its students from a single town (“dominant town”) – with one exception (see below)	For each student from outside the dominant town: \$6,730 For each student from the dominant town: \$3,000	For each student from outside the dominant town: \$7,440 For each student from the dominant town: \$3,000
RESC magnet with between 55% and 80% of students from a dominant town	For each student from outside the dominant town: \$6,730 For each student from the dominant town: \$3,833	\$8,180

EFFECTIVE DATE: July 1, 2012

§ 12 – NONSUPPLANT REQUIREMENT FOR STATE VO-AG FUNDING INCREASES

The bill prohibits local and regional boards of education that operate regional agricultural science and technology (“vo-ag”) centers from using any increase in annual state funding to supplant local education funding for the centers. The prohibition applies to funding increases received for FY 13 or any subsequent fiscal year.

EFFECTIVE DATE: July 1, 2012

§ 13—COMPETITIVE GRANTS TO INCREASE AGRICULTURAL SCIENCE AND TECHNOLOGY CENTER ENROLLMENT (UNCHANGED FROM § 34 OF ORIGINAL BILL)

The bill requires SDE, within available appropriations, to provide

competitive grants to agricultural science and technology centers for developing plans to increase both their overall enrollment and enrollment by students from priority school districts.

EFFECTIVE DATE: July 1, 2012

§ 14—SUPPLEMENTAL PRIORITY SCHOOL GRANT ELIMINATED (UNCHANGED FROM § 14 OF ORIGINAL BILL)

The bill eliminates an annual \$650,000 supplemental priority school district grant currently awarded to the town with the sixth highest population (Norwalk), based on the most recent decennial census.

EFFECTIVE DATE: July 1, 2012

§ 15—SPECIAL EDUCATION PAYMENTS FOR CHILDREN IN DMHAS FACILITIES (UNCHANGED FROM § 15 OF ORIGINAL BILL)

By law, the Department of Mental Health and Addiction Services (DMHAS) must provide regular and special education services to eligible residents in its facilities. The bill transfers the responsibility for paying for these costs from SBE to DMHAS. It also makes a conforming change to eliminate a requirement that SBE pay for the costs in two installments.

EFFECTIVE DATE: July 1, 2012

§ 16—TEACHER SCHOLARSHIP PROGRAM (UNCHANGED FROM § 17 OF ORIGINAL BILL)

The bill establishes a “Connecticut attract the best teacher scholarship program” administered by the Office of Financial and Academic Affairs for Higher Education (FAAHE), in consultation with SDE. Eligible students who are hired by priority school districts or schools in the commissioner’s network (see below) may receive a combination of grants and loan reimbursements of up to \$15,000.

Grants

The program, within available appropriations, provides grants of up to \$5,000 per student. To be eligible, students must demonstrate exemplary academic achievement which may be measured by, but is

not limited to, (1) grade point averages, (2) scores on state-required reading, writing, and mathematics competency examinations (Praxis exams), and (3) an employment commitment from a priority school district or a school in the commissioner's network.

A student eligible for a grant under the program must be enrolled in:

1. a teacher education program during his or her senior year at a four-year public or private college or university and complete the requirements of the program as a graduate student for one year or
2. an alternate route to certification program administered through FAAHE.

No student may receive more than one grant under the program.

Loan Reimbursement

A student who is awarded a grant and is hired by a priority school district or a commissioner's network school is eligible for a federal or state education loan reimbursement of up to \$2,500 a year for up to four years, as long as the student remains employed at the district or school.

Program Administration

The bill permits FAAHE to use up to 2% of the funds appropriated for the program for administrative costs.

EFFECTIVE DATE: July 1, 2012

§ 17—SCHOOL PERFORMANCE INDICES, ACTIONS REGARDING LOW-ACHIEVING SCHOOLS, AND RECONSTITUTION OF LOCAL BOARDS OF EDUCATION

The bill revamps the education accountability law regarding identifying school districts in need of improvement and categorizing schools at different levels of performance in order to take action based on the category. It creates a school performance index (SPI) ranking system to separate schools into five different categories, depending

upon how they would rank using the SPI.

It also modifies the law regarding reconstitution of boards of education in low-performing school districts including establishing a method of notifying local officials of the start and conclusion of reconstitutions.

School Districts in Need of Improvement, Low-Performing Schools, and Focus Schools

Under the current education accountability law, the education commissioner identifies school districts and individual schools “in need of improvement” in the statewide education accountability plan. The designation “in need of improvement” is based on NCLB provisions that require school districts and schools to make adequate yearly progress toward proficient student performance on required tests.

Under the bill, the accountability plan is instead called the performance management and support plan, which must be consistent with federal law and regulation. As part of the plan, the bill requires SDE to:

1. continue to identify districts as in need of improvement;
2. classify schools in five performance categories with one representing the highest and five the lowest based on their SPI; and
3. designate as focus schools, schools with identifiable low-performing student subgroups using measure of student academic achievement and growth for subgroups in the aggregate over time, including any period before July 1, 2014 (the subgroups are defined in the NCLB).

School Performance Indices

The bill creates a measurement called a school performance index (SPI) to gauge how schools perform on statewide mastery tests in math, reading, writing, and science. It describes how SPIs are

calculated for the school as well as subject-specific SPIs.

The school SPI is used to place each school in one of five different levels: categories one through five. Then the bill applies different state responses and interventions to schools depending upon their categories.

Calculating the SPI. A school's SPI is its students' weighted performance on the statewide mastery tests in reading, writing, and mathematics given in grades three through eight and 10, and science in grades five, eight, and 10. The index is calculated by:

5. weighting student scores in each subject as follows: zero for below basic (the lowest score), 25% for basic, 50% for proficient, 75% for goal, and 100% for advanced;
6. adding the weighted student scores for each subject together;
7. multiplying each the student results in each subject by 30% for math, reading, and writing and 10% for science; and
8. adding the weighted subject scores to together.

The result is an index score ranging form 0 to 100%, where a 0 indicates that all students scored at or below basic level and 100% indicates that all students scored at the advance level.

Under the bill, the test score data used for the index is either (1) the data of record on the December 31st following the tests, or (2) that data as adjusted by the State Department of Education (SDE) according to a board of education's request for an adjustment filed by the November 30th following the tests.

Categories One Through Five. Once the schools all have an SPI score, they are divided into five categories, one through five, with one being the highest performers, and five the lowest.

It describes the categories as shown in the table below.

Category	School Description (when all schools ranked highest SPI to lowest)
1	Percentage score equal to or greater than 80%
2	Percentage score equal to or greater than 60% but less than 80%
3	Percentage score equal to or greater than 40% but less than 60%
4	Percentage score equal to or greater than 20% but less than 40%
5	Percentage score less than 20%

Transition to New Plan

The bill creates a transition for the State Board of Education (SBE) to switch the identified schools and districts from the accountability plan under current law, which the bill would continue until June 30, 2012, and the new statewide management and support plan prepared under the bill. The transition includes the following steps:

The schools and districts currently identified as in need of improvement under the accountability plan:

1. continue under that plan until June 30, 2012,
2. are monitored by SDE, beginning in February 2012, to determine if student achievement for the schools and districts is at an acceptable level, as defined in the performance management and support plan;
3. are evaluated by the local or regional board of education by July 1, 2012 to determined whether they are making adequate yearly progress;
4. are subject to the new state-wide performance management and support plan, as described in the bill, if they fail to make adequate yearly progress;
5. are subject to rewards and consequences as defined in the management and support plan; and
6. continue to be eligible for available federal or state aid.

Category Three Schools

The bill allows SDE to impose certain requirements on category

three schools. The department may (1) require the schools to develop and implement plans consistent with the bill and federal law to elevate the school from a low-achieving status and (2) impose on the school any of the actions as defined in the state-wide performance management and support plan the bill describes.

SDE may also require the local or regional board of education for a category three school to collaborate with the appropriate RESC to develop plans to ensure such schools provide:

1. early education opportunities,
2. summer school,
3. extended school day or year programming,
4. weekend classes,
5. tutors, or
6. professional development to their administrators, principals, teachers, and paraprofessional aides.

The commissioner can limit such programs to the student subgroup that has failed to reach performance benchmarks or those in transitional or milestone grades or those who are otherwise at substantial risk of educational failure.

Low-Achieving Schools

The bill designates category four and five schools and focus schools as low-achieving schools and gives the SBE and the education commissioner a variety of ways of addressing them. The bill extends an existing list of SBE actions for low achieving schools or districts to category four and five schools and focus schools. The SBE must take any of the following actions to improve student performance and remove a school or district from the low-achieving list:

1. require operational and instructional audits;

2. require the local board use state and federal funds for critical needs as directed by SBE;
3. provide incentives to attract high quality teachers and principals;
4. direct the transfer and assignment of teaches and principals;
5. require additional training for parents and guardians of students;
6. require the local board to implement model curriculum;
7. indentify schools to be reconstituted as charters, innovation schools, or other models for school improvement;
8. require members of the boards of education to undergo training to improve their effectiveness as leaders; and
9. several other actions including establishing learning academies within the schools and crafting achievement plans.

The bill limits teacher collective bargaining over changes ordered by the state. Current law requires many of the possible SBE actions (including numbers 3, 4, 6, 7, and 9 from the list above) to be carried out according to the Teacher Negotiation Act (CGS §§ 10-153a to 153n). The bill limits negotiations to the impact of these decisions. This means the negotiations are required only over how the change affects the employees, not over whether the change takes place or not.

The bill authorizes new options for SBE. It can:

1. require the appointment of a superintendent, approved by the Commissioner of Education or
2. require the appointment of a special master, selected by the commissioner, with the same authority as the Windham special master (PA 11-61, § 138) and whose term must be for one fiscal year, except that SBE may extend the period.

Reconstituted School Boards

The bill makes several changes to the law regarding reconstituting local boards of education of low-achieving school districts. The changes involve notification to local officials regarding the electoral process when a reconstitution starts and when it concludes.

By law the SBE may authorize the commissioner to reconstitute a local board of education in low-achieving districts. The bill requires that the electoral process regarding the board must be suspended for the period of reconstitution (by law, an initial three years with the option to extend for an additional two). The bill defines electoral process to include (1) candidate nominations by political parties, (2) nominating petitions, (3) write-in candidacies, and (4) filling board vacancies.

Upon terminating a local or regional board under the existing law, the bill requires the commissioner to notify the:

1. town clerk in the school district, or clerk of each member town in the case of a regional board of education, and
2. the secretary of the state.

The termination notice must include the date of termination and the positions terminated.

The bill requires the commissioner to decide whether he will extend the life of a reconstituted board by two years at least 180 days before the three-year terms ends. He can do this only if the district fails to show adequate improvement, as determined by the SBE.

When a reconstitution of a board is reaching its conclusion, the bill requires the commissioner to notify the town clerks or clerks, as is appropriate, and the secretary of the state at least 175 days before the reconstituted board's term ends. Upon the secretary of the state receiving the notice the electoral process will begin according to municipal election law. The bill specifies that if the notice is delivered before the time specified in law for party nominations for municipal

offices, then the office can be placed, with the approval of the local legislative body, on the ballot of a regular fall election.

EFFECTIVE DATE: July 1, 2012

§ 18 – COMMISSIONERS NETWORK SCHOOL PLAN

The bill requires the education commissioner to select at least 10 and no more than 25 of the lowest performing schools in the state and develop a plan to include them in the commissioner’s network of schools to be implemented for the 2013-14 school year.

The plan must:

1. include an operations and instructional audit, as described the state school accountability law, for each school selected,
2. outline the authority of the commissioner to operate the financial and academic administration of such schools,
3. select turnaround models for such schools, including, but not limited to, CommPACT schools, as described statute, and
4. include provisions requiring any matters in a turnaround plan for a school that conflicts with an existing teacher or administrator union contract be negotiated under the expedited collective bargaining established as part of the Windham special master law.

The commissioner must choose the lowest performing schools in the state from among the schools ranked in the bottom 5% when all schools are ranked highest to lowest in school performance index scores, as defined in the bill.

The plan must be submitted to the education committee by January 1, 2013.

EFFECTIVE DATE: July 1, 2012

§ 19 – FAMILY RESOURCE CENTERS AND SCHOOL-BASED CLINICS

For the school year commencing July 1, 2012, and each school year after, the commissioner must annually establish a family resource center, according to state law, or a school-based health clinic in a category four school or category five schools located in an alliance district. The number of family resource centers and school-based health clinics so established each year must not exceed 20.

EFFECTIVE DATE: July 1, 2012

§ 20 — PLAN TO ENCOURAGE EXEMPLARY TEACHERS AND ADMINISTRATORS

The bill requires SDE to develop a comprehensive plan to encourage exemplary teachers and administrators, as identified by performance evaluations under the bill and other measures, to work in the state's lowest performing schools and school districts and enhance the education profession's career ladder in these schools. The SBE must (1) approve the plan, (2) provide funding to develop and implement it, and (3) adopt regulations or issue orders, as appropriate, to ensure that it is implemented.

The plan must:

1. encourage individuals to pursue and maintain careers in education in low-performing schools and school districts;
2. identify professional and financial incentives, including salary increases, signing bonuses, stipends, housing subsidies, and housing opportunities that will encourage exemplary teachers and administrators to work and remain in low performing schools and school districts; and
3. expand the capacity of nonprofit and private organizations in the state to stimulate teacher and administrator leadership and career advancement opportunities in low-performing schools and school districts, and enable other organizations to do the same.

EFFECTIVE DATE: July 1, 2012

§ 21 – SCHOOL GOVERNANCE COUNCILS AND NETWORK SCHOOLS

The bill makes changes to the law regarding school governance councils.

The law requires boards of education that have jurisdiction over schools designated as low-achieving to establish a school governance council for each such school and allows boards with schools designated as “in need of improvement” to create them. The law also makes exceptions to the requirement for schools with only one grade and for governance councils already in place when the governance council law was enacted that involves teachers, parents, and others.

The bill requires all school boards, after July 1, 2012, that have category four and five schools to establish school governance councils for each of those schools. The bill also creates an exception for schools that are designated part of the commissioner’s network under the bill.

By law, the councils must consist of seven parents or guardians of students, two members of the community within the school district, five teachers who teach in the school, and one nonvoting member who is the principal or his or her designee. The councils have a number of responsibilities named in statute including analyzing school achievement data, participating in the hiring of the principal and other administrators, and developing and approving a written parent involvement policy.

EFFECTIVE DATE: July 1, 2012

§§ 22-26—ACCOUNTABILITY LAW, SCHOOL GOVERNANCE COUNCILS

These sections make conforming and technical changes.

EFFECTIVE DATE: July 1, 2012

§ 27—HELP FOR COLLEGE APPLICATIONS

The bill requires the education commissioner to establish a competitive grant, within available appropriations, to share the cost of

providing training and help to encourage students to apply for, enroll in, and graduate from college. Under the bill, local and regional boards of education, municipalities, and nonprofit organizations are eligible for the grants.

Grant-funded programs must (1) provide students with (a) training and assistance in the college application process, (b) the federal student aid application, and (c) college and university applications, and (2) cover the cost of college application fees. No more than 25% of the total grant may be used for application fees.

Grant recipients must provide matching funds equal to the state grant. The matching funds may come from public or private sources. Municipalities may use money from ECS grants to contribute matching funds to their local or regional boards of education or nonprofit organizations located in the municipality.

Grant applicants must use an application form approved by the education commissioner and file their applications by June 1 of the fiscal year before the grant is to be paid.

EFFECTIVE DATE: July 1, 2012

§ 28—INNOVATION SCHOOL GRANTS AND CRITERIA

The bill requires SDE to establish a pilot grant program, within available appropriations, for a local or regional board of education operating an innovation school to help the state meet the desegregation goals of the 2008 *Sheff v. O'Neill* stipulation and court order. The grants begin for the 2012-13 school year. The bill establishes an application process and criteria for awarding the grants.

By law, a board of education for a priority school district can convert an existing school to, or establish a new school as, an “innovation school” through agreements with the teacher and administrator unions for the purpose of improving school performance and student achievement. They must have innovation plans that detail areas of autonomy and flexibility in curriculum, budget, school schedule and calendar, school district policies, professional

development, and staffing policies.

Applications

The bill authorizes the commissioner to establish the time and manner for submitting innovation school grant applications. He must consider the following, at a minimum, when determining whether to approve an application and award a grant for the school:

1. whether the school's program provides a reduced racial isolation educational program;
2. whether the school's program is likely to increase student achievement;
3. whether the school's program is unique and will not adversely impact enrollment in a program already offered by an existing interdistrict magnet school, regional vocational-technical school, or regional agricultural science and technology education center in the region; and
4. the proposed operating budget and the funding sources for the innovation school.

Per-Pupil Grants

The bill establishes a grant system that is linked to either a school's percentage of students from Hartford or a Hartford school's percentage of students who are nonminority. In either case, to be eligible, an innovation school must help the state meet the desegregation goals of the 2008 *Sheff v. O'Neill* stipulation and court order.

The innovation school grant enrollment criteria are:

1. a school outside of Hartford must enroll at least 25% of its students from Hartford to be eligible for a \$4,000 per-pupil grant for each Hartford student or
2. a school in Hartford must enroll at least 25% nonminority students to be eligible to receive a \$4,000 per-pupil grant for

each out-of-district student enrolled in the school.

For the second criterion above, the Hartford school could have 25% nonminority students, yet receive a grant for each minority and nonminority student from outside of Hartford (i.e., the grant amount could be based on a larger number than is required to qualify for the grant). On the other hand, a school could reach the 25% nonminority threshold in part with nonminority students from Hartford.

Operating Grants

The commissioner may, within available appropriations, provide operating grants of up to \$250,000 in a fiscal year for the purpose of enhancing educational programs at an innovation schools.

Construction Grants

A board of education that operates an innovation school to help the state meet the goals of the *Sheff* stipulation and court order can also qualify for higher school construction reimbursement rates than exist under the standard provisions if the school is outside Hartford and enrolls at least 25% of its students from Hartford or is within Hartford and enrolls at least 25% nonminority students.

These schools may be eligible for a state construction reimbursement rate 20 percentage points higher than the town's standard rate, up to a maximum reimbursement of 80%. This greater reimbursement rate can cover the reasonable costs of any capital expenditure for the renovation, alteration, or expansion of the school facilities for programmatic purposes, including the purchase of equipment. The project must meet the regular statutory requirements for a school building project. (Presumably, the higher reimbursement rate applies only to the innovation schools, but the bill is ambiguous on this.)

By law, standard reimbursement rates vary from 10% to 80% of eligible costs on a sliding scale depending on town wealth, with less wealthy towns receiving a higher reimbursement.

Special Education Costs

The bill specifies how the per-pupil grant affects special education costs for students enrolled at innovation schools. For an out-of-district student who requires special education and related services, the sending district must pay the district that hosts the innovation school the difference between the reasonable cost of providing special education services to the student and the amount received by the host district from the innovation grant. The sending district is eligible for state reimbursement according to existing state special education law.

Permitting Out-of-District Students to Continue in the Host District

A board of education operating an innovation school must allow out-of-district students enrolled in the school to continue to attend school in host district until they graduate from high school, regardless of the grades offered at the innovation school.

EFFECTIVE DATE: July 1, 2012

§ 29—SCHOOL DISTRICT COST-SAVING GRANTS (UNCHANGED FROM § 22 OF ORIGINAL BILL)

The bill allows the education commissioner, within available appropriations, to provide grants to support school districts in developing plans to implement significant cost savings while maintaining or improving educational quality. The grants must be for technical assistance and regional cooperation.

EFFECTIVE DATE: July 1, 2012

§ 30—OPEN CHOICE PROGRAM INCENTIVE FOR LARGER DISTRICTS (UNCHANGED FROM § 23 OF ORIGINAL BILL)

The bill provides an additional incentive for larger school districts to increase their enrollment of out-of-district students under the Open Choice interdistrict public school attendance program. It does so by giving districts with more than 4,000 students the highest state grant (\$6,000 for each out-of-district student) if the education commissioner determines they have increased their Open Choice enrollment by at least 50% on October 1, 2012. Under current law, receiving districts qualify for the \$6,000-per-student grant only if the number of out-of-

district students they enroll equals or exceeds 3% of their total enrollment.

EFFECTIVE DATE: July 1, 2012

§ 31—CONNECTICUT SCHOOL LEADERSHIP ACADEMY

The bill requires SDE to create a Connecticut School Leadership Academy program to provide educational management and professional development programs to teachers or school administrators who are either already certified or enrolled in an alternate route to certification (ARC) program. SDE must provide grants to the academy, within available appropriations. The bill also authorizes the academy to charge tuition to boards of education or participants.

School must apply to participate in the academy program. The SDE must prescribe the form and manner of the applications.

EFFECTIVE DATE: July 1, 2012

§ 32—REWARDS FOR EXEMPLARY SCHOOLS

The bill allows SDE to reward exemplary schools. The rewards may include, at the education commissioner's discretion, (1) public recognition, (2) financial awards, or (3) operational flexibility. The bill allows the SDE to accept private donations for these rewards. The bill does not define "exemplary schools."

EFFECTIVE DATE: July 1, 2012

**§ 33—COORDINATED EARLY CHILDHOOD SYSTEM
(UNCHANGED FROM § 35 OF ORIGINAL BILL)**

By law, the state is in the planning process to create a coordinated system of early care and education and child development by July 1, 2013. PA 11-181 required several steps to take place toward creating this system. The bill makes SDE, rather than the early childhood system, responsible for developing a quality rating and improvement system that the early childhood system must incorporate.

EFFECTIVE DATE: July 1, 2012

§ 34— NEW SCHOOL READINESS SLOTS

For FY 13, the bill requires the education commissioner to provide funds to create:

1. 600 new slots in school readiness programs located in the 10 districts with the lowest district performance indexes (“educational reform districts” – see § 3 above) and
2. 400 new slots in competitive school districts.

A “competitive school district” is a district with more than 9,000 students that is also a priority school district or a district in a town on the list of 50 poorest in the state when considering adjusted equalized grand net list, student population, and population (CGS § 10-16aa).

EFFECTIVE DATE: Upon passage

**§ 35—BLOOMFIELD MAGNET SCHOOL EXEMPTION
(UNCHANGED FROM § 72 OF ORIGINAL BILL)**

The bill extends for an additional year, through FY 12, an exemption for the Big Picture Magnet School, an approved interdistrict magnet school operated by Bloomfield, from statutory student diversity requirements for interdistrict magnet schools. These requirements (1) limit the number of students from any of the school’s participating towns to 75% of its total enrollment and (2) specify that students of racial minorities must comprise at least 25% but no more than 75% of a school’s student body.

The bill’s exemption allows the school to continue receiving a state magnet school operating grant in FY 12. Starting July 1, 2012, the school must reopen as The Global Experience Magnet School under an operation plan approved by the education commissioner. For purposes of meeting diversity requirements for interdistrict magnet schools, the bill specifies that the school is considered to have begun operating as of that date, thus, by law, giving it until its second year of operation to meet the desegregation requirements of the *Sheff v. O’Neill* settlement.

The education commissioner can grant an extension for one additional year.

EFFECTIVE DATE: Upon passage

§ 36—DISSEMINATING INFORMATION ON SCHOOL CHOICE OPTIONS (UNCHANGED FROM § 36 OF ORIGINAL BILL)

Under current law, each local or regional board of education must provide its students full access to technical high schools, regional agricultural science and technology education centers, interdistrict magnet schools, charter schools, and interdistrict student programs for recruitment purposes (provided it is not for the purpose of interscholastic athletic competition). The bill also requires that each board of education post information about these school choice programs on its website. It also makes a technical change.

EFFECTIVE DATE: July 1, 2012

§§ 37-55 —TECHNICAL HIGH SCHOOL SYSTEM

New Governing Board

The bill changes the name of the regional vocational-technical (V-T) schools to the technical high school system (CTHSS) and creates a new 11-member board of education to govern it. Under current law, the V-T schools are under the authority of the SBE and its technical high school subcommittee.

The new board consists of the following members:

1. four executives of Connecticut-based employers who shall be nominated by the regional chambers of commerce and business associations and appointed by the governor,
2. five members appointed by the SBE,
3. the economic and community development and labor commissioners.

The governor must appoint the chairperson, who serves as a nonvoting ex-officio member of the SBE. The bill increases the number

of SBE members by one, from 13 to 14 on and after July 1, 2012, to reflect the addition of the CTHSS chairman (§ 40).

CTHSS Superintendent

The bill requires the CTHSS board to recommend a candidate for the SBE to appoint as superintendent of the system. It makes the superintendent responsible for the system's operation and administration.

Budget Process

The bill requires each technical high school to prepare a proposed operating budget for the next school year, and submit it to the system superintendent. The superintendent must collect, review, and use the proposed operating budgets for each school to prepare a proposed operating budget for the CTHSS system.

The bill requires the superintendent to submit a proposed operating budget for the system to the CTHSS board. If the board disapproves it, it must adopt an interim budget, which takes effect at the start of the fiscal year and remains in effect until the superintendent submits, and the board approves a modified operating budget. The superintendent must submit a copy of the approved operating budget to OPM.

By law, the superintendent must, twice a year, submit the operating budget for each technical high school to the OPM, the Office of Fiscal Analysis, and the Education Committee.

Conforming Changes

The bill makes numerous technical and conforming changes to reflect that the name change and the responsibilities of the new board and its chairperson. It requires both the board chairperson and the superintendent to (1) meet with specified legislative committees by November 30 annually about the system and (2) create an integrated system of statewide advisory committees for each career cluster offered by the CTHSS.

EFFECTIVE DATE: July 1, 2012

§ 56—SCHOOL SUPERINTENDENT CERTIFICATION WAIVERS

The bill gives local and regional boards of education additional flexibility to appoint, with the education commissioner's approval, school superintendents who are not state-certified.

Acting Superintendents

By law, a board of education can appoint someone who does not have a Connecticut superintendent certificate as acting school superintendent. The bill extends the time for which the board may make such an appointment. Under current law, the maximum time is for a specified period of up to 90 days, with possible extensions with the commissioner's approval and for good cause shown. The bill lengthens it to up to one school year and makes it a probationary period. As under current law, the board must have the education commissioner's approval for such an appointment. The bill requires the acting superintendent to successfully complete the Connecticut School Leadership Academy Program the bill establishes (see § 24 above).

The bill eliminates the option for any extension of the employment as an acting superintendent.

Superintendent Certification Waiver

The bill allows a school board, at the end of an acting superintendent's probationary period, to ask the commissioner to waive certification for the superintendent and gives the commissioner the authority to do so if he considers the person to be exceptionally qualified.

It eliminates requirements that, to be considered exceptionally qualified, the person must also (1) have worked as a school superintendent in another state for at least 15 years, and (2) be or have been certified as a superintendent by the other state. It does not change the commissioner's authority to waive certification for someone who has at least three years of successful experience in a public school in another state in the 10 years prior to the waiver application date. The experience must be as a certified administrator with a superintendent

certificate issued by another state.

EFFECTIVE DATE: July 1, 2012

§ 57—TEACHER TERMINATION

Grounds for Teacher Termination

By law, a teacher may be dismissed only for specified reasons. The bill allows districts to terminate a teacher on the grounds of ineffectiveness as well as for inefficiency or incompetence. Under both current law and the bill, the determination that a teacher is incompetent or ineffective must be based on evaluations that comply with SBE guidelines for evaluating teachers.

The bill does not change the other grounds for teacher termination, namely:

1. insubordination against reasonable board of education rules;
2. moral misconduct;
3. disability proven by medical evidence;
4. elimination of the position to which the teacher was appointed or loss of a position to another teacher, as long as there is no other position for which the teacher is qualified and subject to the applicable provisions of a collective bargaining agreement or school board policy; or
5. other due and sufficient cause.

In addition, by law, nontenured teachers can be notified in writing that their contracts will not be renewed for the coming year. The school board does not have to specify any reason for nonrenewal unless the teacher files a written request for the reason.

Termination Hearing Requirements and Procedures

Under current law and the bill, both tenured and nontenured teachers are entitled to a hearing before being terminated for cause. The bill makes several changes to streamline processes for these

hearings. The changes are summarized in Table 2. The bill specifies that all the days in the process are calendar days.

TABLE 2: TEACHER TERMINATION PROCESS AND TIMETABLE

Action	Current Law	LCO 2822
<ul style="list-style-type: none"> School board notifies teacher in writing that it is considering termination. Nontenured teacher receives notice of nonrenewal by May 1. 		<ul style="list-style-type: none"> Tenured teacher must receive written notice of termination with a statement of the reasons Nontenured teacher must receive written notice of nonrenewal by May 1 or termination at any time
Teacher files written request asking the board to state its reasons for the action.	Seven days after teacher receives notice of potential termination or notice of nonrenewal.	<ul style="list-style-type: none"> Tenured: Not applicable Nontenured: Within three days of the notice
Board notifies teacher in writing of reasons.	Seven days after board receives request.	<ul style="list-style-type: none"> Tenured: Not applicable Nontenured: Within four days after the board receives the request
Teacher files written request for a hearing.	Within 20 days after teacher receives termination or nonrenewal notice. (Nontenured teachers not renewed because their positions are eliminated or they are bumped have no right to a hearing.)	Within 10 days after receiving the written notice. (Nontenured teachers not renewed because their positions are eliminated or they are bumped have no right to a hearing.)
Hearing Officials	Board of education, board subcommittee of at least three members, impartial hearing panel, or impartial hearing officer	Same as current law, except the impartial hearing panel option is eliminated
Agree on impartial hearing officer, if option chosen	Within five days of decision to use hearing officer	Same, except specifies calendar days
Hearings begin. Hearings may be public at the teacher's request or if designated by the board. The teacher may appear and be represented by counsel.	Within 15 days after the board receives the hearing request. The parties may mutually agree to extend this deadline for a maximum of 15 days.	Same, except specifies calendar days
Board subcommittee, panel, or hearing officer submits	Within 75 days after the hearing request unless the	Within 45 calendar days after the hearing request

Action	Current Law	LCO 2822
written findings and recommendations to the full board concerning the case and sends a copy to the teacher.	parties agree to extend for a maximum of 15 days.	unless the parties agree to extend for a maximum of 15 calendar days.
Board gives teacher its written decision.	<ul style="list-style-type: none"> • Within 15 days of receiving the recommendations. • If the hearing takes place before the full board, within 15 days after the close of the hearing. • Board must rescind contract nonrenewal for nontenured teacher only if it finds the decision is arbitrary or capricious. 	Same as current law, except specifies calendar days
Board furnishes a copy of the hearing transcript if the teacher requests one in writing and pays the cost.	Within 15 days of the decision.	Same as current law, except specifies calendar days
Teacher may appeal board's decision to Superior Court.	Within 30 days after the decision. Nontenured teachers may appeal to court only if termination is for moral misconduct or disability.	Same as current law, except specifies calendar days.
Maximum Time	155 Days	115 Days

EFFECTIVE DATE: July 1, 2012

§ 58 — PLAN FOR LINKING EVALUATIONS AND TENURE

The bill requires the education commissioner to consult with the Performance Evaluation Advisory Council (PEAC) to develop a plan for lining teacher and administrator evaluation with attaining and maintaining tenure. The plan must:

1. describe how performance evaluation ratings relate to determinations of whether a teacher or administrator is effective or ineffective for purposes of attaining tenure,
2. develop a process for validating evaluations used for (a) attaining and losing tenure and (b) obtaining a distinguished educator designation, and

3. address issues arising when teachers are administrators are identified as ineffective in two or more school districts.

The commissioner must the plan to the Education Committee by January 1, 2013.

EFFECTIVE DATE: July 1, 2012

§ 59 — TEACHER EVALUATION PROGRAM

The bill makes various changes to teacher evaluation requirements and the requirements for guidelines for a model teacher evaluation program. By law, SBE, in consultation with the Performance Evaluation Advisory Committee (PEAC), must adopt guidelines for model program by July 1, 2012. The bill’s changes are summarized in Table 3.

TABLE 3: TEACHER EVALUATION COMPARISON

	<i>Current Law</i>	<i>LCO 2822</i>
Employees covered	Each professional board of education employee below the rank of superintendent (“teachers”)	Same, except specifically names both teachers and administrators
Evaluation frequency	“Continuously”	<ul style="list-style-type: none"> • Annually, but allows periodic evaluations leading to an overall annual evaluation • If the teacher or administrator does not receive an evaluation, he or she must be rated proficient for the year
Evaluations performed by	Superintendent or designee	Same
Evaluation elements	<ul style="list-style-type: none"> • Strengths • Areas needing improvement • Strategies for improvement • Multiple indicators of student academic growth 	Same
Evaluation system requirements	Conform to SBE guidelines and any local guidelines established by mutual agreement between the board of education and the teachers’ unions	Same
Requirements for state model teacher evaluation and support program guidelines	<ul style="list-style-type: none"> • Provide guidance on use of multiple indicators of student academic growth in teacher evaluations. • Include (1) methods of assessing student growth; (2) consideration of control factors tracked by public school information system that may affect teacher 	Same as current law with following additions: <ul style="list-style-type: none"> • Include use four ratings to evaluate teacher performance: (1) below standard, (2) developing, (3) proficient, and (4) exemplary • Explicitly include administrators • Minimum requirements for evaluation instruments and procedures must include scoring systems to determine

	<i>Current Law</i>	<i>LCO 2822</i>
	<p>performance, such as student characteristics, attendance, and mobility; and (3) minimum requirements for evaluation instruments and procedures.</p>	<p>four ratings listed above</p> <ul style="list-style-type: none"> • Periodic training on the program for teachers being evaluated and administrators performing evaluations, offered by the school district or RESC • Professional development for individual or group needs identified through evaluations • For teachers and administrators whose performance is below standard or developing, improvement and remediation plans that (1) are developed in consultation with the affected employee and his or her union representative; (2) identify resources, support, and other measures to address documented deficiencies; (3) show a timeline for implementing the previous measures in the same school year as the plan is issued; and (4) include success indicators including an overall rating of at least proficient at the plan's immediate conclusion • Opportunities for career development and professional growth • A validation procedure for SDE or an SDE-approved third party entity to audit ratings of below standard or exemplary for any teacher or administrator
Local evaluations plans	<ul style="list-style-type: none"> • Local boards must develop and implement evaluation plans consistent with (1) SBE guidelines and (2) comprehensive local professional development plans developed by the local professional development committee • Local professional development committee consists of certified employees, union representatives, and other appropriate school personnel appointed by the board • Local professional development plan must provide for ongoing systematic assessment and improvement of teacher evaluation 	Same
Collective bargaining	Claims of failure to follow established evaluation procedures are subject to contract grievance procedure	Same
Required reports	Superintendent must report	<ul style="list-style-type: none"> • Superintendent must report annually,

	<i>Current Law</i>	<i>LCO 2822</i>
	status of evaluations to local board by June 1 annually	to education commissioner on status of evaluation implementation including: <ul style="list-style-type: none"> o Evaluation frequency o Aggregate evaluation ratings o Number of teachers not evaluated o Other requirements determined by the commission

EFFECTIVE DATE: Upon passage

§ 60 —TEACHER EVALUATION IMPLEMENTATION STUDY

The bill requires UConn’s Neag School of Education to study the implementation of teacher and administrator evaluation and support programs adopted by local and regional boards of education. Neag must compare the programs adopted in 10 districts selected by the commissioner to SBE’s guidelines, analyze their administration and results, and submit the study to the Education Committee by October 1, 2013.

EFFECTIVE DATE: Upon passage

§§61-63 & 66-78—CERTIFICATION OF TEACHERS AND SCHOOL ADMINISTRATORS

This bill revamps Connecticut’s teacher and school administrator certification system by (1) eliminating the mid-level provisional certificate from the state’s three-level certification structure, reducing the structure to two levels; (2) requiring an applicant for a professional certificate to have a relevant master’s degree rather than merely 30 credits beyond a bachelor’s degree; and (3) revising professional development requirements to emphasize improved practice and individual and small-group coaching as part of the teacher’s job instead of requiring 90 hours of professional development, known as “continuing education units” (CEUs), every five years.

The bill also creates a state-issued “distinguished educator designation” for highly qualified and experienced teachers (see § 64)

The bill applies to certificates issued on or after July 1, 2014. It also makes technical and conforming changes and repeals obsolete

provisions (§§ 66-78).

Initial Educator Certificates

The bill extends the duration of an initial certificate from three to eight years and allows the SBE to approve an extension of up to two additional years. Current law allows the education commissioner to approve one initial certificate extension lasting one year for good cause. It eliminates the requirement that the superintendent of the holder's employing district or the assessment team reviewing the holder's performance request the extension.

The bill requires SBE to renew an initial certificate if the holder is not serving in either a public school or private special education facility during the eight-year certificate term plus the two-year extension, if any.

The bill also allows graduates of master's as well as baccalaureate teacher preparation or equivalent programs to qualify for initial certificates, if the teacher preparation programs are SBE-approved or taken at an accredited college or university.

Professional Educator Certificates

The bill raises the qualifications for a professional certificate by requiring an applicant to hold a master's degree rather than merely to complete 30 credits beyond a bachelor's degree. It requires the master's degree to be (1) in an area that relates directly to the teacher's ability to improve teaching and learning and (2) from an accredited college or university or an SBE-approved program.

The bill also requires an applicant to (1) successfully complete, rather than merely complete, at least three years of effective, rather than satisfactory, teaching in a public or nonpublic school or under an initial, rather than a provisional, certificate and (2) have a record of effectiveness, rather than competence, while holding the initial certificate. The bill does not define "effectiveness" for purposes of an initial certificate holder. But, it states that a signed recommendation from the applicant's school superintendent or private special education

facility supervisory agent is evidence of effectiveness.

The bill specifies that the required three-years of effective teaching under an initial certificate can be in an SBE-approved private special education facility as well as a public or other nonpublic school.

With two exceptions, the bill requires a candidate to have finished the teacher education and mentoring (TEAM) program if there is one for his or her endorsement area. (This qualification currently applies to candidates for provisional certificates.) The two TEAM Program exceptions are for:

1. out-of-state teachers who have taught under an appropriate certificate for at least three years and
2. Connecticut teachers who have taught for at least three years in the last 10.

Professional Development Requirements

By law, unchanged by the bill, professional certificates are renewable every five years. The bill eliminates the requirement that professional certificate holders successfully complete 90 CEUs every five years as a condition of certificate renewal. Instead, it requires all certified employees to “participate” in professional development programs.

Program Design. Current law requires school districts to make available for continuing education credit at least 18 hours of professional development for certified employees at no cost. The bill requires that a preponderance of the 18 hours be in a small-group or individual instructional setting. (The bill does not define a “small group.”)

The bill also requires district professional development programs to:

1. whenever possible and appropriate, include opportunities for integrating (a) reading instruction, (b) literacy and numeracy enhancement, (c) cultural awareness, and (d) strategies to

- improve English language learner instruction into teacher practice;
2. be used to improve teacher practice based on general results and findings from teacher evaluations reported by the school superintendent or designee;
 3. be comprehensive, sustained, and intensive enough to improve teacher and administrator effectiveness in raising student achievement;
 4. foster collective responsibility for improving student performance;
 5. be (a) aligned with state standards, (b) conducted among educators at the school, and (c) facilitated by principals, coaches, mentors, and master or lead teachers; and
 6. occur frequently for teachers individually or in groups, within their jobs, and as part of a continuous improvement process.

Program Content. The bill maintains an existing requirement that school superintendents and other administrators complete at least 15 hours of professional development every five years in teacher evaluation and support. It eliminates the following professional development requirements:

1. for those with childhood nursery through grade three endorsements, at least 15 hours of training in teaching reading, reading readiness, and reading assessment;
2. for those with elementary, middle, or secondary academic endorsements, at least 15 hours in how to use computers in the classroom unless they can demonstrate competency; and
3. for those with bilingual endorsements, training in language arts, reading, or math for elementary school teachers and in the subject they teach, for secondary school teachers.

It also eliminates (1) professional development completion deadline extensions for certificate holders who were unemployed or were General Assembly members during the five-year period and (2) a requirement that professional certificate holders attest that they have successfully completed the 90 CEUs at the end of each five-year period.

SDE Audits and Penalties. By law, SDE must notify a school board of its failure to meet the professional development requirements. This bill also requires SDE to audit district professional development programs and allows SBE to assess financial penalties against districts it finds are out of compliance based on such an audit.

Under the bill, SBE can require a school board to forfeit an SBE-determined amount from its state grants, to be assessed in the fiscal year after the determination of noncompliance. SBE can waive the penalty if it determines the noncompliance was due to circumstances beyond the school board's control.

Certification for Out-Of-State Teachers

The bill makes it easier for certified teachers who taught in other states, U.S. possessions or territories, the District of Columbia, or Puerto Rico to obtain Connecticut teaching certificates. It requires SBE to issue an initial certificate to an out-of-state teacher if he or she has taught under an appropriate certificate in the other jurisdiction for at least one year in the past five instead of three years in the past 10.

It also changes the one-year nonrenewable temporary certificate for an out-of-state teacher to a one-year nonrenewable initial certificate. This certificate allows a teacher who lived or was trained out-of-state and who meets all other Connecticut certification requirements to defer Connecticut's required teacher competency testing for one year (CGS § 10-145f (c)).

Current law, unchanged by the bill, allows a person who holds a valid teaching certificate in another state to be awarded a Connecticut certificate without completing Connecticut's teacher testing

requirements if he or she meets certain standards and teaches successfully in Connecticut for one year. The person must have either (1) three years of experience in the last 10 teaching the subject for which he or she is seeking Connecticut certification in a public school or state-approved private school in the other state or (2) a master's or higher degree in that subject (CGS § 10-145f (f)).

Finally, the bill requires SBE to issue a Connecticut an appropriate certificate to any out-of-state teacher who holds a national board certification from an organization the education commissioner considers appropriate. It eliminates the requirement that such a teacher have also taught for at least three of the past 10 years in the other jurisdiction.

Teacher Certification Fees

The bill reduces the fee for a professional certificate from \$375 to \$200. The fee for an initial certificate is unchanged at \$200. The bill also allows the education commissioner to waive any certification fee if he determines that an applicant cannot pay because of extenuating circumstances. By law, an applicant pays the fee when seeking initial issuance of an educator certificate. There are no renewal fees.

Temporary 90-Day Certificates

The bill eliminates a temporary 90-day certificate issued at the request of a local or regional board of education for graduates of alternative route to certification (ARC) programs. Instead, it requires SBE to issue an initial certificate to such graduates who qualify.

Teacher Preparation - Computer Training Course

The bill requires students in teacher preparation programs to be encouraged, rather than required, to complete training in computer and other information technology as applied to student learning and classroom instruction, communications, and data management.

Minor Conforming Change

It also allows only provisional certificate holders whose certificates are issued before July 1, 2014 to appeal to the education commissioner

for an extension if they are unable to complete the professional educator requirements within the required time. In such cases, the commissioner can grant up to one extension of up to 24 months on the basis of the applicant's personal hardship or because of an emergency shortage of certified teachers in the applicant's employing school district (§ 71).

EFFECTIVE DATE: July 1, 2014

§ 64 —DISTINGUISHED EDUCATOR DESIGNATION

The bill establishes a new distinguished educator designation certificate for a person who:

1. holds a professional certificate,
2. has taught successfully for least five years in a public school or SBE-approved private special education facility,
3. has additional advanced education in addition to a master's degree from an SBE-approved program or accredited institution that can include training in mentorship of coaching teachers, and
4. meets performance standards established by SDE.

The SDE's performance standards must consider distinguished practice as validated by SDE or its approved validator. The SBE must renew the designation every five years if the person continues to meet the validated performance standards.

The bill allows those with distinguished educator designations, as well as professional educator certificates, to serve as mentors in the TEAM program. It eliminates provisional certificate holders from such mentorships (§ 70).

The bill establishes a fee of \$200 for a distinguished educator designation and \$50 for a duplicate copy of the designation. The education commissioner can waive any certification fee if he determines that an applicant cannot pay because of extenuating circumstances.

EFFECTIVE DATE: July 1, 2014

§ 65 – COLLECTIVE BARGAINING REGARDING TEACHING CERTIFICATES AND DISTINGUISHED EDUCATOR DESIGNATION

The bill authorizes local and regional boards of education to negotiate over:

1. new salary schedules for that align compensation for teachers holding initial or professional teaching certificates as well as other factors, and
2. Additional compensation for teachers holding the distinguished educator designation who are performing additional responsibilities associated with the designation.

These negotiations apply for collective bargaining agreements effective on and after July 1, 2014 and may be held under the standard bargaining conditions or the statutory provision regarding voluntary contract reopening.

EFFECTIVE DATE: July 1, 2012

TOWN-BY-TOWN ECS GRANTS FOR FY 13 (§ 1)

TOWN	FY 13 ECS GRANTS		
	Current Law	LCO 2822	FY 13 Increase
Andover	\$2,330,856	\$2,367,466	\$36,610
Ansonia	15,031,668	15,571,383	539,715
Ashford	3,896,069	3,931,796	35,727
Avon	1,232,688	1,232,688	0
Barkhamsted	1,615,872	1,654,360	38,488
Beacon Falls	4,044,804	4,109,097	64,293
Berlin	6,169,410	6,280,132	110,722
Bethany	2,030,845	2,042,361	11,516
Bethel	8,157,837	8,228,760	70,923
Bethlehem	1,318,171	1,318,800	629
Bloomfield	5,410,345	5,614,895	204,550
Bolton	3,015,660	3,038,788	23,128
Bozrah	1,229,255	1,242,936	13,681
Branford	1,759,095	1,824,612	65,517
Bridgeport	164,195,344	168,599,571	4,404,227
Bridgewater	137,292	137,292	0
Bristol	41,657,314	43,047,496	1,390,182
Brookfield	1,530,693	1,545,179	14,486
Brooklyn	6,978,295	7,058,407	80,112
Burlington	4,295,578	4,354,540	58,962
Canaan	207,146	209,258	2,112
Canterbury	4,733,625	4,754,383	20,758
Canton	3,348,790	3,421,074	72,284
Chaplin	1,880,888	1,893,247	12,359
Cheshire	9,298,837	9,376,495	77,658
Chester	665,733	665,733	0
Clinton	6,465,651	6,502,667	37,016
Colchester	13,547,231	13,723,859	176,628
Colebrook	495,044	506,256	11,212
Columbia	2,550,037	2,563,631	13,594
Cornwall	85,322	85,322	0
Coventry	8,845,691	8,918,028	72,337
Cromwell	4,313,692	4,423,837	110,145
Danbury	22,857,956	24,554,515	1,696,559
Darien	1,616,006	1,616,006	0
Deep River	1,687,351	1,711,882	24,531
Derby	6,865,689	7,146,221	280,532
Durham	3,954,812	3,986,743	31,931
Eastford	1,109,873	1,116,844	6,971
East Granby	1,301,142	1,349,822	48,680
East Haddam	3,718,223	3,765,035	46,812
East Hampton	7,595,720	7,665,929	70,209
East Hartford	41,710,817	43,425,561	1,714,744

TOWN	FY 13 ECS GRANTS		
	Current Law	LCO 2822	FY 13 Increase
East Haven	18,764,125	19,253,992	489,867
East Lyme	7,100,611	7,132,157	31,546
Easton	593,868	593,868	0
East Windsor	5,482,135	5,650,470	168,335
Ellington	9,504,917	9,649,604	144,687
Enfield	28,380,144	28,810,492	430,348
Essex	389,697	389,697	0
Fairfield	3,590,008	3,590,008	0
Farmington	1,611,013	1,611,013	0
Franklin	941,077	948,235	7,158
Glastonbury	6,201,152	6,415,031	213,879
Goshen	218,188	218,188	0
Granby	5,394,276	5,477,633	83,357
Greenwich	3,418,642	3,418,642	0
Griswold	10,735,024	10,878,817	143,793
Groton	25,374,989	25,625,179	250,190
Guilford	3,058,981	3,058,981	0
Haddam	1,728,610	1,776,625	48,015
Hamden	23,030,761	23,913,747	882,986
Hampton	1,337,582	1,339,928	2,346
Hartford	187,974,890	192,783,001	4,808,111
Hartland	1,350,837	1,358,660	7,823
Harwinton	2,728,401	2,760,313	31,912
Hebron	6,872,931	6,969,354	96,423
Kent	167,342	167,342	0
Killingly	15,245,633	15,625,767	380,134
Killingworth	2,227,467	2,237,730	10,263
Lebanon	5,467,634	5,523,871	56,237
Ledyard	12,030,465	12,141,501	111,036
Lisbon	3,899,238	3,927,193	27,955
Litchfield	1,479,851	1,508,386	28,535
Lyme	145,556	145,556	0
Madison	1,576,061	1,576,061	0
Manchester	30,619,100	31,962,679	1,343,579
Mansfield	10,070,677	10,156,014	85,337
Marlborough	3,124,421	3,171,682	47,261
Meriden	53,783,711	55,561,122	1,777,411
Middlebury	684,186	714,234	30,048
Middlefield	2,100,239	2,132,776	32,537
Middletown	16,652,386	17,449,023	796,637
Milford	10,728,519	11,048,292	319,773
Monroe	6,572,118	6,592,969	20,851
Montville	12,549,431	12,715,670	166,239
Morris	657,975	657,975	0
Naugatuck	29,211,401	29,846,550	635,149

TOWN	FY 13 ECS GRANTS		
	Current Law	LCO 2822	FY 13 Increase
New Britain	73,929,296	76,583,631	2,654,335
New Canaan	1,495,604	1,495,604	0
New Fairfield	4,414,083	4,451,451	37,368
New Hartford	3,143,902	3,167,099	23,197
New Haven	142,509,525	146,351,428	3,841,903
Newington	12,632,615	12,895,927	263,312
New London	22,940,565	23,749,566	809,001
New Milford	11,939,587	12,080,862	141,275
Newtown	4,309,646	4,338,374	28,728
Norfolk	381,414	381,414	0
North Branford	8,117,122	8,225,632	108,510
North Canaan	2,064,592	2,091,544	26,952
North Haven	3,174,940	3,295,851	120,911
North Stonington	2,892,440	2,906,538	14,098
Norwalk	10,095,131	10,744,607	649,476
Norwich	32,316,543	33,341,525	1,024,982
Old Lyme	605,586	605,586	0
Old Saybrook	652,677	652,677	0
Orange	1,055,910	1,107,407	51,497
Oxford	4,606,861	4,667,270	60,409
Plainfield	15,353,204	15,560,284	207,080
Plainville	10,161,853	10,346,140	184,287
Plymouth	9,743,272	9,876,832	133,560
Pomfret	3,092,817	3,130,001	37,184
Portland	4,272,257	4,347,783	75,526
Preston	3,057,025	3,077,693	20,668
Prospect	5,319,201	5,377,654	58,453
Putnam	8,071,851	8,251,714	179,863
Redding	687,733	687,733	0
Ridgefield	2,063,814	2,063,814	0
Rocky Hill	3,355,227	3,481,162	125,935
Roxbury	158,114	158,114	0
Salem	3,099,694	3,114,216	14,522
Salisbury	187,266	187,266	0
Scotland	1,444,458	1,450,305	5,847
Seymour	9,836,508	10,004,094	167,586
Sharon	145,798	145,798	0
Shelton	4,975,852	5,146,279	170,427
Sherman	244,327	244,327	0
Simsbury	5,367,517	5,513,204	145,687
Somers	5,918,636	5,975,301	56,665
Southbury	2,422,233	2,518,902	96,669
Southington	19,839,108	20,191,195	352,087
South Windsor	12,858,826	13,017,444	158,618
Sprague	2,600,651	2,632,445	31,794

TOWN	FY 13 ECS GRANTS		
	Current Law	LCO 2822	FY 13 Increase
Stafford	9,809,424	9,930,162	120,738
Stamford	7,978,877	8,899,110	920,233
Sterling	3,166,394	3,211,166	44,772
Stonington	2,061,204	2,079,926	18,722
Stratford	20,495,602	21,072,199	576,597
Suffield	6,082,494	6,183,966	101,472
Thomaston	5,630,307	5,712,479	82,172
Thompson	7,608,489	7,674,408	65,919
Tolland	10,759,283	10,866,063	106,780
Torrington	23,933,343	24,402,168	468,825
Trumbull	3,031,988	3,195,332	163,344
Union	239,576	241,460	1,884
Vernon	17,645,165	18,316,776	671,611
Voluntown	2,536,177	2,550,166	13,989
Wallingford	21,440,233	21,712,580	272,347
Warren	99,777	99,777	0
Washington	240,147	240,147	0
Waterbury	113,617,182	118,012,691	4,395,509
Waterford	1,445,404	1,485,842	40,438
Watertown	11,749,383	11,886,760	137,377
Westbrook	427,677	427,677	0
West Hartford	16,076,120	16,996,060	919,940
West Haven	41,399,303	42,781,151	1,381,848
Weston	948,564	948,564	0
Westport	1,988,255	1,988,255	0
Wethersfield	8,018,422	8,313,255	294,833
Willington	3,676,637	3,710,213	33,576
Wilton	1,557,195	1,557,195	0
Winchester	7,823,991	8,031,362	207,371
Windham	24,169,717	24,933,574	763,857
Windsor	11,547,663	11,854,648	306,985
Windsor Locks	4,652,368	4,904,674	252,306
Wolcott	13,539,371	13,685,912	146,541
Woodbridge	721,370	721,370	0
Woodbury	876,018	895,683	19,665
Woodstock	5,390,055	5,453,688	63,633
TOTALS	\$1,889,607,093	\$1,939,679,087	\$50,071,994