



Senate Bill No. 945

Public Act No. 21-144

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF EDUCATION.

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

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 Subdivision (9) of subsection (a) of section 10-76d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(9) The planning and placement team shall, in accordance with the provisions of the Individuals With Disabilities Education Act, 20 USC 1400, et seq., as amended from time to time, develop and [update annually] include a statement of transition service needs in the individualized education program for each child requiring special education, [. Commencing not later than the date on which the first individual education program takes effect for a child who is at least fourteen years of age and diagnosed with autism spectrum disorder, such] beginning not later than the first individualized education program to be in effect when such child becomes fourteen years of age, or younger if the planning and placement team determines it is appropriate. Such individualized education program shall include (A) appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills; and (B)

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the transition services, including courses of study, needed to assist [a] such child in reaching those goals. [The individual] Such individualized education program shall be updated annually thereafter in accordance with the provisions of this subdivision. Nothing in this subdivision shall be construed as requiring the Department of [Rehabilitation] Aging and Disability Services to lower the age of transitional services for a child with disabilities from sixteen to fourteen years of age.

Sec. 2. Section 10-145h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(a) On and after July 1, [2015] 2021, the State Board of Education shall require an applicant for certification as a bilingual education teacher to demonstrate written competency in English and written and oral competency in the other language of instruction as a condition of certification [.] as follows: (1) Written competency in English shall be demonstrated by (A) successful passage of the essential skills test approved by the State Board of Education, [Written] or (B) a bachelor's degree, or its equivalent, from a regionally accredited institution of higher education in which the language of instruction is English, and (2) written competency in the other language shall be demonstrated (A) on an examination, if available, of comparable difficulty as specified by the Department of Education, or (B) a bachelor's degree, or its equivalent, from a regionally accredited institution of higher education in which the language of instruction is in the other language. If such an examination is not available, competency shall be demonstrated by an appropriate alternative method as specified by the department. Oral competency in the other language shall be demonstrated by an appropriate method specified by the Department of Education.

(b) On and after July 1, 2015, the State Board of Education shall require persons seeking to become (1) elementary level bilingual education teachers to meet coursework requirements in elementary education and bilingual education, and (2) secondary level bilingual

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education teachers to meet coursework requirements in both the subject area they will teach and in bilingual education. The State Board of Education may issue an endorsement in bilingual education to an applicant who has (A) completed coursework requirements in (i) elementary education and bilingual education, or (ii) the subject area they will teach and bilingual education, and (B) successful passage of examination requirements for bilingual education, as approved by the State Board of Education.

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

(d) On and after July 1, 2021, certification in (1) elementary bilingual education shall be valid for grades kindergarten to nine, inclusive, and (2) middle grades bilingual education shall be valid for grades four to nine, inclusive.

(e) Not later than January 1, 2022, the Commissioner of Education shall approve guidelines for unique endorsements to authorize the teaching of secondary bilingual humanities and secondary bilingual science, technology, engineering and mathematics courses.

(f) (1) A certified bilingual education teacher who has completed at least fifteen semester hours of credit in combined content coursework in

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the humanities shall be eligible to teach secondary humanities courses in a bilingual education program.

(2) A certified teacher who does not hold an endorsement in bilingual education shall be eligible to teach secondary humanities courses in a bilingual education program if such teacher completes (A) fifteen semester hours of credit in combined content coursework in the humanities, and (B) the required coursework and testing for a bilingual endorsement under this section.

(g) (1) A certified bilingual education teacher who has completed at least fifteen semester hours of credit in combined content coursework in the fields of science, technology, engineering or mathematics shall be eligible to teach secondary courses in such fields in a bilingual education program.

(2) A certified teacher who does not hold an endorsement in bilingual education shall be eligible to teach secondary science, technology, engineering or mathematics courses in a bilingual education program if such teacher completes (A) fifteen semester hours of credit in combined content coursework in the fields of science, technology, engineering or mathematics, and (B) the required coursework and testing for a bilingual endorsement under this section.

Sec. 3. Section 10-145m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(a) The State Board of Education, upon receipt of a proper application, shall issue a resident teacher certificate to any applicant in the certification endorsement areas of elementary education, middle grades education, secondary academic subjects, special subjects or fields, special education, early childhood education and administration and supervision, who (1) holds a bachelor's degree from an institution of higher education accredited by the Board of Regents for Higher

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Education or Office of Higher Education or regionally accredited, (2) [possesses a minimum undergraduate college cumulative grade point average of 3.00, (3)] has completed a major or thirty semester hours of content specific credit or achieved a qualifying score, as determined by the State Board of Education, on the appropriate State Board of Education approved subject area assessment, and [(4)] (3) is enrolled in an alternate route to certification program or post-bachelor degree program leading to educator certification, approved by the State Board of Education, that meets the guidelines established by the [No Child Left Behind Act, P.L. 107-110] Every Student Succeeds Act, P.L. 114-95.

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

(c) During the period of employment in a public school, a person holding a resident teacher certificate shall be the teacher of record and be under the supervision of the superintendent of schools or of a principal, administrator or supervisor designated by such superintendent who shall regularly observe, guide and evaluate the performance of assigned duties by such holder of a resident teacher certificate.

(d) Notwithstanding the provisions of subsection (a) of section 10-145b, on and after July 1, 2009, the State Board of Education, upon receipt of a proper application, shall issue an initial educator certificate, which shall be valid for three years, to any person who (1) successfully completed an alternate route to certification program, approved by the State Board of Education, that meets the guidelines established by the No Child Left Behind Act, P.L. 107-110, (2) taught successfully as the teacher of record while holding a resident teacher certificate, and (3) meets the requirements established in subsection (b) of section 10-145f.

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Sec. 4. Subsection (a) of section 10-221d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 5. Subsection (a) of section 10-232a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

Sec. 6. Section 10-66rr of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

On and after July 1, 2015, the State Board of Education shall require members of the governing council of a state or local charter school and

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

Sec. 7. (NEW) (*Effective from passage*) (a) The Department of Education may institute a civil action in the Superior Court, or in the United States District Court, where applicable, against any person, firm, corporation, business or combination thereof, including a charter management organization, it believes, or has reason to believe, has misused state funds or has engaged in the misuse of state resources, to enjoin said parties from continuing such conduct within this state and to seek repayment of such funds, as well as damages, on behalf of the state. In such actions the department shall be represented by the Attorney General.

(b) Upon the institution of such civil action, the Attorney General shall have the right to take the deposition of any witness the Attorney General believes, or has reason to believe, has information relative to the prosecution of such action, upon application made to the Superior Court, notwithstanding the provisions of other statutes limiting

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depositions. The Attorney General shall also have the right to take such depositions in other states and to utilize the laws of such other states relative to the taking of depositions where allowed by the laws of such states.

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

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

Sec. 8. Subsection (c) of section 10-95 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

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

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Sec. 9. Section 10-76q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

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

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

(c) [If a planning and placement team determines that a student requires special education services which preclude such student's participation in the vocational education program offered by a technical education and career school, the student shall be referred to the board of education in the town in which the student resides for the development of an individualized educational program and such board of education shall be responsible for the implementation and financing of such program.] Prior to a student's enrollment in a technical education and career school, the local or regional board of education for the town in which such student resides shall convene a planning and placement team meeting. The purpose of such meeting shall be to address such student's transition to such technical education and career school and ensure that such student's individualized education program reflects the current supports and services that such student

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requires in order to access a free and appropriate public education in the least restrictive environment. A representative from such technical education and career school shall be invited to such meeting.

Sec. 10. Subsection (g) of section 10-221a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(g) Only courses taken in grades nine to twelve, inclusive, and that are in accordance with the state-wide subject matter content standards, adopted by the State Board of Education pursuant to section 10-4, shall satisfy the graduation requirements set forth in this section, except that a local or regional board of education may grant a student credit (1) toward meeting the high school graduation requirements upon the successful demonstration of mastery of the subject matter content described in this section achieved through educational experiences and opportunities that provide flexible and multiple pathways to learning, including cross-curricular graduation requirements, career and technical education, virtual learning, work-based learning, service learning, dual enrollment and early college, courses taken in middle school, internships and student-designed independent studies, provided such demonstration of mastery is in accordance with such state-wide subject matter content standards; (2) toward meeting a specified course requirement upon the successful completion in grade seven or eight of any course, the primary focus of which corresponds directly to the subject matter of a specified course requirement in grades nine to twelve, inclusive; (3) toward meeting the high school graduation requirement upon the successful completion of a world language course (A) in grade six, seven or eight, (B) through on-line coursework, or (C) offered privately through a nonprofit provider, provided such student achieves a passing grade on an examination prescribed, within available appropriations, by the Commissioner of Education and such credits do not exceed four; (4) toward meeting the high school graduation

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requirement upon achievement of a passing grade on a subject area proficiency examination identified and approved, within available appropriations, by the Commissioner of Education, regardless of the number of hours the student spent in a public school classroom learning such subject matter; (5) toward meeting the high school graduation requirement upon the successful completion of coursework during the school year or summer months at an institution accredited by the Board of Regents for Higher Education or Office of Higher Education or regionally accredited. One three-credit semester course, or its equivalent, at such an institution shall equal one-half credit for purposes of this section; or (6) toward meeting the high school graduation requirement upon the successful completion of on-line coursework, provided the local or regional board of education has adopted a policy in accordance with this subdivision for the granting of credit for on-line coursework. Such a policy shall ensure, at a minimum, that (A) the workload required by the on-line course is equivalent to that of a similar course taught in a traditional classroom setting, (B) the content is rigorous and aligned with curriculum guidelines approved by the State Board of Education, where appropriate, (C) the course engages students and has interactive components, which may include, but are not limited to, required interactions between students and their teachers, participation in on-line demonstrations, discussion boards or virtual labs, (D) the program of instruction for such on-line coursework is planned, ongoing and systematic, and (E) the courses are (i) taught by teachers who are certified in the state or another state and have received training on teaching in an on-line environment, or (ii) offered by institutions of higher education that are accredited by the Board of Regents for Higher Education or Office of Higher Education or regionally accredited. [; or (7) toward meeting the high school graduation requirement upon the successful completion of the academic advancement program, pursuant to section 10-5c.]

Sec. 11. Section 10-148b of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective July 1, 2021*):

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

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

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cognizance of matters relating to education, in accordance with the provisions of section 11-4a.]

Sec. 12. Sections 10-3b, 10-5c and 10-10d of the general statutes are repealed. (*Effective July 1, 2021*)

Approved July 7, 2021