



Senate

General Assembly

File No. 290

January Session, 2021

Senate Bill No. 945

Senate, April 6, 2021

The Committee on Education reported through SEN. MCCRORY, D. of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF EDUCATION.

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

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2 general statutes is repealed and the following is substituted in lieu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

4 (9) The planning and placement team shall, in accordance with the
5 provisions of the Individuals With Disabilities Education Act, 20 USC
6 1400, et seq., as amended from time to time, develop and [update
7 annually] include a statement of transition service needs in the
8 individualized education program for each child requiring special
9 education, [Commencing not later than the date on which the first
10 individual education program takes effect for a child who is at least
11 fourteen years of age and diagnosed with autism spectrum disorder,
12 such] beginning not later than the first individualized education
13 program to be in effect when such child becomes fourteen years of age,
14 or younger if the planning and placement team determines it is

15 appropriate. Such individualized education program shall include (A)
16 appropriate measurable postsecondary goals based upon age-
17 appropriate transition assessments related to training, education,
18 employment and, where appropriate, independent living skills; and (B)
19 the transition services, including courses of study, needed to assist [a]
20 such child in reaching those goals. [The individual] Such individualized
21 education program shall be updated annually thereafter in accordance
22 with the provisions of this subdivision. Nothing in this subdivision shall
23 be construed as requiring the Department of [Rehabilitation] Aging and
24 Disability Services to lower the age of transitional services for a child
25 with disabilities from sixteen to fourteen years of age.

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 Section 10-145h of the general statutes is repealed and the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

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

46 (b) On and after July 1, 2015, the State Board of Education shall
47 require persons seeking to become (1) elementary level bilingual

48 education teachers to meet coursework requirements in elementary
49 education and bilingual education, and (2) secondary level bilingual
50 education teachers to meet coursework requirements in both the subject
51 area they will teach and in bilingual education. The State Board of
52 Education may issue an endorsement in bilingual education to an
53 applicant who has (A) completed coursework requirements in (i)
54 elementary education and bilingual education, or (ii) the subject area
55 they will teach and bilingual education, and (B) successful passage of
56 examination requirements for bilingual education, as approved by the
57 State Board of Education.

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

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

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

78 (f) (1) A certified bilingual education teacher who has completed at
79 least fifteen semester hours of credit in combined content coursework in
80 the humanities shall be eligible to teach secondary humanities courses

81 in a bilingual education program.

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

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

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

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

102 (a) The State Board of Education, upon receipt of a proper
103 application, shall issue a resident teacher certificate to any applicant in
104 the certification endorsement areas of elementary education, middle
105 grades education, secondary academic subjects, special subjects or
106 fields, special education, early childhood education and administration
107 and supervision, who (1) holds a bachelor's degree from an institution
108 of higher education accredited by the Board of Regents for Higher
109 Education or Office of Higher Education or regionally accredited, (2)
110 [possesses a minimum undergraduate college cumulative grade point
111 average of 3.00, (3)] has completed a major or thirty semester hours of
112 content specific credit or achieved a qualifying score, as determined by

113 the State Board of Education, on the appropriate State Board of
114 Education approved subject area assessment, and [(4)] (3) is enrolled in
115 an alternate route to certification program or post-bachelor degree
116 program leading to educator certification, approved by the State Board
117 of Education, that meets the guidelines established by the [No Child Left
118 Behind Act, P.L. 107-110] Every Student Succeeds Act, P.L. 114-95.

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

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

130 (d) Notwithstanding the provisions of subsection (a) of section 10-
131 145b, on and after July 1, 2009, the State Board of Education, upon
132 receipt of a proper application, shall issue an initial educator certificate,
133 which shall be valid for three years, to any person who (1) successfully
134 completed an alternate route to certification program, approved by the
135 State Board of Education, that meets the guidelines established by the
136 No Child Left Behind Act, P.L. 107-110, (2) taught successfully as the
137 teacher of record while holding a resident teacher certificate, and (3)
138 meets the requirements established in subsection (b) of section 10-145f.

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

142 (a) As used in this section and sections 10-232b and 10-232c, "eligible
143 school operator" means a school or school district authorized to receive
144 national criminal history record information from the Federal Bureau of

145 Investigation pursuant to P.L. 92-544, and shall include a local or
146 regional board of education, the Technical Education and Career System
147 [the governing council of a state or local charter school, a cooperative
148 arrangement pursuant to section 10-158a] and an interdistrict magnet
149 school operator other than an operator who is a third-party not-for-
150 profit corporation approved by the Commissioner of Education.

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

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

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

166 On and after July 1, 2015, the State Board of Education shall require
167 members of the governing council of a state or local charter school and
168 members of a charter management organization to submit to a records
169 check of the Department of Children and Families child abuse and
170 neglect registry, established pursuant to section 17a-101k, and to state
171 and national criminal history records checks before the state board
172 grants initial certificates of approval for charters pursuant to section 10-
173 66bb, or before such members may be hired by the governing council of
174 a state or local charter school or charter management organization. The
175 governing council of a state or local charter school shall require each
176 contractor doing business with a state or local charter school, who
177 performs a service involving direct student contact, to submit to a

178 records check of the Department of Children and Families child abuse
179 and neglect registry, established pursuant to section 17a-101k, and to
180 state and national criminal history records checks before such contractor
181 begins to perform such service. [Any criminal history records checks
182 required under this section shall be conducted in accordance with
183 section 29-17a.]

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

194 (b) Upon the institution of such civil action, the Attorney General
195 shall have the right to take the deposition of any witness the Attorney
196 General believes, or has reason to believe, has information relative to the
197 prosecution of such action, upon application made to the Superior
198 Court, notwithstanding the provisions of other statutes limiting
199 depositions. The Attorney General shall also have the right to take such
200 depositions in other states and to utilize the laws of such other states
201 relative to the taking of depositions where allowed by the laws of such
202 states.

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

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

210 Sec. 8. Subsection (c) of section 10-95 of the general statutes is
211 repealed and the following is substituted in lieu thereof (*Effective July 1,*
212 *2021*):

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

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

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

241 (b) Where it is deemed appropriate that a child enrolled in a technical
242 education and career school receive special education, the parents or

243 guardian of such child shall have a right to the hearing and appeal
244 process as provided for in section 10-76h.

245 (c) [If a planning and placement team determines that a student
246 requires special education services which preclude such student's
247 participation in the vocational education program offered by a technical
248 education and career school, the student shall be referred to the board
249 of education in the town in which the student resides for the
250 development of an individualized educational program and such board
251 of education shall be responsible for the implementation and financing
252 of such program.] Prior to a student's enrollment in a technical
253 education and career school, the local or regional board of education for
254 the town in which such student resides shall convene a planning and
255 placement team meeting. The purpose of such meeting shall be to
256 address such student's transition to such technical education and career
257 school and ensure that such student's individualized education
258 program reflects the current supports and services that such student
259 requires in order to access a free and appropriate public education in the
260 least restrictive environment. A representative from such technical
261 education and career school shall be invited to such meeting.

262 Sec. 10. Subsection (g) of section 10-221a of the general statutes is
263 repealed and the following is substituted in lieu thereof (*Effective July 1,*
264 *2021*):

265 (g) Only courses taken in grades nine to twelve, inclusive, and that
266 are in accordance with the state-wide subject matter content standards,
267 adopted by the State Board of Education pursuant to section 10-4, shall
268 satisfy the graduation requirements set forth in this section, except that
269 a local or regional board of education may grant a student credit (1)
270 toward meeting the high school graduation requirements upon the
271 successful demonstration of mastery of the subject matter content
272 described in this section achieved through educational experiences and
273 opportunities that provide flexible and multiple pathways to learning,
274 including cross-curricular graduation requirements, career and
275 technical education, virtual learning, work-based learning, service

276 learning, dual enrollment and early college, courses taken in middle
277 school, internships and student-designed independent studies,
278 provided such demonstration of mastery is in accordance with such
279 state-wide subject matter content standards; (2) toward meeting a
280 specified course requirement upon the successful completion in grade
281 seven or eight of any course, the primary focus of which corresponds
282 directly to the subject matter of a specified course requirement in grades
283 nine to twelve, inclusive; (3) toward meeting the high school graduation
284 requirement upon the successful completion of a world language course
285 (A) in grade six, seven or eight, (B) through on-line coursework, or (C)
286 offered privately through a nonprofit provider, provided such student
287 achieves a passing grade on an examination prescribed, within available
288 appropriations, by the Commissioner of Education and such credits do
289 not exceed four; (4) toward meeting the high school graduation
290 requirement upon achievement of a passing grade on a subject area
291 proficiency examination identified and approved, within available
292 appropriations, by the Commissioner of Education, regardless of the
293 number of hours the student spent in a public school classroom learning
294 such subject matter; (5) toward meeting the high school graduation
295 requirement upon the successful completion of coursework during the
296 school year or summer months at an institution accredited by the Board
297 of Regents for Higher Education or Office of Higher Education or
298 regionally accredited. One three-credit semester course, or its
299 equivalent, at such an institution shall equal one-half credit for purposes
300 of this section; or (6) toward meeting the high school graduation
301 requirement upon the successful completion of on-line coursework,
302 provided the local or regional board of education has adopted a policy
303 in accordance with this subdivision for the granting of credit for on-line
304 coursework. Such a policy shall ensure, at a minimum, that (A) the
305 workload required by the on-line course is equivalent to that of a similar
306 course taught in a traditional classroom setting, (B) the content is
307 rigorous and aligned with curriculum guidelines approved by the State
308 Board of Education, where appropriate, (C) the course engages students
309 and has interactive components, which may include, but are not limited
310 to, required interactions between students and their teachers,

311 participation in on-line demonstrations, discussion boards or virtual
312 labs, (D) the program of instruction for such on-line coursework is
313 planned, ongoing and systematic, and (E) the courses are (i) taught by
314 teachers who are certified in the state or another state and have received
315 training on teaching in an on-line environment, or (ii) offered by
316 institutions of higher education that are accredited by the Board of
317 Regents for Higher Education or Office of Higher Education or
318 regionally accredited. [; or (7) toward meeting the high school
319 graduation requirement upon the successful completion of the academic
320 advancement program, pursuant to section 10-5c.]

321 Sec. 11. Section 10-148b of the general statutes is repealed and the
322 following is substituted in lieu thereof (*Effective July 1, 2021*):

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

341 [(b)] The Commissioner of Education shall annually review the
342 professional development required under section 10-148a for certified
343 employees who hold a professional educator certificate with an early

344 childhood nursery through grade three or an elementary endorsement
 345 and who hold a position requiring such an endorsement. The
 346 commissioner shall assess whether such professional development
 347 meets the state goals for student academic achievement through
 348 implementation of the common core state standards adopted by the
 349 State Board of Education, research-based interventions in reading and
 350 the Individuals With Disabilities Education Act, 20 USC 1400 et seq., as
 351 amended from time to time. The commissioner shall submit such review
 352 to the joint standing committee of the General Assembly having
 353 cognizance of matters relating to education, in accordance with the
 354 provisions of section 11-4a.]

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	10-76d(a)(9)
Sec. 2	<i>July 1, 2021</i>	10-145h
Sec. 3	<i>July 1, 2021</i>	10-145m
Sec. 4	<i>from passage</i>	10-221d(a)
Sec. 5	<i>from passage</i>	10-232a(a)
Sec. 6	<i>from passage</i>	10-66rr
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>July 1, 2021</i>	10-95(c)
Sec. 9	<i>July 1, 2021</i>	10-76g
Sec. 10	<i>July 1, 2021</i>	10-221a(g)
Sec. 11	<i>July 1, 2021</i>	10-148b
Sec. 12	<i>July 1, 2021</i>	Repealer section

ED *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Education, Dept.	GF - Revenue Gain	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill allows the attorney general, on behalf of the State Department of Education (SDE), to bring a lawsuit in state or federal court against any person or entity, including a charter management organization, if the department has reason to believe that the party has misused state funds or state resources. The bill requires the court to order repayment of damages to SDE when the misuse or damages is proven, which will result in a revenue gain to the General Fund if any such lawsuits are successfully pursued. The size of the potential revenue gain would be dependent on the court ruling.

The bill makes various other procedural, programmatic and technical changes that are not anticipated to result in a fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to court rulings.

OLR Bill Analysis**SB 945*****AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF EDUCATION.*****SUMMARY**

This bill makes the following changes in the education statutes:

1. requires planning and placement teams (PPTs) for special education students to write transition services into individualized education programs (IEPs) for all 14-year-olds (§ 1);
2. splits the elementary level bilingual education certificate into two and creates alternative methods by which candidates may fulfill the certificates' written competency requirement (§ 2);
3. requires the education commissioner, by January 1, 2022, to approve guidelines for bilingual STEM (science, technology, engineering, and mathematics) and humanities teaching certificate endorsements and establishes coursework eligibility requirements for high school bilingual STEM and humanities teachers (§ 2);
4. removes the grade point average (GPA) requirement for the resident teacher certificate and broadens its eligibility pool (§ 3);
5. requires charter school governing councils and cooperative arrangements to have their requested criminal history records checks for school personnel conducted in accordance with the federal National Child Protection Act of 1992 and the federal Volunteers for Children Act of 1998, in addition to state law (§§ 4 & 5);

6. removes the requirement that the criminal history records checks for charter school governing council or management organization members and certain contractors be conducted in accordance with the state law governing their procedure (§ 6);
7. allows the attorney general, on behalf of the State Department of Education (SDE), to bring a civil suit against an organization to recover misused state funds (§ 7);
8. clarifies the appointment process for the Technical Education and Career System (TECS) superintendent (§ 8);
9. creates a new PPT process that must occur before a student receiving special education services enrolls in TECS (§ 9); and
10. removes obsolete language from state law and repeals certain education reports and programs (§§ 10-12).

The bill also makes conforming and technical changes.

EFFECTIVE DATE: July 1, 2021, except the provisions on fingerprinting, criminal history records checks, and civil suits (§§ 4-7) take effect upon passage.

§ 1 — TRANSITION SERVICES IN SPECIAL EDUCATION

Current state law requires a PPT to include a statement of transition service needs in a student's IEP when the child reaches age 14 and has autism spectrum disorder, or at an earlier age if the team finds it appropriate. The bill extends this requirement to all students of this age receiving special education services, regardless of their disability. The federal Individuals with Disabilities Education Act requires transition services to be written into eligible students' IEPs beginning at age 16. States are free to require this at an earlier age (20 U.S.C. § 1414(d)(1)(A)(i)(VIII)(bb)).

Under the bill, IEPs for all 14-year-olds must include the following, as required under current law for students with autism spectrum disorder: (1) appropriate, measurable postsecondary goals based on

age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills and (2) transition services, including courses of study, needed to assist the child in reaching those goals. As under existing law, the IEPs must be updated annually.

§ 2 — BILINGUAL TEACHING

Elementary Bilingual Teacher Certificate

The bill restructures the elementary bilingual teacher certificate, splitting it into two separate certificates by grade level as of July 1, 2021. Currently, the certificate allows its holder to teach grades kindergarten through 8. Beginning July 1, 2021, the bill splits the certificate into one kindergarten through grade 9 elementary certificate and one grade 4 through 9 middle grades certificate.

Bilingual Teacher Certification Written Competency Requirement

Beginning July 1, 2021, the bill creates an alternative method by which candidates for bilingual teacher certification may fulfill the written competency requirement in English or the second language. Under the bill, as an alternative to passing an examination or demonstrating competency through another SDE-approved method if an exam is not available, candidates may fulfill the requirement by holding a bachelor's degree or its equivalent from a regionally accredited higher education institution that delivers instruction in that language.

Bilingual Humanities and STEM High School Courses and Teachers

The bill requires the education commissioner to approve guidelines by January 1, 2022, for unique endorsements to authorize the teaching of bilingual humanities and STEM high school courses. Additionally, the bill establishes coursework eligibility requirements for these teachers.

Under the bill, certified bilingual education teachers who have completed at least 15 semester hours of credit in combined content

coursework in the humanities or STEM may teach bilingual high school courses in the applicable field. A certified teacher who does not hold a bilingual education endorsement is eligible to teach these courses if he or she completes (1) 15 semester hours of credit in combined content coursework in the humanities or STEM, as appropriate and (2) the required coursework and testing for a bilingual endorsement.

§ 3 — RESIDENT TEACHER CERTIFICATE

The resident teacher certificate allows a person to teach in Connecticut public schools while enrolled in an alternate route to certification (ARC) program. The bill changes the academic and training eligibility requirements for the certificate, but maintains the degree requirements, as shown in the table below.

Table 1: Changes to Resident Teacher Certification Requirements Under HB 945

	<i>Requirements Under Current Law</i>	<i>Requirements Under the Bill</i>
Degree requirements	Holds a bachelor’s degree from an accredited higher education institution	Unchanged
Academic requirements	Possesses a 3.0 GPA and achieved a qualifying score on a State Board of Education (SBE)-approved subject area assessment	Either (1) completed a major or 30 semester hours of content-specific credit or (2) achieved a qualifying score on an SBE-approved subject area assessment
Training requirements	Is enrolled in an SBE-approved ARC program that meets federal guidelines	Is enrolled in either an SBE-approved (1) ARC program or (2) post-bachelor’s degree program leading to educator certification

§§ 4-6 — CRIMINAL HISTORY RECORDS CHECKS FOR SCHOOL PERSONNEL

Reclassification of Nongovernmental Entities (§§ 4 & 5)

In the state laws governing criminal history checks for school

personnel, the bill removes state or local charter school governing councils and cooperative arrangements from the classification of “eligible school operators.” It adds cooperative arrangements to the “nongovernmental school operators” classification in the background check law. (Charter school governing councils are already a member of this class; in current law, they are classified as both eligible and nongovernmental school operators.) These classification changes clarify that both charter school governing councils and cooperative arrangements must have their requested criminal history records checks conducted in accordance with the federal National Child Protection Act of 1992 and the federal Volunteers for Children Act of 1998, in addition to state law.

Charter School Governing Council and Charter Management Organization Members (§ 6)

Under current law, charter school governing council members, charter management organization members, and contractors with direct student contact who are doing business with a state or local charter school must submit to state and national criminal history records checks. The bill removes the requirement that the criminal history records checks for these individuals be conducted in accordance with the state law governing their procedure (CGS § 29-17a; see BACKGROUND).

§ 7 — RECOVERY OF MISUSED STATE FUNDS

The bill allows the attorney general, on SDE’s behalf, to bring a lawsuit in state or federal court against any person, firm, corporation, business, or combination of these, including a charter management organization, if the department has reason to believe that the party has misused state funds or state resources. The claim may (1) enjoin (i.e., prohibit) the parties from continuing the conduct and (2) seek repayment of funds, as well as damages.

The bill also gives the attorney general the express right to (1) depose any witness who he believes, or has reason to believe, has information relating to the claim and (2) take depositions in other states and use

other states' laws on the taking of depositions.

The bill requires the court to order repayment of damages to SDE when the misuse of state funds or resources or damages is proven by a preponderance of the evidence. It also gives the court the right to award treble damages.

§ 8 — TECS SUPERINTENDENT

The bill clarifies the appointment process for the TECS superintendent by removing one provision from current law that conflicts with another. It clarifies that the TECS board may recommend a candidate for TECS superintendent to the education commissioner, who may hire or reject any recommended candidate. It removes the conflicting provision that requires the TECS board and the education commissioner to jointly recommend a superintendent candidate to SBE.

§ 9 — TECS SPECIAL EDUCATION SERVICES

Under current law, if a PPT determines that a student's special education services prevent him or her from participating in the TECS vocational education program, then the student must be referred back to the sending school district to attend school there under an IEP.

The bill instead requires the student's sending district to convene a PPT meeting before a student enrolls in a technical education and career school. The meeting's purpose is to ensure that the student's IEP reflects the current supports and services that he or she requires to access a free, appropriate public education in the least restrictive environment. The bill also requires a TECS representative to be invited to the meeting.

§§ 10-12 — OBSOLETE LANGUAGE AND REPEALERS

The bill removes from statute any reference to the obsolete academic advancement program, which allowed students to graduate from high school early (§§ 10 & 12). It also removes the requirement that the education commissioner annually review and assess professional development for professional educators with an early childhood nursery through grade three endorsement or an elementary endorsement (§ 11).

The bill also repeals the following:

1. the education commissioner's annual report to the legislature about the State Education Resource Center and
2. the requirement for SDE to adopt regulations to implement a fiscal accountability data collection report (§ 12).

BACKGROUND

Criminal History Records Check Procedure

A criminal history records check for an individual must be requested through the State Police Bureau of Identification (hereafter "state bureau"), a division of the Department of Emergency Services and Public Protection (DESPP). The requesting party must arrange for the individual to be fingerprinted or undergo another method of positive identification required by the state bureau, or required by the FBI if a national criminal history records check is requested. The fingerprints or other positive identifying information must be forwarded to the state bureau, which will submit it to the FBI if the check is national. However, the FBI may permit direct submission of the fingerprints or information in some instances.

The DESPP commissioner may charge fees for conducting criminal history background checks. For national checks, the FBI sets the fee. Additionally, the commissioner may provide an expedited criminal history record check service that includes making results available online for a fee (CGS § 29-17a).

COMMITTEE ACTION

Education Committee

Joint Favorable

Yea 38 Nay 0 (03/15/2021)