



# Senate

General Assembly

**File No. 648**

February Session, 2022

Substitute Senate Bill No. 231

*Senate, April 26, 2022*

The Committee on Appropriations reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE STATE EDUCATION RESOURCE CENTER.**

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

1 Section 1. Section 10-357b of the 2022 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective July 1, 2022*):

4 (a) The purposes of the State Education Resource Center, established  
5 pursuant to section 10-357a, shall be to assist the State Board of  
6 Education in the provision of programs and activities that will promote  
7 educational equity and excellence. Such activities shall be limited to:  
8 Training, technical assistance and professional development for local  
9 and regional boards of education, school leaders, teachers, families and  
10 community partners in the form of seminars, publications, site visits, on-  
11 line content and other appropriate means; maintaining a state education  
12 resource center library; publication of technical materials; research and  
13 evaluation; writing, managing, administering and coordinating grants  
14 for the purposes described in this subsection; and any other related

15 activities directly related to the purposes described in this subsection.  
16 The center shall support local educational agencies serving the needs of  
17 families, communities and service providers. The center [may] shall  
18 support programs and activities concerning early childhood education,  
19 in collaboration with the Office of Early Childhood, improving school  
20 and district academic performance, and closing [academic achievement]  
21 opportunity gaps between socio-economic subgroups, and other related  
22 programs and activities. The center shall support and collaborate with  
23 other state agencies for the purposes described in this subsection. For  
24 such purposes the center is authorized and empowered to:

25 (1) Have perpetual succession as a body politic and corporate and to  
26 adopt bylaws for the regulation of its affairs and the conduct of its  
27 business;

28 (2) Adopt an official seal and alter the same at pleasure;

29 (3) Maintain an office at such place or places as it may designate;

30 (4) Sue and be sued in its own name and plead and be impleaded;

31 (5) (A) Employ such assistants, agents and other employees as may  
32 be necessary or desirable who shall not be employees, as defined in  
33 subsection (b) of section 5-270; (B) establish all necessary or appropriate  
34 personnel practices and policies, including those relating to hiring,  
35 promotion, compensation, retirement and collective bargaining, which  
36 need not be in accordance with chapter 68, and the center shall not be  
37 an employer as defined in subsection (a) of section 5-270; and (C) engage  
38 consultants, attorneys and appraisers as may be necessary or desirable  
39 to carry out its purposes in accordance with this section and sections 10-  
40 357a, 10-357c and 10-357d;

41 (6) Receive and accept aid or contributions from any source of money,  
42 property, labor or other things of value, to be held, used and applied to  
43 carry out the purposes of this section and sections 10-357a, 10-357c and  
44 10-357d, subject to such conditions upon which such grants and  
45 contributions may be made, including, but not limited to, gifts or grants

46 from any department, agency or instrumentality of the United States or  
47 this state for any purpose consistent with this section and sections 10-  
48 357a, 10-357c and 10-357d;

49 (7) Make and enter into all contracts and agreements necessary or  
50 incidental to the performance of its duties and the execution of its  
51 powers under this section and sections 10-357a, 10-357c and 10-357d,  
52 including contracts and agreements for such professional services as the  
53 center deems necessary, including, but not limited to, those services  
54 provided by financial consultants, underwriters and technical  
55 specialists;

56 (8) Acquire, lease, purchase, own, manage, hold and dispose of  
57 personal property, and lease, convey or deal in or enter into agreements  
58 with respect to such property on any terms necessary or incidental to  
59 the carrying out of these purposes;

60 (9) Invest in, acquire, [lease,] purchase, own, manage, hold and  
61 dispose of real property and [lease,] convey or deal in or enter into  
62 agreements with respect to such property on any terms necessary or  
63 incidental to carrying out the purposes of this section and sections 10-  
64 357a, 10-357c and 10-357d, provided such transactions shall be subject  
65 to approval, review or regulation by any state agency pursuant to title  
66 4b or any other provision of the general statutes;

67 (10) Lease real property on any terms necessary or incidental to  
68 carrying out the purposes of this section and sections 10-357a, 10-357c  
69 and 10-357d;

70 [(10)] (11) Procure insurance against any liability or loss in connection  
71 with its property and other assets, in such amounts and from such  
72 insurers as it deems desirable and to procure insurance for employees;

73 [(11)] (12) Account for and audit funds of the center and funds of any  
74 recipients of funds from the center;

75 [(12)] (13) Hold patents, copyrights, trademarks, marketing rights,  
76 licenses, or any other evidences of protection or exclusivity as to any

77 products as defined in this section and sections 10-357a, 10-357c and 10-  
78 357d, issued under the laws of the United States or any state or any  
79 nation;

80 [(13)] (14) Establish advisory committees to assist in accomplishing  
81 its duties under this section and sections 10-357a, 10-357c and 10-357d,  
82 which may include one or more members of the board of directors and  
83 persons other than members; and

84 [(14)] (15) Do all acts and things necessary or convenient to carry out  
85 the purposes of this section and sections 10-357a, 10-357c and 10-357d,  
86 and the powers expressly granted by this section and sections 10-357a,  
87 10-357c and 10-357d.

88 (b) The State Education Resource Center shall establish a Connecticut  
89 School Reform Resource Center either within the State Education  
90 Resource Center or by contract through a regional educational service  
91 center, established pursuant to section 10-66a. The Connecticut School  
92 Reform Resource Center shall operate year-round and shall focus on  
93 serving the needs of all public schools. The Connecticut School Reform  
94 Resource Center shall (1) publish and distribute reports on the most  
95 effective practices for improving student achievement by successful  
96 schools; (2) provide a program of professional development activities  
97 for (A) school leaders, including curriculum coordinators, principals,  
98 superintendents and board of education members, and (B) teachers to  
99 educate students that includes research-based child development and  
100 reading instruction tools and practices; (3) provide information on  
101 successful models for evaluating student performance and managing  
102 student data; (4) develop strategies for assisting such students who are  
103 in danger of failing; (5) develop culturally relevant methods for  
104 educating students whose primary language is not English; and (6)  
105 provide other programs and materials to assist in the improvement of  
106 public schools.

107 (c) The State Education Resource Center shall be subject to (1) rules,  
108 regulations and restrictions on purchasing, procurement, personal  
109 service agreements and the disposition of assets generally applicable to

110 Connecticut state agencies, including those contained in titles 4, 4a and  
111 4b and section 4e-19, and (2) audit by the Auditors of Public Accounts  
112 under chapter 12 and section 2-90.

113 Sec. 2. Section 10-357e of the general statutes is repealed and the  
114 following is substituted in lieu thereof (*Effective July 1, 2022*):

115 The Commissioner of Education [may] shall allocate funds to [allow]  
116 the State Education Resource Center, established pursuant to section 10-  
117 357a, in an amount that is sufficient for the center to operate and to  
118 provide professional development services, technical assistance and  
119 evaluation activities, policy analysis and other forms of assistance to  
120 local and regional boards of education, the Department of Education,  
121 state and local charter schools, as defined in section 10-66aa, the  
122 Technical Education and Career System, established pursuant to section  
123 10-95, providers of school readiness programs, as defined in section 10-  
124 16p, and other educational entities and providers. The State Education  
125 Resource Center shall expend such funds in accordance with procedures  
126 and conditions prescribed by the commissioner.

127 Sec. 3. Subsection (k) of section 10-266aa of the 2022 supplement to  
128 the general statutes is repealed and the following is substituted in lieu  
129 thereof (*Effective July 1, 2022*):

130 (k) On or before March first of each year, the Commissioner of  
131 Education shall determine if the enrollment in the program pursuant to  
132 subsection (c) of this section for the fiscal year is below the number of  
133 students for which funds were appropriated. If the commissioner  
134 determines that the enrollment is below such number, the additional  
135 funds shall not lapse but shall be used by the commissioner in  
136 accordance with this subsection.

137 (1) Any amount up to and including five hundred thousand dollars  
138 of such nonlapsing funds shall be [used for supplemental grants to  
139 receiving districts on a pro rata basis for each out-of-district student in  
140 the program pursuant to subsection (c) of this section who attends the  
141 same school in the receiving district as at least nine other such out-of-



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 23 \$	FY 24 \$
Education, Dept.	GF - Cost	Significant	Significant

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill requires, rather than allows the State Department of Education to allocate funds to the State Education Resource Center and specifies that the amount must be for sufficient operating funds. This will result in an additional, significant cost to SDE if the amount required for SERC exceeds the funding SDE has available. In FY 21, SDE paid SERC approximately \$13.6 million. Additionally, the bill designates the first \$500,000 of lapsed Open Choice funding for SERC to use to offer professional development to teachers in districts receiving Open Choice students.

**The Out Years**

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

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**OLR Bill Analysis****sSB 231****AN ACT CONCERNING THE STATE EDUCATION RESOURCE CENTER.****SUMMARY**

By law, the purpose of the State Education Resource Center (SERC), a quasi-public agency, is to help the State Board of Education provide programs and activities that promote educational equity and excellence. The bill makes the following changes in the education statutes relating to SERC:

1. expands SERC's specific list of required programs and activities;
2. removes the requirement that SERC's real estate leases be subject to Department of Administrative Services' approval, review, or regulation;
3. requires, rather than allows, the education commissioner to allocate funds to SERC, including operational funds; and
4. earmarks the first \$500,000 of lapsed Open Choice program funding for SERC to use for professional development for teachers in districts that receive Open Choice students.

The bill also makes various technical and conforming changes.

EFFECTIVE DATE: July 1, 2022

**§ 1 — SERC PROGRAMS AND ACTIVITIES**

In addition to specific programs and activities in current law, the bill requires SERC to support local education agencies (public school districts) serving families', communities', and service providers' needs. Also, the bill requires, rather than allows, SERC to support programs



and activities for early childhood education, school performance improvement, and opportunity gap closure. Lastly, it requires SERC to support and collaborate with other state agencies when performing any of the programs and activities listed in current law or the bill.

### **§ 1 — DAS APPROVAL OF REAL ESTATE TRANSACTIONS**

The bill removes SERC leases from DAS oversight but maintains the requirement that their terms be necessary or incidental to SERC and its board of directors carrying out their duties under state law. Under current law, the following SERC real estate transactions are subject to DAS approval, review, or regulations: investments, acquisitions, leases, purchases, ownership, management, holding, disposal, conveyances, deals, or agreements.

### **§ 2 — FUND ALLOCATION TO SERC**

Current law allows the education commissioner to allocate funds to SERC so that it may provide professional development services, technical assistance and evaluation activities, policy analysis, and other forms of assistance to the following entities: (1) local and regional boards of education, (2) the State Department of Education, (3) state and local charter schools, (4) the Technical Education and Career System, (5) school readiness program providers, and (6) other education entities and providers.

The bill makes the commissioner's fund allocation to SERC required rather than optional. Additionally, it broadens the allocation's purpose to include operating funds in general, specifying that the funds must be allocated in an amount sufficient for SERC to operate.

### **§ 3 — OPEN CHOICE PROFESSIONAL DEVELOPMENT**

Existing law specifies how the education commissioner must use excess funds from the Open Choice program (see BACKGROUND) in years when fewer students enroll than appropriated funds anticipated.

By March 1 each year, current law requires the commissioner to first use up to \$500,000 of these nonlapsing funds for Open Choice receiving districts to provide grants on a pro-rata basis for each student who is

one of at least nine other students attending the same school. Instead, the bill repurposes these excess funds, requiring the commissioner to pay them to SERC so the center may provide (1) professional development to certified employees of Open Choice receiving districts and (2) training for other school personnel in these districts.

**BACKGROUND**

***Open Choice Program***

This program aims to (1) improve academic achievement; (2) reduce racial, ethnic, and economic isolation; and (3) provide a choice of educational programs for public school students (CGS § 10-266aa).

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute Change of Reference - APP  
Yea 39 Nay 0 (03/25/2022)

Appropriations Committee

Joint Favorable  
Yea 50 Nay 0 (04/07/2022)