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## OLR Bill Analysis

### sSB 1199

#### **AN ACT CONCERNING EQUITY IN EDUCATION.**

##### TABLE OF CONTENTS:

#### SUMMARY

##### § 1 — EDUCATOR APPRENTICESHIP INITIATIVE

*Requires SDE to establish an educator apprenticeship initiative to enable and pay students in teacher preparation programs to gain classroom teaching experience*

##### §§ 2 & 3 — SDE REVIEW OF SCHOOL BOARDS' INCREASING EDUCATOR DIVERSITY PLANS

*Requires each school board to (1) submit its increasing educator diversity plan (referred to in current law as the minority educator recruitment plan) to the education commissioner by March 15, 2024, for review and approval and (2) implement its approved plan beginning with the 2024-25 school year*

##### §§ 4 & 12 — ASPIRING EDUCATORS DIVERSITY SCHOLARSHIP PROGRAM

*Changes the name of the Minority Teacher Candidate Scholarship Program to the Aspiring Educators Diversity Scholarship Program, reduces the maximum annual grant amount from \$20,000 to \$10,000, establishes an incremental scholarship repayment schedule if a recipient is not employed as a certified teacher, and requires SDE to hire four staff members to administer the program*

##### §§ 5-7 — EDUCATOR DIVERSITY POLICY OVERSIGHT COUNCIL

*Changes the name of the Minority Teacher Recruitment Oversight Council to the Increasing Educator Diversity Policy Oversight Council and the term "minority" student to "diverse" student*

##### § 8 — TEACHER CANDIDATE FIELD EXPERIENCE REQUIREMENT

*Eliminates the requirement that teacher preparation programs require clinical, field, and student teaching experiences to occur in certain District Reference Groups*

##### § 9 — ADJUNCT PROFESSOR PERMIT

*Allows SBE to issue adjunct professor permits to allow part-time nontenured college instructors to work part-time for a school district; establishes employment limits and criteria*

##### § 10 — ADDITIONS TO THE MODEL CURRICULUM

*Adds cursive writing and world language to the K-8 model curriculum that SDE is currently developing*

**§ 11 — HIGH SCHOOL GRADUATION CREDIT FOR LEARNER ENGAGEMENT AND ATTENDANCE PROGRAM**

*Allows school boards to award high school graduation credit for completing LEAP and other approved credit recovery programs*

**§ 13 — USE OF CERTAIN OPEN CHOICE FUNDS**

*Changes terminology describing excess Open Choice funds from “nonlapsing” to “additional,” limits the amount of these funds for one earmarked use, and allows any remaining funds to lapse*

**SUMMARY**

This bill makes numerous changes to the education laws, as described below, and throughout it replaces the term “minority” with “diversity” or “diverse” in certain contexts when referencing teachers or students.

EFFECTIVE DATE: July 1, 2023

**§ 1 — EDUCATOR APPRENTICESHIP INITIATIVE**

*Requires SDE to establish an educator apprenticeship initiative to enable and pay students in teacher preparation programs to gain classroom teaching experience*

The bill requires the State Department of Education (SDE) to establish an educator apprenticeship initiative for FY 24, and each following fiscal year, to enable students enrolled in educator preparation programs, residency programs, or alternate route to certification (ARC) programs to gain classroom teaching experience while working towards becoming full-time, certified teachers after successfully completing the programs.

By law, participants in an apprenticeship are paid (CGS § 31-22m). Currently, teacher residency program participants are paid (CGS § 10-156gg), but the educator preparation and ARC program participants are not. (It is not clear how the bill’s apprenticeship program would interact with the teacher residency program.) Under the bill, SDE must seek state Department of Labor certification for the initiative to leverage federal grants and funding.

The bill also requires SDE to develop (1) participation guidelines for educator preparation programs, residency programs, and ARC programs included under the initiative and (2) administrative

implementation guidelines that are consistent with federal laws and regulations.

### **§§ 2 & 3 — SDE REVIEW OF SCHOOL BOARDS’ INCREASING EDUCATOR DIVERSITY PLANS**

*Requires each school board to (1) submit its increasing educator diversity plan (referred to in current law as the minority educator recruitment plan) to the education commissioner by March 15, 2024, for review and approval and (2) implement its approved plan beginning with the 2024-25 school year*

Under current law, every local and regional board of education (i.e., school board) must develop and implement a “minority educator recruitment” plan for each school district to give its students opportunities to interact with teachers from other racial, ethnic, and economic backgrounds to reduce racial, ethnic, and economic isolation. The bill changes the plan’s name to the “increasing educator diversity” plan and requires each school board to submit its plan to the education commissioner by March 15, 2024, for review and approval.

The bill requires the commissioner to review each increasing educator diversity plan. She may approve it or return the plan to the school board with instructions to revise it, in which case the school board must revise the plan by May 15, 2024, according to the instructions and resubmit the plan for the commissioner’s approval.

Beginning with the school year starting July 1, 2024 (i.e., the 2024-25 school year), school boards must implement their commissioner-approved plans and post them on their websites. SDE must also make the plans available on its website.

### **§§ 4 & 12 — ASPIRING EDUCATORS DIVERSITY SCHOLARSHIP PROGRAM**

*Changes the name of the Minority Teacher Candidate Scholarship Program to the Aspiring Educators Diversity Scholarship Program, reduces the maximum annual grant amount from \$20,000 to \$10,000, establishes an incremental scholarship repayment schedule if a recipient is not employed as a certified teacher, and requires SDE to hire four staff members to administer the program*

Under current law, SDE administers a Minority Teacher Candidate Scholarship Program that gives an annual scholarship to “minority” students who:

1. graduated from a public high school in a “priority school district” (i.e., generally, districts whose students receive low standardized test scores and have high levels of poverty (CGS § 10-266p(a))) and
2. are enrolled in a teacher preparation program at a four-year higher education institution.

The bill renames the program as the Aspiring Educators Diversity Scholarship Program. It also replaces “minority” students with “diverse” students, which is a conforming change with another bill provision (§ 5 below) and does not change eligibility under the program (i.e., under current law and the bill, respectively, “minority” and “diverse” mean someone whose race is defined as other than white, or whose ethnicity is defined as Hispanic or Latino by the federal Office of Management and Budget for U. S. Census use).

### ***Scholarship Grant Changes***

The bill reduces the maximum annual scholarship amount that a student may receive from \$20,000 to \$10,000. It adds new requirements that scholarship recipients (1) be in good standing in the teacher preparation programs they are enrolled in and (2) repay all or part of their scholarships if they are not employed as a certified teacher by a school board. The amount that they must repay depends upon how long the recipient was employed as a certified teacher by a school board after graduation. The incremental repayment schedule and related employment time are shown in the table below.

**Table: Incremental Scholarship Repayment Schedule**

<b><i>Time Employed as a Certified Teacher by a School Board</i></b>	<b><i>Scholarship Amount Required to be Repaid</i></b>
Not employed during the school year immediately after teacher preparation program graduation	100%
Employed during the two school years immediately after graduation, but not at the end of this two-year period	50%
Employed during the three school years immediately after graduation, but not at the end	25%

<b><i>Time Employed as a Certified Teacher by a School Board</i></b>	<b><i>Scholarship Amount Required to be Repaid</i></b>
of this three-year period	
Employed for the three consecutive school years immediately after graduation	No repayment obligation

Any amounts repaid under the bill must be deposited in the General Fund. (The bill does not establish a (1) mechanism for SDE to be aware of recipients' employment status or (2) specific date or period of time by which recipients must repay funds.)

### ***Scholarship Administration Policy***

The bill modifies the scholarship administration policy that the law required SDE to develop by January 1, 2023. By law, the policy has to address the payment and distribution of the scholarships. The bill specifies the policy must include payment and distribution through the teacher preparation programs the recipients are enrolled in.

Existing law also requires the policy to address notifying high school students in priority school districts about the scholarship program. The bill adds that this must include the opportunity to apply for the program's scholarship while enrolled in high school and before graduation if the student will be enrolled in a teacher preparation program during the following fall semester at a four-year higher education institution. (The bill does not specify a deadline for SDE to update this policy.)

### ***Reporting Requirement***

The bill requires SDE, starting by January 1, 2024, to annually develop a report that includes annual data on the race and ethnicity of the scholarship recipients and the teacher preparation programs in which they are enrolled. SDE must submit the report to the Education Committee.

### ***Program Staff***

The bill requires the Office of Policy and Management, in consultation with SDE, to reclassify at least four existing unfilled positions at SDE to administer the Aspiring Educators Diversity

Scholarship Program and implement recruitment and retention programs for diverse educators. The bill requires the reclassification for FY 24 and that SDE use the funds appropriated to its personal services account to fill four reclassified staff positions.

The bill specifies that one reclassified position must require experience in communications, be placed in the Talent Office, and be responsible for marketing the scholarship program and the recruitment and retention programs.

### **§§ 5-7 — EDUCATOR DIVERSITY POLICY OVERSIGHT COUNCIL**

*Changes the name of the Minority Teacher Recruitment Oversight Council to the Increasing Educator Diversity Policy Oversight Council and the term “minority” student to “diverse” student*

Under current law, the Minority Teacher Recruitment Oversight Council, a seven-member body within SDE, is charged with advising the education commissioner on ways to encourage minority students and professionals from other fields to pursue teaching careers. The bill changes its name to the Increasing Educator Diversity Policy Oversight Council and makes related changes by replacing the term “minority” with “diverse” without changing its underlying meaning (see § 4 above). The bill also changes “teachers” to “educators.”

### **§ 8 — TEACHER CANDIDATE FIELD EXPERIENCE REQUIREMENT**

*Eliminates the requirement that teacher preparation programs require clinical, field, and student teaching experiences to occur in certain District Reference Groups*

Under existing law, teacher preparation programs leading to professional certification must require, as part of their curriculum, clinical experience, field experience, or student teaching experience in a classroom during four semesters of their programs.

Current law requires these experiences to be in a school district categorized by SDE as (1) District Reference Groups (DRG) A, B, C, D, or E and (2) DRGs F, G, H, or I. The bill eliminates this requirement.

### **§ 9 — ADJUNCT PROFESSOR PERMIT**

*Allows SBE to issue adjunct professor permits to allow part-time nontenured college instructors to work part-time for a school district; establishes employment limits and criteria*

Under existing law, the State Board of Education (SBE), may issue adjunct instructor permits allowing a person with specialized training, experience, or expertise in the arts to teach in certain interdistrict arts magnet high schools (CGS § 10-145n). Beginning with the 2023-24 school year, the bill allows SBE to also issue adjunct professor permits to allow part-time nontenured college instructors to be employed by a school board and work part-time for a school district.

The bill limits eligibility to instructors who work at either a public or independent higher education institution in Connecticut. It allows permit holders to teach in public high schools for up to 25 classroom instructional hours per week as part of college and career readiness programming, including an early college experience program, advanced placement classes, career and technical education, and International Baccalaureate, dual enrollment, dual credit, and apprenticeship programs.

Under existing law, the adjunct art instructor permit is valid for three years and may be renewed. The bill does not indicate the validity period for the new permit or whether it is renewable.

While working, permit holders must be under the supervision of the superintendent or a principal, administrator, or supervisor designated by the superintendent who must regularly observe, guide, and evaluate the permit holder's performance. Additionally, school boards that employ the permit holders must provide a program to assist them that includes academic and classroom support services.

The bill also requires permit holders to become members of the applicable exclusive bargaining unit for certified employees and be subject to the same bargaining contract, unless otherwise agreed to by the employing school board and the union. The bill prohibits permit holders from filling a position that will displace a certified teacher already employed at the school.

Finally, the bill makes these permit holders ineligible for membership in the Teachers' Retirement System (TRS) solely due to the permit, however if permit holders already have regular SBE-issued teacher's

certificates, then they cannot be excluded from the TRS.

## **§ 10 — ADDITIONS TO THE MODEL CURRICULUM**

*Adds cursive writing and world language to the K-8 model curriculum that SDE is currently developing*

The law requires SDE to develop a model kindergarten to grade eight curriculum by January 1, 2024, that school boards may use. The model curriculum must be rigorous, age-appropriate, meet state content standards, follow the state's required program of instruction, and integrate several specific additional topics throughout the curriculum (see *Background*).

The bill adds cursive writing and world languages beginning in kindergarten to the list of additional topics that must be included. It also specifies that school boards may choose to use all or parts of the curriculum. State law does not mandate that districts use a specific curriculum.

### ***Background — Required Program of Instruction and K-8 Model Curriculum Additional Topics***

By law, the required program of instruction includes, among other subjects, the arts; health and safety, including CPR instruction; language arts, including reading and writing; mathematics; physical education; science; and social studies, including citizenship, geography, government, history, Holocaust and genocide awareness, African American and Black studies, Puerto Rican and Latino studies, Native American studies (effective July 1, 2023), and Asian American and Pacific Islander studies (effective July 1, 2025) (CGS § 10-16b).

The additional topics that the model kindergarten to grade eight curriculum must currently include are: (1) Native American studies; (2) Asian American and Pacific Islander studies; (3) lesbian, gay, bisexual, transgender, queer, and other sexual orientations and gender identities studies; (4) climate change; (5) personal financial management and financial literacy; (6) the military service and experience of American veterans; (7) civics and citizenship, including instruction in digital citizenship and media literacy; (8) the principles of social-emotional learning; and (9) racism.



**§ 11 — HIGH SCHOOL GRADUATION CREDIT FOR LEARNER ENGAGEMENT AND ATTENDANCE PROGRAM**

*Allows school boards to award high school graduation credit for completing LEAP and other approved credit recovery programs*

The bill allows school boards to award high school graduation credit for completing a learner engagement and attendance program (LEAP) or other education commissioner-approved credit recovery programs.

LEAP is an SDE program launched in 2021 to address student absenteeism and disengagement from school due to the COVID-19 pandemic. The program uses home visitors to connect directly with families and students to establish relationships, help return them to a more regular form of school attendance, and assist with placement in summer, after school, and other learning programs.

**§ 13 — USE OF CERTAIN OPEN CHOICE FUNDS**

*Changes terminology describing excess Open Choice funds from “nonlapsing” to “additional,” limits the amount of these funds for one earmarked use, and allows any remaining funds to lapse*

The bill makes several changes to excess funding for the Open Choice program (see *Background*). By March 1 each year, existing law requires the education commissioner to determine whether the number of students enrolled in Open Choice is lower than the number that appropriated funds anticipated. If the enrollment is below this number, then she must use the additional funds in specific ways.

First, she must use up to \$500,000 of these funds for supplemental grants for Open Choice receiving districts on a pro-rata basis for each out-of-district student who is one of at least nine other out-of-district students attending the same school, up to \$1,000 per student.

Then, any remaining unspent Open Choice funds must be used for the following purposes: (1) the second \$500,000 for the State Education Resource Center to provide professional development to certified employees and other school personnel in Open Choice districts receiving students and (2) any remaining funds for wrap-around services for students participating in Open Choice, including tutoring, family support, and experiential learning.

The bill limits the wrap-around earmark for these funds to \$2 million a year.

It also eliminates terms and phrasing that describe the program's excess funds as "nonlapsing" or "not laps[ing]" and instead refers to the funds as "additional." By removing the term "nonlapsing," the bill allows any funds remaining after the specified uses mentioned above to lapse back into the General Fund.

**Background — Open Choice**

Open Choice is a voluntary interdistrict attendance program that allows students from large urban districts to attend suburban schools and vice versa on a space-available basis. Its purpose is to reduce racial, ethnic, and economic isolation; improve academic achievement; and provide public school choice. In consultation with regional educational service centers, receiving districts determine whether to participate in the program and how many seats to make available to students (CGS § 10-266aa).

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute Change of Reference - APP

Yea 38 Nay 6 (03/24/2023)

Appropriations Committee

Joint Favorable Substitute

Yea 43 Nay 6 (04/21/2023)