

**CONNECTICUT STATE BOARD OF EDUCATION**  
**Hartford**

**TO:** State Board of Education

**FROM:** Mark K. McQuillan, Commissioner of Education

**SUBJECT:** Legislative Proposals for 2010

The following is a list of legislative proposals for the 2010 Session of the General Assembly. These proposals have been submitted by Department of Education staff and have been reviewed by the Legislation and Bylaws Committee and Policy Development Committee. The proposals enumerated below are being provided to you for discussion on October 7, 2009. If consensus is reached, action may be taken at this meeting or, if additional changes need to be made, the proposals will be presented for adoption at the November 4, 2009, meeting of the Board.

Please note that our legislative proposals for this year are somewhat limited due to the fact that the 2010 regular session of the General Assembly is a short, non-budget session in which there is a strong likelihood that there will be no additional funding for any new programs, and, in all likelihood, additional cuts will have to be made. At the same time, certain proposals relate directly to the state's application for the Race to the Top (RTTT) competitive grant funds. The Department must start the process now for making any necessary statutory changes to make competitive our application for these funds which could potentially bring upwards of \$100 million over three years to the state of Connecticut.

The proposals are divided into three categories. The first category (items 1-2) includes items from last year that we propose to resubmit. The secondary category (items 3-5) relates directly to the RTTT application. The third category (items 6-7), which have yet to be discussed, are housekeeping proposals included for review should we have sufficient time on October 7th. Otherwise, we will include these last items in whatever follow-up discussion is needed when the Board formally votes on its legislative proposals for the next session of the General Assembly in January 2010.

*Proposals*

*Category 1:*

1. Require local and regional boards of education to adopt a policy regarding earning credits for online courses.
2. Confer authority to the Commissioner of Education to require districts in the Sheff region to accept Open Choice students.

*Category 2:*

3. Signal Connecticut's preparedness to address Race to the Top criteria concerning district evaluation of teachers and administrator based on such factors as student performance and school achievement.

4. Revise Accountability Statute to include Secondary School Reform and other provisions for purpose of application for Race to the Top funds.
5. Revise Charter School Statutes to Remove Barriers to Growth for Race to the Top application.

*Category 3:*

6. Early Childhood Credential for Associate and Bachelor Degrees (for 2015).
7. Mandate Relief Proposals
  - a. Reduce Youth Service Bureau Reporting Requirements;
  - b. Reduce School Breakfast Program Reporting Requirements;
  - c. Reduce Charter School Reporting Requirements; and
  - d. Establish Committee to Research Efficacy of Postural Screenings

***2010 Legislative Proposals***

**1. Require local and regional boards of education to adopt a policy regarding earning credits for online courses.**

This proposal was approved by the State Board of Education as part of the 2009 legislative proposals. The Education Committee drafted a bill using the Department's proposed language and the bill was approved by the Senate on the consent calendar, in mid-April. The House approved this bill as well at the end of May, but a controversial amendment to raise the state's drop-out age was attached to this bill and the Senate did not take up the bill again for final passage before the end of the regular session.

The purpose of this proposal is to require local and regional boards of education to adopt policies for the approval of online coursework that high school students may take for credit towards high school graduation requirements. Allowing Connecticut high school students to enroll in online courses provides students the opportunity to take courses in subject areas that might not be offered in their own school. It also offers flexibility for those students who may need to recover credits required for graduation.

Currently, in order for districts to grant credit for a course, state law requires that courses be offered for a specific amount of seat time and class periods. Online courses do not "fit" this paradigm of instruction/learning. Because of these state requirements, local and regional boards of education do not clearly have the authority to grant credit for online learning opportunities. In addition, the quality and of rigor of online courses varies dramatically. As such, this proposal amends the statute to allow for credits to be earned through the completion of online coursework, pursuant to the policies that the proposal requires a local and regional board of education to adopt, pertaining to the characteristics that an online course must possess in order for credit to be granted.

This proposal has no fiscal impact associated with it at the state or local level as the proposal does not mandate that districts offer this coursework to their students.

**2. Confer authority to the Commissioner of Education to require districts in the Sheff region to accept Open Choice students.**

This proposal was approved by the State Board of Education as part of the 2009 legislative proposals. The purpose of the proposal is to give the Commissioner the authority to require participation in the OPEN Choice program by districts in the Sheff region, based on the district's capacity to accept additional students. Currently, the Commissioner may only make a request to districts in the Sheff region to enroll a certain number of Hartford students. However, districts in the region are not complying with his requests. For example, last winter, the Commissioner requested that districts in the Sheff region offer 709 new OPEN Choice seats for the 2009-2010 school year. The total number of new seats offered for OPEN Choice for the 2009-2010 school year was only 241. The Sheff initiative requires a far greater level of participation in the OPEN Choice program in order to meet the requirements of the 2008 court mandated settlement agreement.

**3. Signal Connecticut's preparedness to address Race to the Top criteria concerning district evaluation of teachers and administrator based on such factors as student performance and school achievement.**

As part of the Race to the Top grant application, the reform plan selection criteria require a state describe the extent to which it has:

1. Plans to link student achievement data to teachers and principals and the programs where those teachers and principals were credentialed, and to publicly report those findings for each credentialing program;
2. Plans to establish ambitious targets for differentiating teacher and principal effectiveness using multiple rating categories that include student growth and using this information in evaluations, compensation, advancement, tenure, and dismissal decisions;
3. Plans to measure student growth and share that information with teachers, principals, and families; and
4. Plans for the state and participating LEAs to increase use of rapid-time student progress and performance data to drive supports to teachers and principals, such as professional development and time for common planning.

The purpose of this proposal is to signal Connecticut's preparedness to address these selection criteria affecting how we expect districts to evaluate teachers and administrators based on such factors as student performance and school achievement. Current law requires that districts conduct teacher evaluations and adopt a plan for conducting such evaluations in accordance with guidelines established by the State Board of Education. These guidelines, entitled *Connecticut Guidelines for Teacher Evaluation and Professional Development*, were adopted by the Board in May 1999. Throughout the guidelines, references are made to the importance of connecting teacher evaluations to improved student learning. However, current statute does not *require* that link to be made.

In its current form, this proposal seeks to insert language into the current statute to require that districts incorporate measures of improved student academic performance in teacher evaluations and in the district's plan for such evaluation. We are currently exploring how sections in the law pertaining to the evaluation of principals and other school administrators need to be changed as well. As such, additional language for administrators will be presented at our Board meeting on October 7<sup>th</sup>.

#### **4. Revise accountability statute to include Secondary School Reform, and other provisions, for purpose of application for Race to the Top funds.**

This proposal seeks to embed the Connecticut Plan for Secondary School Reform into section 10-223e of the General Statutes. Section 10-223e currently guides the Department's "turn around" work with underperforming schools and school districts whose district improvement plans have been approved by the Board. The proposal would grant the Board the discretion to require these underperforming schools and districts to adopt the components of the Secondary School Reform plan if federal funds are obtained through Race to the Top or other sources. The Board would also have the discretion to require these districts to adopt adolescent literacy and dropout prevention programs for students in grades 6 through 12.

In addition, two new items would be added to subsection (c)(2) of the Accountability statute, that would expand the Board's options to require underperforming schools and districts to implement reforms relating to positive behavioral supports and creating a safe school climate. These two items could be required by the Board regardless of whether federal funding was received but it is envisioned that these two provisions would also be a part of our Race to the Top application.

#### **5. Revise Charter School Statutes to Remove Barriers to Growth**

An additional item for consideration as part of our legislative proposals is whether or not to revise the charter school statute for the purpose of the "Race to the Top" application. The extent to which the State has a charter school law that does not prohibit or inhibit increasing the number of charter schools or otherwise restrict student enrollment in charters is one of the nineteen criteria which will be used to rate our application. Some provisions in the statute currently might be construed as barriers to the expansion of charter schools in the state. For example, while Connecticut has no explicit cap on the number of charter schools in the state, the current funding model in effect acts as a cap and the Board may only grant new charters "within available appropriations." In addition, there is currently a statutory cap on student enrollment.

We will need to discuss further to what extent charter school funding should be equivalent to the net school spending amounts awarded on a per-pupil basis to all students statewide through the Education Cost Sharing (ECS) formula, or whether some alternative funding mechanism should be adopted for to increase the amount of money now going to charter school tuition (\$9,300/per pupil). This discussion must take place before we can develop appropriate legislative language.

#### **6. Early Childhood Credential for Associate and Bachelor Degrees**

Current law requires that by 2015 school readiness classrooms are staffed with teachers who hold (1) a bachelor's degree from an accredited higher education institution in early childhood education, child development, or a related commissioner-approved field; or (2) a teaching certificate with a special education or early childhood endorsement. This target standard cannot be reached given: (1) the insufficient numbers of four-year Early Childhood Education (ECE) degree programs; and (2) the time it takes for those pursuing these degrees to complete their program. In addition, the law, as currently written, is unclear about what degrees would be acceptable (e.g., related fields). Current legislation also allows a special education endorsement as a qualification. This is problematic as the special education endorsement currently accepted does not address general education, curriculum preparation, or teaching pedagogy specific to early childhood education.

This proposal seeks to remedy the problems outlined above by eliminating these requirements. Instead, this proposal requires that half of the teachers in programs accepting school readiness funds to have (1) a bachelor's degree from an accredited higher education institution or (2) a teaching certificate with an early childhood education endorsement. The remaining teachers must have an associate's degree from an accredited higher education institution. Teachers meeting the requirement based on their bachelor's or associate's degree must have completed a program of study approved by the education and higher education commissioners.

## 7. Mandate Relief Proposals

- a. **Reduce Youth Service Bureau Reporting Requirement:** This proposal seeks to reduce the Youth Service Bureau (YSB) reporting requirement from an annual report to a biennial report. Current law requires the Commissioner to report to the General Assembly on an annual basis the referral or diversion of children under the age of eighteen years from the juvenile justice system and the court system. The purpose of this change is to reduce the burden on the YSB's that have limited resources and to give the Department more time to collect better data about the impact of the YSB on the community and its youth and to conduct a higher quality analysis on that data.
- b. **Reduce School Breakfast Program Reporting Requirement:** This proposal seeks to eliminate the requirement that each local and regional board of education participating in the school breakfast grant program submit a financial statement of expenditures to the department on or before September 1st of each fiscal year and instead provide that such submission be made at such time and in such manner as prescribed by the Commissioner of Education, and specify that if the commissioner finds that any school breakfast grant recipient has used grant dollars for purposes which are not in conformity with the purposes of this statute, the commissioner shall, rather than may, require repayment to the state. **Note:** This proposal was approved by the Board and OPM last year but no action was taken by the legislature.
- c. **Reduce Charter School Reporting Requirement:** This proposal seeks to make the Department of Education's annual report to the General Assembly concerning charter schools a biennial report, rather than an annual report, so that the information is provided concurrently with the preparation of the state biennial budget. **Note:** This proposal was approved by the Board and OPM last year but no action was taken by the legislature.

- d. **Establish Committee to Research the Efficacy of Postural Screenings:** The purpose of this proposal is to establish a committee to conduct investigational research as to the efficacy of mandatory annual screenings for each pupil in grades five to nine inclusive, as mandated in subsection (c) of section 10-214 of the General Statutes.