

PA13-193

HB6384

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|-----------|---|-----------|
| Education | 100-113, 245-246, 344-346, 356-357, 503-505 | 24 |
| House | 4226-4243 | 18 |
| Senate | 4846-4855, 5043-5044 | 12 |
| | | 54 |

H – 1162

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 13
4177 – 4511**

The bill as amended passes in concurrence with
the Senate.

Will the Clerk please call Calendar Number 202?

THE CLERK:

On page 41, House Bill Number 6384, Calendar
Number 202, AN ACT CONCERNING ENGLISH LANGUAGE
LEARNERS, favorable report of the Joint Standing
Committee on Appropriations.

SPEAKER SHARKEY:

Distinguished Chairman of the Education
Committee.

Representative Fleischmann, you have the floor.

REP. FLEISCHMANN (18th):

Good evening, Mr. Speaker.

SPEAKER SHARKEY:

Good evening, sir.

REP. FLEISCHMANN (18th):

I move acceptance of the Joint Committee's
favorable report and passage of the measure.

SPEAKER SHARKEY:

The question is acceptance of the Joint
Committee's favorable report and passage of the bill.

Will you remark, sir?

REP. FLEISCHMANN (18th):

Yes, Mr. Speaker. Thank you.

So members of the General Assembly may recall that just last term we enacted a law that requires that the state Department of Education inform a local or regional Board of Education that it's disproportionately and inappropriately identifying minority students for Special Education if their data so indicate, and in that case, the Board has to annually report about that overidentification and explain how it's improving the situation.

This bill that's now before us extends these exact same provisions to English language learners, children for whom English is not their first language. And it was -- it was brought to the Education Committee by my good colleague, Representative Johnson, sitting behind me, and has garnered broad support. There has been concern about the potential cost, but that actually relates to a wording challenge.

And with that, Mr. Speaker, the Clerk is in possession of an Amendment, LCO Number 6934. I ask that the Clerk please call and I be given permission to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 6934, which will be designated House Amendment "A".

THE CLERK:

House Amendment "A" LCO 6934, introduced by Representative Fleischmann, et al.

SPEAKER SHARKEY:

Gentleman seeks to leave the Chamber to summarize the Amendment.

Is there objection?

Seeing none, you may proceed with summarization, sir.

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker.

So when this bill passed out of the Education Committee, our intention was to make sure that English language learners have the same protections as currently extended to minority students. It turned out that the phrase that we used, "Students whose primary language is not English," was not the exact phrase that the state Department uses in identifying English language learners.

So quite simply, the Amendment before us switches out the language that was in the bill for "English language learners," thereby aligning the bill with our

current definitions and statute and regulation and completely eliminating the fiscal note. I move adoption.

SPEAKER SHARKEY:

Gentleman has moved adoption.

Would you care to remark? Would you care to remark further on the Amendment before us?

Representative Ackert of the 8th.

REP. ACKERT (8th):

Thank you, Mr. Speaker.

And just a question to the good Chairman of Education. This is a concern that we had in the Committee in terms of why there was a fiscal note and he did make an explanation. And so without this bill, through you, Mr. Speaker, what was the cost that they had assigned to that -- to this legislation before the Amendment?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Fleischmann, do you care to respond?

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker.

I have a recollection of the number. I'm just digging through my materials to make sure it's correct. So prior -- or I'm sorry, absent passage of this Amendment, the state Department of Education had informed our Office of Fiscal Analysis that there were thousands of children not ELL learners who would be included in the bill and they estimated it would cost about \$1.6 million to include all of those children and in the new data system, which is obviated by this Amendment.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Ackert.

REP. ACKERT (8th):

And thank you, Mr. Speaker.

And one final question. So this wording change, did that, because of the cost -- was it because there was a -- a test or a screening that was the key to that cost?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker.

If I understand my good Colleague's question correctly, I think the answer is yes. The wording in the underlying bill, while well intentioned, captured not only ELL students, but thousands of additional students who we aren't currently tracking.

The Amendment before us narrows the definition to that which is currently used. So it -- it gets rid of the need for all sorts of additional systems that the state Department thought might be necessary under the bill unamended.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Ackert.

REP. ACKERT (8th):

Thank you, Mr. Speaker. And thank you to the good Chair.

I do support this Amendment. I believe it makes the bill better, as we move forward, so I urge support.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Care to remark further on the Amendment before us?

Representative Genga of the 10th District.

Representative Genga? Pushed his button inadvertently. Thank you.

Representative Sanchez of the 25th. You have the floor, sir.

REP. SANCHEZ (25th):

Thank -- thank you, Mr. Speaker.

I believe the cost would have been about 1.6 million, so this fiscal -- the fiscal note gets eliminated. This is a good -- a great Amendment. It's going to go a long way. It's just a start -- just a beginning and I -- I rise in support of the Amendment.

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark further on House Amendment "A"?

If not, let me try your minds. All those in favor of House Amendment "A", signify -- please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay.

REPRESENTATIVES:

Nay.

SPEAKER SHARKEY:

The ayes have it.

The amendment is adopted.

Would you care to remark further on the bill as amended? Would you care to remark further on the bill as amended?

Representative LeGeyt of the 17th. You have the floor, sir.

REP. LEGEYT (17th):

Thank you, Mr. Speaker. Good evening to you.

SPEAKER SHARKEY:

Good evening, sir.

REP. LEGEYT (17th):

I have a question for the proponent of the bill, if I might.

SPEAKER SHARKEY:

Please proceed, sir.

REP. LEGEYT (17th):

Would the changes that this Amendment has put forward, are we looking at a larger pool of students? He may -- Representative Fleischmann may have referenced that, but I wasn't thinking that way, so I

didn't recollect if he did or not. Is there a larger pool of students with the changes that this Amendment puts forward or a smaller one?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Through you, Mr. Speaker.

Well, first to clarify. The Amendment has been adopted and what it did was narrow the number and type of students who would be covered by the bill, so now the bill expressly covers ELL students.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative LeGeyt.

REP. LEGEYT (17th):

Thank you, yes.

And my question is on the bill, not the Amendment. I was just referring to it. So just to follow up, is the reason that the fiscal note goes away because the pool of students is smaller than it would have been, absent the Amendment language?

Through you.

SPEAKER SHARKEY:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Through Mr. Speaker.

Partially. The pool of students is smaller, but, in addition, all school districts already track this data for ELL students, so for school districts to now report the data to the state and for the state to keep track of it is really not much of a burden -- not much of a cost, because under state law, ELL students are already tracked.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative LeGeyt.

REP. LEGEYT (17th):

Thank you very much, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark further on the Amendment before us?

Representative Ackert of the 8th District.

REP. ACKERT (8th):

Thank you, Mr. Speaker.

I believe that we all have concerns, especially with misidentification of students, and I think that's one of the areas that this bill is beginning to address is that we look at Special Ed. costs in each of our municipalities, and I don't think that there's a Superintendent that hasn't come up to us and asked for some type of mandate reduction, or.

And I just recently sat down with my Superintendents and talked about this -- the Special Ed. costs. And I can see where this could actually be a savings as this legislation goes forward and looking forward to that, especially in misidentification of -- you know, when we look -- we always look at potentially one or two languages.

We have dozens of languages now that we're addressing in this state and so I like this piece of legislation and I'll look forward to supporting it as we move forward.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark further on the bill as amended?

Representative Johnson of the 49th.

REP. JOHNSON (49th):

Thank you, Mr. Speaker.

And I just rise in support of the bill and to thank the good Chairman of the Education Committee for bringing it forward. I think it will go a long way to helping our students all throughout the state.

Thank you so much.

SPEAKER SHARKEY:

Thank you, madam.

Would you care to remark further on the bill as amended?

Representative Bolinsky of the 106th.

REP. BOLINSKY (106th):

Thank you, Mr. Speaker.

This bill is starting to feel like an old friend. I voted for it out of Education, voted for it again out of Appropriations, and now with the Amendment, which makes it a much better bill. I plan to vote for it on the floor here and urge my colleagues to do so as well.

Thank you very much.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark further on the bill as amended?

Representative Carter of the 2nd District, you have the floor, sir.

REP. CARTER (2nd):

Thank you very much, Mr. Chairman.

One question, through you, to the proponent of the bill.

SPEAKER SHARKEY:

Please proceed, sir.

REP. CARTER (2nd):

Yes. If the bill is amended, I just want to make sure I understand, that the amendment eliminated just the state's cost of this, is that correct?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Fleischmann, do you care to respond?

REP. FLEISCHMANN (18th):

Through you, Mr. Speaker.

If I read the fiscal note correctly, it eliminates local and state costs.

Through you.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

So through you, Mr. Speaker, this bill is not going to cost anything. No fiscal note from here on out?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Through you, Mr. Speaker.

That is indeed the opinion of our Office of Fiscal Analysis.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you very much.

SPEAKER SHARKEY:

Thank you, sir.

Representative Sanchez of the 25th.

REP. SANCHEZ (25th):

I rise in support of this bill. I believe that this is actually going to be a savings for most municipalities. It's not going to make any huge changes in numbers and it's going to save, not only

the municipalities, but the state costs, so I -- I hope that -- I urge my colleagues to support this bill.

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark further on the bill as amended?

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you very much, Mr. Speaker. Good evening.

SPEAKER SHARKEY:

Good evening, madam.

REP. LAVIELLE (143rd):

I just have one question for legislative intent, if I may. In -- in -- in what is now the bill, the amendment and where the designation, "students whose primary language is -- is not English", is changed to, "English language learners". I understand that, "English language learners", means those who are reported as, "English language learners". Do we have a standard definition of what, "English language learners", means beyond that?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Through you, Mr. Speaker.

Yes. While I cannot rattle it off at this moment, I believe in both statute and regulations the term, "English language learners", is clearly defined.

SPEAKER SHARKEY:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker and thank you to the good Representative.

I'm -- I'm assuming that the name -- that the meaning is similar, but that this is a classification that is actually used and hence, the utility and hence, no need for more cost, because it's being done. Is that about the right sense?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Through you, Mr. Speaker.

Yes.

SPEAKER SHARKEY:

Representative Lavielle.

hac/gbr
HOUSE OF REPRESENTATIVES

314
May 15, 2013

REP. LAVIELLE (143rd):

Thank you very much.

That's clear.

SPEAKER SHARKEY:

Thank you, madam.

Do you care to remark further on the bill as amended? Will you remark further on the bill as amended?

If not, staff and guests to the Well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representative is voting by roll. Will members please return to the Chamber immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted?

Members please check the board to make sure your vote is properly cast.

If all the members have voted, the machine will be locked and the Clerk will take a tally.

Will the Clerk please announce the tally.

THE CLERK:

Bill Number 6384 as amended by House "A".

Total Number Voting 137

Necessary for Passage 69

Those voting Yea 137

Those voting Nay 0

Absent and not voting 13

SPEAKER SHARKEY:

The bill as amended passes.

Will the Clerk please call Calendar 338?

THE CLERK:

Yes, Mr. Speaker.

On page 47, Calendar Number 338, favorable report of the Joint Standing Committee on Planning and Development, House Bill 6482, AN ACT CONCERNING BIRTH CERTIFICATES FOR HOMELESS YOUTH.

SPEAKER SHARKEY:

Representative Johnson.

REP. JOHNSON (49th):

Thank you, Mr. Speaker.

I move the Joint Committee's favorable report and passage of the bill.

SPEAKER SHARKEY:

The question is acceptance of the Joint Committee's favorable report and passage of the bill.

S - 667

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2013**

**VOL. 56
PART 16
4803 - 5160**

rgd/gbr
SENATE

44
June 4, 2013

In fact, just a few weeks ago I was talking to a chief risk officer at a major corporation in London. And he was sharing with me kind of the ins and outs of what his kids are going through in the public schools over there and some of the challenges that they face. It's important for us to kind of get an understanding as to how our schools are performing, how are teachers are doing. Are our kids learning? And it's really tough to sometimes balance that with, are they really learning everything they really need to be learning? Or our curriculums now really kind of geared towards individual testing?

So there's a lot that we need to take a look at. I really applaud Senator Stillman for charging SDE to take a look at it and I will be supporting this bill.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

If not, Senator Stillman.

SENATOR STILLMAN:

Yes. Thank you, Madam President.

If there isn't any objection I'd like to place this on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk?

THE CLERK:

On page 10, Calendar Number 608, House Bill Number 6384, AN ACT CONCERNING THE DISPROPORTIONATE OR INAPPROPRIATE IDENTIFICATION OF ENGLISH-LANGUAGE LEARNERS AS REQUIRING SPECIAL-EDUCATION, favorable report of the Committee on Education.

rgd/gbr
SENATE

45
June 4, 2013

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

It's good to be back again.

THE CHAIR:

Nice to see you again, ma'am.

SENATOR STILLMAN:

Thank you

I move for passage of the joint committee's favorable report in concurrence with the House.

THE CHAIR:

Motion is on acceptance and passage in concurrence.

Will you remark, ma'am?

THE CHAIR:

Yes, thank you, Madam President.

This bill actually requires the State Department of Education to inform a school board that may be misidentifying students as needing special education due to a reading deficiency, including English-language learners.

Currently SDE is currently able, as I said, to identify this subset of students. The concern is that in some districts they may not -- still may not be assessing them properly. We want to make sure that if our children have -- do not have -- speak English or come from a household where English is the primary language, we want to make sure that they are identified properly as reading -- identified properly so that they are not placed in special education

rgd/gbr
SENATE

46
June 4, 2013

programs, but more appropriately placed in reading programs or English programs.

So I urge passage of this bill. I think it will go a long way towards identifying our children properly so that they can again get the best education.

Thank you.

THE CHAIR:

Will you remark? Will you remark?

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I rise in support of this bill. I do have a question, if I may, through you, Madam President, to the proponent of the bill?

THE CHAIR:

Please proceed, sir.

SENATOR WELCH:

Thank you, Madam President.

Now when I speak -- when I think of special-education, I think of conversations that I've had with many educators and people on boards of education which talks -- and inevitably they will share with you the challenges financially that their districts face because of special-education requirements.

Are we talking about the same special-education requirements that have been applied to English as a second language learners?

Through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you. Through you, Madam President.

Yes, that's correct. We are concerned. There has already been evidence that some of our students who do not have a handle on our language, the language that you and I speak, that they may be inappropriately placed in what we consider traditional special-education programs.

Through you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

And that is why I stand in strong support of this bill. Too often I think we have laws with good intentions that kind of wind up tripping us up. And so it's really important in a situation like this to make a proper identification of what's going on. And to, and in an efficient and cost efficient way, assess the situation we need to address, which I think in this case is something that's probably very different than special education. It's actually teaching English to somebody who that is not their native tongue.

So I will gladly stand in support of this. I thank Senator Stillman for continuing to identify good issues within the education system, bringing them to our attention so we can get some good policy done.

Thank you, Madam President.

THE CHAIR: Thank you.

Will you remark?

Senator Kane.

rgd/gbr
SENATE

48
June 4, 2013

SENATOR KANE:

Thank you, Madam President.

I actually just rise for a couple questions, if I may, through you, to the proponent?

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

If my understanding of the bill is correct, that when a regional board of education or local board of education talks about the needs in special-education, some of these students are placed in special education because of the language barrier. First of all, if that's correct?

Through you, Madam President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Yes. Through you, Madam President.

That could be the case.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

So this report would, I guess, identify these students and then separate that data so they're not necessarily included as special ed students. Is that correct?

Through you.

THE CHAIR:

rgd/gbr
SENATE

49
June 4, 2013

Senator Stillman.

SENATOR STILLMAN:

Thank you. Through you, Madam President.

Yes, that is correct. We want to make sure that they are properly identified as English language learner students and not special education students.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

One last question, if I may? Does it have any bearing -- well, actually maybe two questions. So if that data is retrieved and these students are considered second language learners and not special ed, are they still placed in the special-education section of the data? Or are they removed from that data?

Through you, Madam President.

And then -- and I'm sorry. And in that part of the curriculum as well, I guess, would be the second half of it.

Through you.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you. Through you, Madam President.

Senator Kane, what -- we want to make sure is that they're in the appropriate classes so that they're

rgd/gbr
SENATE

50
June 4, 2013

monitored properly. They would hopefully be in a classroom filled with other children, and in many times children that are proficient in English and those that are not so they can learn from each other and not be placed in a classroom with children who are truly struggling so that we can make sure that -- again that they have the best opportunities to succeed.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

One last question in regard to the costs for municipalities in special education. So my question would be, how this would affect towns and/or municipalities or regional school systems in relation to the cost of special-education?

Through you.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you. Through you, Madam President.

As a matter of fact, the fiscal note doesn't actually have any impact on either the municipal or state budgets. I think in the long run when we identify children properly and they are in the appropriate classrooms it is possible we will see our special education -- what we consider our traditional special-education budget even be reduced because the services will be different, the needs of those children are different.

So I think this will go a long way towards, not just identifying the children, but identifying the fiscal

rgd/gbr
SENATE

51
June 4, 2013

impacts to the districts.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

That's exactly what I was getting at in that question. So I appreciate the chairman for answering that question for me.

Thank you.

THE CHAIR:

Thank you. Will you remark?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, I rise to strongly support this bill. This is a problem that exists in too many of our urban schools, and even in some cases non-suburban -- I mean, or urban schools as well. And it has been well documented oftentimes because of a lack of understanding of the language someone might consider that individual is not competent, doesn't have the skills.

In fact, it actually happened to me. When I was five and came from another country it was in an era and a time when there was no special-education services at all. And because I was not able to comprehend English and didn't have parents that understood English -- in fact, you well know that did not have an educational background themselves -- it's very hard for them to teach us.

So for three years I actually sat in the back of the

rgd/gbr
SENATE

52
June 4, 2013

classroom, kindergarten, first, second-grade. And by the third grade -- and it's a very painful experience to sit in the back of a classroom without any help. And for individuals that felt that you didn't comprehend, then there must be something wrong with you, that somehow you didn't have all the faculties needed for learning.

And it's very interesting, because not long ago I had a very emotional experience, almost a reunion of sorts when invited as a ranking member of the Higher Education Committee to a meeting of school finance officers for our higher educational institutions that was done in New Haven, in fact.

And at the -- I just happened to mention when they introduced me that I was a product of the Naugatuck public schools as a child having immigrated from another country, and that was it and we went on.

But at the very end of the meeting a woman came running up to me and said are you, Antoinette Ianuzzi? You know, we used to call you Annette.

I said, oh my gosh. Who could this possibly be? I was stunned. My mouth dropped open, and in fact I think Tim -- Representative Tim LeGeyt was sitting -- standing next to me and he was as surprised as I was.

And I said -- you know, I was in your third-grade class and I felt so sorry for you because they stuck you in the back of the class and nobody paid attention. And you couldn't understand what was going on. And I could tell it was a very painful experience and I used to sit with you and open up a picture book and point to a picture and tell you what that picture's name was in English.

And honestly it made me choke up. And I thanked her so much for being so kind to me at that very difficult period of time. Imagine how many other students that happens to. We had a moment of levity when she backed off and she took one look me. And she goes, you know, you've done pretty well for yourself over those many years.

So it was really a touching moment, I have to say, but

it highlights this issue in a way that I have seen that also at too often times because someone doesn't understand the language. They may be from another country. They may have different cultural norms and they may be dressed differently, that somehow they are identified as someone, but as special ed. And in fact it couldn't be further from the truth. And we should put a stop to that practice and certainly this -- highlighted with this bill is a good thing and I strongly support it and hope everybody in this chamber will as well.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

I thank Senator Boucher for her support of the previous bill and this one and for sharing her story with us.

And if there is no further objection, I'd like to place this on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

The Senate will stand at ease for a moment.

(Chamber at ease.)

THE CHAIR:

Senator Looney.

rgd/gbr
SENATE

241
June 4, 2013

Page 3, Calendar 422, Senate Bill 978; on page 4, Calendar 475, Senate Bill 1052; on page 8, Calendar 567, House Bill 6387; Calendar 568, House Bill 6445; and Calendar 580, House Bill 6623.

On page 9, Calendar 583, House Bill 5149; and Calendar 590, House Bill 6680; page 10, Calendar 607, House Bill 6688; and calendar 608, House Bill 6384.

Page 11, Calendar 612, House Bill 6448; and Calendar 621, House Bill 6488. On page 12, Calendar 634, House Bill 6403; and Calendar 636, House Bill 6394; page 13, Calendar 645, House Bill 6454; and page 14, Calendar 652, House Bill 6702.

On page 16, Calendar 674, House Bill 6441; page 17, Calendar 677, House Bill 6644; on page 18, Calendar 685, House Bill 6009; and on page 23, Calendar 380 Senate Bill 1054; page 24, Calendar 452, Senate Bill 1142; and Calendar 566, House Bill 6375.

Page 25, Calendar 646, House Bill 5844; and on page 26, Calendar 304, Senate Bill 1019.

THE CHAIR:

At this time, Mr. Clerk, will you call for a roll call vote on a first consent calendar?

The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Senators, please return to the chamber. Immediate roll call on the first consent calendar has been ordered in the Senate.

THE CHAIR:

If all members have voted? All members have voted. The machine will be closed.

Mr. Clerk, will you please call the tally?

THE CLERK:

rgd/gbr
SENATE

242
June 4, 2013

The first consent calendar.

| | |
|-----------------------------|----|
| Total Number Voting | 35 |
| Necessary for Adoption | 18 |
| Those voting Yea | 35 |
| Those voting Nay | 0 |
| Those absent and not voting | 1 |

THE CHAIR:

The consent calendar passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, would move for immediate transmittal to the House of Representatives of all items acted on thus far today requiring additional action in that chamber.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Also, Madam President, on an item previously placed on the foot of the Calendar, would now seek to remove that item and just mark it PR, and that is an item calendar page 16, Calendar 672, House Bill 5480, AN ACT PROHIBITING TAMPERING WITH HYDRANTS. Would just move to remove that item from the foot and to mark it PR.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**EDUCATION
PART 1
1 – 357**

**2013
INDEX**

REP. FLEISCHMANN: Roberto Fernandez to be followed by Marty Mador.

ROBERTO FERNANDEZ: (Inaudible). Good afternoon Cochairs of the Education Committee, Senator Stillman, State Representative Fleischmann and all Members of the Education Committee. My name is Roberto C. Fernandez, Commissioner of the Latino and Puerto Rican Affairs Commission and I am here to speak on behalf of the Latino and Puerto Rican Affairs Commission on Raised Bill Number 6384 AN ACT CONCERNING ENGLISH LANGUAGE LEARNERS, which is adopted by the Connecticut General Assembly, would help ensure that English language learning students are not inappropriately identified as requiring special education due to reading deficiencies.

Research suggests that a child's race and ethnicity significantly influence the probability that he or she will be misidentified as needing special education and the fact disproportionately can have an immediate long-term negative effect of the English language learners.

HB 6359

We at the Latino and Puerto Rican Affairs Commission continue to hear stories from around Connecticut of students erroneously labeled as disabled when in reality they are just needing support with their language acquisition and other early intervention programs and support services that can give these students the personalized attention that they need to succeed.

The change that we in the Latino and Puerto Rican Affairs Commission suggest is small and technical in nature. However, we believe that the change suggested by HB 6384 will significantly impact the Latino community.

As many of you know, the State Department of Education shall conduct a study on this subject in the near future, which will require the creation of plans and strategies that will have to be implemented and used by local and regional boards of education that demonstrate improvement in the reduction of the misidentification of minority students requiring special education under the current law.

Therefore, we urge the Members of the Education Committee to support HB 6384 to help ensure that students that are English language learners from culturally and linguistically diverse backgrounds to receive the appropriate support they need to succeed.

The Latino and Puerto Rican Affairs Commission is also supportive of the Governor's bill, Number 6359, which establishes the Office of Early Childhood, a new agency that intends to build on the work done in 2012 in the Connecticut General Assembly, invested \$9.8 million in early childhood initiatives to both help close the achievement gap and most importantly, to help prepare all children be self-sufficient.

In short, this new office aims at providing integrated support services that children need to achieve the basic skills for success.

The Latino and Puerto Rican Affairs Commission is a nonpartisan policy agency within the Legislative Branch of government created in 1994 by an act of the Connecticut Legislature.

Under Public Act 09-07 the Latino and Puerto Rican Affairs Commission consists of 21 appointed volunteers who are mandated to advise the General Assembly and the Governor on policies that foster in the Puerto Rican and

Latino communities residing in Connecticut.
I'd be happy to answer any of your questions if
you have any.

REP. FLEISCHMANN: Senator Boucher.

SENATOR BOUCHER: Thank you, Mr. Chairman, and thank
you for bringing this testimony. It's of great
interest to me with regards to many of our
English language learner programs that we have.

I think you make an excellent point about not
identifying individuals that have a language
barrier into our already over-subscribed
special education programs, the cost of which
is hurting quite a number of school districts
right now.

But you did mention other things besides
language barriers to what, your testimony. I
just picked up on that. Could you elaborate on
what you mean by something other or in addition
to the language barrier.

ROBERTO FERNANDEZ: Well, the vast majority, the
Commission now for probably now over the past
ten to seven months has been contacted and
talked to local school boards around the state.
I personally have talked to the school boards
in Windham, Hartford, Bridgeport, New Haven and
New London.

And just for, this affects Latino populations
but this also affects a German kid, an Arabic
kid, a Chinese kid, it affects any kid that has
a language deficiency other than English.

The statistics that we have been hearing from
other school boards and school members from
across Connecticut is that somewhere along the
lines of 72 percent of all kids are classified
learning disabled simply because they do not
have access to language education.

Think of the cost savings of the state of a misclassification of a learning disabled child instead of taking those dollars and doing the appropriate aspects of language education or language support.

The barriers that affect, regardless of any immigrant community, I can use myself as an example. My mom and my dad didn't have anything other than a sixth grade education. I arrived in the United States when I was six years old and didn't speak a word of English.

Now, then the debate becomes, do we support? Do we immerse? That I will leave up to the educational professionals to decide.

But when I entered the public school system in the City of New York, nobody looked at me and said, simply because I didn't speak English that I needed to be in special education and that's a problem.

Because as we misidentify these children, my full-time job as a center director for a community college in Willimantic, I deal with the vast majority of population of these students that come out of Windham High School and then try to attain a college education.

As I give these students the basic skill assessment, which is the entry assessment tool that's used to determine what their level of English and math are, I can see that the student is proficient in English and speaks English very well, but as far as the written and reading component they're functionally illiterate because they were not given the necessary steps and the necessary support services at any point within their educational background in order to get this.

I mean, the barriers of any immigrant community are socio-economic. It could be a myriad of things, and that's also what the Commission deals with.

But to answer your question in a short period of time is, I believe that this definitely an issue that needs to be addressed.

SENATOR BOUCHER: Well, I thank you for that clarification. It wasn't really getting at what I meant to ask you and you and I by the way share an exactly, exactly the same background and although not in a special education program, one in our circumstances could certainly be put at the back of a classroom for years, sometimes without proper support.

But I'm concerned that you are stating that currently there is a PPT done on a student that cannot speak English and the ultimate outcome is that they're put in special education.

Is there another contributing factor that might be involved such as behavior, because that's also a problem we're finding in some of our urban centers that a behavioral problem becomes an automatic special education designation versus true learning disability versus something that should be managed in a different way in a classroom setting rather than a designation as special education.

And that over-identification is problematic in other cases as well as language barriers. But I'm very concerned that you're basically stating that the only reason that some individuals are put in special education in certain places is just because they don't know the language, do not have a language barrier.

ROBERTO FERNANDEZ: In many instances and we could, I'm not, I'm a higher education specialist. I'm not an elementary, middle school or high school specialist, but I did some of my masters work on learning styles and so forth and the spectrums of behavioral piece is whether there are defined personality disorders or in the autism spectrum and so forth and so on.

Those students need, you know, and require, the attention that possibly a special education program could help or mainstreaming them depending on the issue.

What I am speaking about is in predominantly rural school districts, small school districts, not major urban centers, the issue is that I think one of the best kept secrets in Connecticut is that in this last census, every town in Connecticut has a Hispanic living in it.

And I do a lot of work in the northeastern part of the state and I do a lot of work in predominantly rural areas where there might be three, four, five Hispanic families that are part of that community.

Those resources in those state, and those resources, the resources in those school districts are not the same as in Hartford and in order possibly, I mean, in those aspects of it I would say, I would let the administrators of those school districts speak for themselves.

But what I see anecdotally is that due to either a lack of funding either from the local or state side, those students that are given special education simply because of a language deficiency.

REP. FLEISCHMANN: Thank you. And I hadn't realized, Senator Boucher, that you came here as a Spanish speaker.

SENATOR BOUCHER: Well, it may have been a different language, but we certainly came here at almost the same exact age, and having parents that were fairly illiterate and happened to, you know, go through many challenges to be, to acquire the English language and without the support systems that fortunately now we have created, that are much more substantial. So congratulations to you for having overcome your own language barriers.

ROBERTO FERNANDEZ: Thank you.

REP. FLEISCHMANN: Senator, that was simply (inaudible). Representative.

REP. DAVIS: Thank you, Mr. Chairman. Just a very, very brief question. When you talk about language deficiencies and I'm going back to what you said in your testimony, you may not always be referring to speaking. You may be referring to reading, interpreting, understanding --

ROBERTO FERNANDEZ: Correct.

REP. DAVIS: -- so that many of our students who may be able to speak the language perfectly may not be able to read or write or understand and that may be a cause for the interpretation that they have some sort of a learning disability.

ROBERTO FERNANDEZ: Correct. And to your point, Representative Davis, and I see this with our own programming that we did at our own college.

We might have a student that speaks both English and Spanish and might speak both English and Spanish fluently, but maybe not able to write correctly, grammatically either

in Spanish or English, or may not be able to do anything in the written format in English or Spanish.

One of the studies suggest now, and some of the studies that are being looked at, if you take those Spanish speakers and then give them, say, for example a grammar for Spanish speaking and start to show them the grammar and literature components of that language, it also helps in their English because they understand that there are written rules and reading rules.

Anybody here that's ever taken a foreign language knows that the conversational piece, once overcome, is fairly easy because then we can start to converse in that language.

The real aspect of mastering a language then becomes reading, writing, grammar and understanding and the higher cognitive thinking aspect of it.

So that's what I'm discussing in the sense that we might have a kid who speaks fluent Spanish, fluent English in New London, for example. I wasn't shocked, but I was, when I was discussing it down there the issue that they have is a larger Arabic population. So you might have kids now that are both Arabic and English speakers. But do they really understand the language aspect of the grammar, reading and cognitive aspects.

REP. FLEISCHMANN: Any other questions?
Representative Lavielle.

REP. LAVIELLE: Thank you.

ROBERTO FERNANDEZ: How are you?

REP. LAVIELLE: Very well, thank you for your testimony. How are you?

ROBERTO FERNANDEZ: Good.

REP. LAVIELLE: I as someone who had that experience much later in life and not in this country, in another language, I might disagree with you about which part is more difficult.

But the question I wanted to ask you was, and please forgive my ignorance, but is there not a process that simply identifies people as not being English speakers?

ROBERTO FERNANDEZ: I would imagine like in any other school district, I would imagine there are assessment batteries that would determine proficiency in the language to determine it.

I could speak that, for example in the community college system, they're using the basic skill assessment instrument. As soon as the student is taking the instrument and as soon as a series of questions start to be answered wrongly, then it moves the student into the ESL environment or the ESL assessment to find out what the actual level of English is.

So the answer to your question is, I would imagine that most school districts would have some sort of assessment test in order to determine the level of English that we're dealing with.

REP. LAVIELLE: I just ask because it would seem to me that if you were simply evaluating children on where they able to learn or not, and I'm being very simplistic there, you might easily identify them as special ed candidates if they were, if the source was language.

But if you were, it's well, if you were to take the other step first, which is, you know, is everything okay here language-wise, then you'd

know and it would prevent a large number, if not all of those misidentification.

ROBERTO FERNANDEZ: I think that to the specific technicality of your question as far as elementary education again, I would refer to the experts on that specific thing.

And I think that we as a Commission probably look for some research and maybe answer your question as to what are the most commonly used assessments and what the barriers were.

The piece that I'm asking, or the piece that I'm hearing, especially from ELL teachers, from school board members, from the students themselves, from the parents of the students themselves, are the kid is getting some form of ELL, spoke the English conversational English or under, I believe under No Child Left Behind they have 30 months of combined or merged language in their own language and then they kind of move out.

The question we must ask ourselves first is, is the 30 months enough? You know, in speaking with some of the ELL teachers that went before my testimony and even before this bill was raised and in discussing this, most of them said that language acquisition takes between five and seven years to really master.

So the assessment is obviously important to figure out what level of English is, but once the child then exhausts the 30 months, the child as of right now exhausts the 30 months at grades one through three.

As I understand it and as it was explained to me, that child now has no longer any access to language education under No Child Left Behind.

So then you're saying to yourself, is the 30 month aspect of it enough to make somebody proficient in comprehensive English? I am not qualified to make that call.

REP. LAVIELLE: I'm not either but in my experience some of it is age dependent. The younger you are, the faster it comes.

ROBERTO FERNANDEZ: Oh, absolutely.

REP. LAVIELLE: But I don't, you know, I don't have the data or the professional qualifications to really state that with authority.

ROBERTO FERNANDEZ: Right. Right. But what I'm seeing in predominantly small towns and in small rural towns again, I work with the populations in small rural towns predominantly. I do a lot of work with Brooklyn Elementary School, for example.

They have three Hispanic families. All three kids from those families are in special education. I do all the translation work for the TTP. You know, some of it is a defined learning deficiency. Some of it is not. Some of it is language acquisition and the resources of the small school district in order to provide the language acquisition for our students.

You know, I mean it's probably a discussion for another day, but the problems in smaller rural communities are exacerbated simply because the resource allocations are just not, you know, there for those small districts.

In bigger cities and so forth within the state, I would imagine that those students have access to better programs, or more programs, not better, I'm going to retract that, but you

know, more programming options. Smaller school districts in the state do not.

And so, sometimes when we deal with this issue we look at it solely a Hispanic issue or a Latino issue and I wish, and, you know, I got a lot of, some community criticism for that and I don't, because up until World War I we had German schools for the German immigrants that came to this country. We've had Italian schools, Greek schools. There's always a methodology for the immigrant communities that come into the United States to learn the language.

The bigger piece is now, and I think the states will struggle with this in the future is, sometime this year there will be comprehensive immigration reform. Both parties have talked that in part of that comprehensive immigration reform English language proficiency will be a requirement.

So this issue is just going to continue to come up.

REP. LAVIELLE: Thank you very much.

ROBERTO FERNANDEZ: You're welcome.

REP. FLEISCHMANN: Any other questions?
Representative Holder-Winfield.

REP. HOLDER-WINFIELD: Thank you, Mr. Chair and I'll try to be quick because I recognize the time. First I'll say that I know that I was doing a bill on this a couple of years ago, so I've done a little research and the five to seven years that you talk about is actually in some of the literature you can find in the state's Department of Education's website right now.

ROBERTO FERNANDEZ: Correct.

REP. HOLDER-WINFIELD: So I think the question of the 30 months is something that we should talk about.

I guess my question to you, though is, as someone coming to advocate for this bill, what's the mechanism to understand whether or not we're actually over identifying people, because that doesn't exist in this bill, and when I've had conversations about this very subject, I've been told that we do not do that, although I don't think that's the truth.

And so, you know, if this bill is going to have any effect there has to be a real mechanism to figure out whether we're over identifying or not and I think if we rely on the system that we currently have in place, this bill will not have much of an effect.

ROBERTO FERNANDEZ: Oh. I was just being reminded that the Department of Education shall, is by the administrative changes to the raised bill, the State Department of Education will have to study its plans and strategies used by local and regional boards of education that demonstrate improvement in the reduction of the misidentification of minority students requiring a special education.

Again, I would imagine in the pieces that school boards, I mean schools would have assessment tools necessary to figure out what the deficiency is.

REP. HOLDER-WINFIELD: I appreciate that. I guess I would just put this out there for the record. In some of that same literature I referred to earlier, there are protocols for how you would deal with over identification but there's nothing that requires necessarily a method of dealing with this subject matter.

And I guess if we're putting forward a bill that talks about over identification and we're going to study what we do, I'm still not, when we finish that studying, I'm not sure what mechanism gets put in place to deal with it.

So, you know, I would hope as advocates you keep on top of that part of, that which connects to this bill. So thank you, Mr. Chair.

REP. FLEISCHMANN: Thank you for that helpful remark. Are there other comments or questions for the witness? If not, thank you very much. You've obviously touched upon a critical topic that drew a lot of attention and we appreciate both your personal story and your expertise (inaudible).

ROBERTO FERNANDEZ: Thank you very much. Have a good afternoon, everybody.

REP. FLEISCHMANN: Marty Mador, to be followed by Ken Wiggin.

MARTIN MADOR: Members of the Committee, I'm Martin Mador. I'm the volunteer Legislative Chair for the Sierra Club in Connecticut. Three quick minutes on two bills, both of them very simple. No complexity at all here.

Section 22, oh, yes, Section 22 on 6357 sort of snatches away \$4 million from the Community Investment Act to invest in healthy school lunch program. Great program. No objections to it, but using the legislative process to sort of reach in and snatch funds from a program, which has existed since 2005, which has been very successful in its purpose looking at how we deal with our lands, both open space and historic preservation and so on.

HB 6385

240
pat/gbr

EDUCATION COMMITTEE

February 15, 2013
11:00 A.M.

SENATOR STILLMAN: Thank you, Representative. Any other questions? Thank you.

KACHINA WALSH-WEAVER: Thank you.

SENATOR STILLMAN: I think we're all set this time. Karen Rainville. Is Karen here? Okay. Laura Cummings. Jeff Leake. Aha! We've got a winner. After Jeff, is Tom Nicholas here? You're next, followed by Rae Ann Knopf. I don't think she's here. Okay. Oh, here you are. Sorry. Go right ahead, sir.

JEFF LEAKE: Thank you, Senator Stillman and Representatives still here on the Education Committee. My name is Jeff Leake. I am the Vice-President of the Connecticut Education Association and I am here to speak in favor of Bill 877 and 6384.

I have given you written testimony, which I'm just going to highlight in view of the time and all the other speakers that are still here.

We strongly believe that there should be a narrowing of the range of students entering kindergarten. The kindergarten curriculum has become a more strenuous one for many of our children, and clearly the age range that is now available to our parents is too wide a one, we believe.

At the same time, I would say that we strongly believe in good, solid, preschool programs that prepare our children for entrance to kindergarten for all of our children. That's been mentioned a couple of times here today and we certainly are in support of that.

Although I say, you know, we are in favor of Bill 877, in some ways we're not sure it goes far enough, but it is a step in the correct direction, we believe.

We happen to believe that the most narrowing that we can do as about 30 some odd other states have regarding the entrance to kindergarten is the way to go. But this bill certainly leads us in that direction rather regularly with planning involved with everyone and so forth, and therefore is something that is very important for us.

Regarding the ELL provisions that are there, we feel very strongly that we need to be on the lookout for those English language learners that are inappropriately placed in special education programs.

HB6384

Much of my testimony on this regard that I've already presented to you is from a document that was prepared by the National Education Association and the National Association of Schools Psychologists.

Labeling students as disabled, does not give them, as disabled when they are not, leads to inappropriate services for them, doesn't really help them become learners in the best way and therefore is something that we need to take a very close look at and I see that my time has been up and I want to behave, too, so I'll stop right there and thank you for any questions that you have.

SENATOR STILLMAN: Thank you, sir. Your testimony is complete and we appreciate the input as well on both bills.

JEFF LEAKE: Thank you.

SENATOR STILLMAN: Thank you. Any questions for the gentleman? Senator Bye.

SENATOR BYE: Surprised I have a question. I'm sorry. I'm keeping everybody here late. So I hear your testimony about the kindergarten

But of course, this all just calls to what has been pointed out several times, that we just need an overall, more comprehensive way to fund all public schools and Connecticut is only one of two states in the entire country where there is a separate line item for schools of choice.

And so, there's certainly lots of other states that we could look to in addition to, you know, research that other advocacy organizations have done on a more flexible formula that funds an individual child and their needs.

But I would say we could also look to our neighbors in Massachusetts and Rhode Island and New York, who have been able to, you know, produce a comprehensive formula that funds all public school students.

SENATOR STILLMAN: Thank you very much. We have two people left. Judith Meyers. Is Judith still here? Cheryl Martone. Is Cheryl Martone here?

CHERYL MARTONE: Good evening, and I'm the last --

SENATOR STILLMAN: Yes, welcome.

CHERYL MARTONE: -- of the Mohicans here. My name is Cheryl Martone and I'm from Westbrook, Connecticut. I'm a parent and I started U.S. Concerned Parents four years ago this month, and I could speak for, on behalf of parents around the state and the country because I have thousands of e-mailers now, contacts from people, in addressing issues of education, parents' rights, children's rights and the need to have knowledge of education and judicial matters. I'm a judicial abuse advocate.

Last week I was in Washington, I went to Washington, D. C. with a group called Lawless America and you know, to look at the corruption

HB 6358
HB 6384

in the courts, but that's not my forte here today.

I'm here to talk about Bill 6358 and Bill Number 6384. Get my notes here. Bill 6384, English language learners, in college I tutored and helped foreign students with reading, spelling, pronunciation, writing and grammar when they needed help and not only do students who are from a foreign country have difficulty with English, grammar and writing, so do students that are also natural born students here.

Also, they experience in not understanding the language here as well, and it doesn't take a person that, you know, a minority to not have, to have a learning disability.

A better outcome would happen for children when peers help study with other children who are less knowing of ones who grasp the concept of writing at the same age as their peers. I'm not saying higher intellect children should be pushed to work with others, but given recognition and awarded a credit for the sharing of their knowledge and understanding they have in the same grade, a child to help them come forward.

Extra help to bring any and all children up to speed is a simple writing, would help classroom environment. In the beginning there, teachers could give the children a quiz, curriculum to plan more adaptable to children. I'm just saying that, you know, it doesn't mean that children that have a disability, they just don't have an understanding of writing, and if all children were equal in a classroom it would make a better environment for children's learning as far as the English language learners.

It doesn't mean that, I mean for children that don't understand the language, because my parents were from Italy and you know, they weren't able to teach us English as well as, you know, some kids that the ancestors were here for a long time. But, I'm just saying that if children that understand the language, English language more, would work together with other kids, you know, peers working together would be a better environment in the schools.

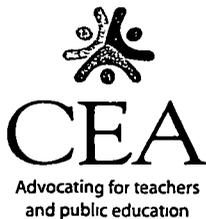
SENATOR STILLMAN: Thank you very much.

CHERYL MARTONE: Thank you for listening from Education Committee.

SENATOR STILLMAN: Are there any questions? Thank you.

CHERYL MARTONE: Have a good night.

SENATOR STILLMAN: Is there anyone here who has not testified that would like to? Is there anyone here who would like to testify? If not, then I will consider this public hearing closed. Thank you all very much. Thank you to the Committee Members who are still here and through thick and then. It's greatly appreciated and your input as well.



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Association**

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Affiliated with the
National Education Association

*Testimony of Jeff Leake
Vice President, Connecticut Education Association*

Before the Education Committee

*Regarding Raised Bill 877 'An Act Concerning The Entrance Age for When A
Child May Enter Kindergarten and HB 6384 'An Act Concerning English
Language Learners'*

February 15, 2013

My name is Jeff Leake, Vice President of the Connecticut Education Association and I am commenting on Raised Bill No. 877 and Raised Bill No. 6384.

The Connecticut Education Association supports the statement of purpose of Raised Bill 877: by phasing in an earlier cut-off date for when a child must turn five years of age in order to enroll in kindergarten for such school year and limiting the circumstances in which a parent may withhold enrolling their child in in kindergarten until the child is seven years old we will make it more certain that our kindergarten teachers will be able to employ curriculum that meets the needs of these youngest learners. Wide age spans in kindergarten classes can make it difficult for teachers to implement a curriculum that accommodates children's substantially different levels and paces of learning.

In fact, a majority of states will continue to have an earlier cut-off date than Connecticut. In that regard, this legislation might not move far enough. But we support this bill as a move in the right direction in that it will narrow the age and readiness range that now exists.

Teachers of kindergarten and other early grades continually stress the importance of children in their classroom being "ready to learn" – a term that can refer to maturity levels as well as the sort of preparation that results in children knowing the alphabet, identifying colors and shapes, and understanding the basics of numeracy. Children who are ready to learn have undergone developmental maturity that makes them more likely to succeed in a formal school setting. These proposed changes would increase the probability that children starting kindergarten will have reached a developmental level conducive to the rigors and socialization of the kindergarten curriculum.

In addition, there is a growing body of evidence that initial maturity differences have long-lasting effects on student performance in OECD countries. In particular, the youngest members of each cohort score 4 –12 percentiles lower than the oldest members in grade four and 2–9 percentiles lower in grade eight, thereby creating an achievement gap of a completely different nature.

All of this will make the most sense, of course, when coupled with an enhanced pre-school and full-day kindergarten experiences for all CT's children. All of these changes, working together, will help close America's school readiness gap and ensure that children have the chance to enter kindergarten ready for success.

The Connecticut Education Association also supports Raised Bill 6384 that will ensure those English language learner students are not disproportionately and inappropriately identified as requiring special education due to reading deficiencies.

My testimony this morning is taken from a document entitled "The Truth in Labeling: Disproportionality in Special and Gifted Education", a collaborative effort of the National Education Association (NEA) and the National Association of School Psychologists (NASP).

Labeling students as disabled when they really are not leads to unwarranted services and supports. Misidentified students are likely to encounter limited access to a rigorous curriculum and diminished expectations. Most importantly, mislabeling students creates a false impression of the child's academic potential.

Unfortunately, a variety of policies, procedures, and practices exist at district, school and classroom levels that can lead to overrepresentation of culturally and linguistically diverse populations in special education programs.

Oftentimes, out of concern for their students and a determination to get them extra help so they do not fall behind academically, some teachers exercise the only option they think is available to them: referring students to special education programs. This option will not be necessary if the following questions are given serious reflection by a district:

1. To what extent are quality early childhood services available in your community?
2. How are children from low income homes provided with opportunities to develop academic readiness skills
3. How are ELL students provided with the supports and time they need to develop academic language proficiency?
4. How culturally appropriate is the curriculum?
5. To what extent do students receive universal screenings and early intervening supports prior to a referral for a special education evaluation?

We believe that if teachers, administrators and parents engage in a true dialogue about these questions, systemic change will take place and incidences of inappropriate special education referral and identification will end and every child, no matter his or her racial, cultural, or linguistic background, will receive the appropriate and high quality education that each of our children deserve.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**EDUCATION
PART 2
358 - 723**

2013



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TESTIMONY REGARDING HB 6384

AN ACT CONCERNING ENGLISH LANGUAGE LEARNERS

COMMITTEE ON EDUCATION HEARING

February 15, 2013

Senator Stillman, Representative Fleischmann and members of the Education Committee, thank you for giving me an opportunity to discuss Raised House Bill 6384 An Act Concerning English Language Learners the purpose of which is to insure that ELL students are not disproportionately and inappropriately identified as requiring special education due to reading deficiencies. My concern regarding how my community was educating our ELL students came after I began to examine our education districts statistics about three years ago. As many of you may know Windham has the highest percentage of students whose home language is not English, additionally I noticed that we had a high percentage of students who were in special education. We are also one of the state's lowest performing school districts. Last session thanks to the work of this Committee and the Speaker, Senator Ayala and I co-chaired the Speaker's English Language Learner's Task Force.

Educators from across the state indicated how grateful they were that the legislature took an interest in how we educate our ELL students. As you may be aware there is a growing need to properly address how the ELL population in our schools should be educated. There is currently a lack of resources to meet their educational needs. Our statistics last year showed that the percentage of teachers in this state qualified to teach ELL students was decreased by 21%. I contacted Eastern Connecticut State University Professor to discuss the reason why so few education majors obtain cross endorsement training to become ELL teachers. I was told that the cost to the student is between \$8,000.00 and \$16,000 more to obtain this endorsement. Thanks to this committee and the general assembly our ELL Taskforce created a grant program

to help subsidize the cost to higher education students who would want cross endorsement in ELL.

Today this legislation amends our special education statute to make perfectly clear that our ELL students do not need to be placed in special education classes. What is necessary is access to properly trained teachers with the correct resources to be sure our ELL students are not placed in special education. My district did not hire properly crossed endorsed ELL teachers and as a consequence students who could have performed well with language accommodations when taking tests were placed in special education classes because the educators didn't have the training they needed to provide the correct plan to educate these students.

Windham has been fortunate Eastern Connecticut State University President Nunez provided free cross endorsement training to a class of Windham Public School teachers. Our teachers are still some of the lowest paid teachers in Connecticut. I am glad some were able to take advantage of this one time offer at ECSU. I don't think that it begins to be enough to be sure Connecticut ELL students receive the proper access to our educational system.



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Testimony of the Latino and Puerto Affairs Commission in support of
Raised Bill 6384 "An Act Concerning English Language Learners."
 & in support of Bill 6359 "An Act Concerning an Early Childhood System "
 Friday, February 15, 2013 at 11:00 a.m. in Room 1E of the LOB in Hartford, CT

Good morning Co-Chairs of the Education Committee, State Senator Stillman, State Representative Fleischmann and all the members of the Education Committee. My name is Roberto C. Fernandez, a Commissioner of the Latino and Puerto Rican Affairs Commission (LPRAC). I am here today to speak on behalf of LPRAC in support of Raised Bill Number 6384 "An Act Concerning English Language Learners," which, if adopted by the Connecticut General Assembly (CGA), would help ensure that English language learners students are not inappropriately identified as requiring special education due to reading deficiencies.

Research suggests that a child's race and ethnicity significantly influence the probability that he or she will be misidentified as needing special education and that fact disproportionately can have immediate and long term negative effects to English language learners. We, at LPRAC, continue to hear from stories around Connecticut of students erroneously labeled as disabled when in reality they are just in need of support with their language acquisition and other early intervention programs and support services that give these students the personalized attention they need to succeed.

The change that we, at LPRAC, suggest is small or technical in nature. However, we believe that the change suggested by HB 6384 will have a significant impact in the Latino community. As many of you know, the State Department of Education shall conduct a study on this subject in the near future, which will require the creation of plans and strategies that will have to be implemented and used by local or regional boards of education that demonstrate improvement in the reduction of the misidentification of minority students requiring special education under current law. Therefore, we urge the members of the Education Committee to support HB 6384 to help ensure that all students that are English Language Learners from culturally and linguistically diverse backgrounds receive the appropriate support they need to succeed.

LPRAC is also supportive of the Governor's Bill Number 6359 which establishes the Office of Early Childhood – a new agency that intends to build on work done in 2012 when the Connecticut General Assembly invested \$9.8 million in early childhood initiatives to both help close the achievement gap and most importantly to help prepare all children to be self-sufficient. In short, this new office aims at providing integrated support services that children need to achieve the basic skills for success.

LPRAC is a nonpartisan policy agency within the Legislative branch of government created in 1994 by an Act of the Connecticut Legislature. Under Public Act 09-07, the LPRAC consists of 21 appointed volunteers who are mandated to advise the General Assembly and the Governor on policies that foster progress in the Puerto Rican and Latino communities residing in Connecticut.