

PA13-286

SB1096

Education	835, 840-841, 845-847, 852-854, 972, 974-976, 1014-1018, 1023-1029, 1051, 1053-1054	28
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VETO
SESSION**

**VOL.56
PART 31
10451 - 10795**

The House of Representatives is voting by roll.

The House of Representatives 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 your vote is properly cast. If all the members have voted the machine will be locked and the Clerk will take a tally. Clerk, please announce the tally.

THE CLERK:

In concurrence with the Senate, substitute Senate Bill 1131.

Total Number Voting	145
Necessary for Adoption	73
Those voting aye	141
Those voting nay	4
Absent and not voting	5

SPEAKER SHARKEY:

The bill passes in concurrence with the Senate.

Will the Clerk please call Calendar 670.

THE CLERK:

Calendar 670 on page 31, favorable report of the joint standing Committee of GAE, substitute Senate Bill 1096, AN ACT CONCERNING GOVERNANCE OF STATE

law/gbr
HOUSE OF REPRESENTATIVES

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June 5, 2013

EDUCATION RESOURCE CENTER.

SPEAKER SHARKEY:

Representative Fleischmann.

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker. I move acceptance of the joint committee's favorable report in concurrence with the Senate.

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):

Thank you, Mr. Speaker. The underlying bill would reform the CERC as a quasi-public agency. The Clerk is in possession of amendment LCO 8252. I ask that the Clerk please call and I be given permission to summarize.

SPEAKER SHARKEY:

The Clerk please call LCO 8252 which was previously designated Senate Amendment A.

THE CLERK:

Senate Amendment A, LCO 8252 introduced by
Senator Stillman and Representative Fleischmann.

SPEAKER SHARKEY:

The Chairman seeks leave of the Chamber to summarize. Is there objection? Seeing none, you may proceed with summarization.

REP. FLEISCHMANN (18th):

Thank you, Mr. Speaker. This amendment would strike the underlying bill and replace it with a measure that would apply all good government measures like FOI and fair contracting to the CERC while requiring the State Department of Education to provide us with a study the beginning of next session to tell us whether CERC should become a nonprofit, a quasi-public or a State agency. I move adoption.

SPEAKER SHARKEY:

The question before the Chamber is adoption. Will you remark? Representative Ackert of the 8th District.

REP. ACKERT (8th):

Thank -- thank you, Mr. Speaker. This is a good amendment and I urge support.

SPEAKER SHARKEY:

Thank you, Sir. The question before the Chamber is amendment -- adoption of Senate Amendment A. Will you remark? If not, let me try your minds. All those in favor of Senate Amendment A please signify by

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HOUSE OF REPRESENTATIVES

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saying aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay. The ayes have it. The
amendment is adopted. Would you care to remark
further on the bill as amended? Care to 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 opened.

THE CLERK:

The House of Representatives is voting by roll.
The House of Representatives is voting by roll.
Members to the Chamber immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members
voted? Will the 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. Clerk, please announce the
tally.

THE CLERK:

In concurrence with the Senate, S.B. 1096 as
amended by Senate A.

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HOUSE OF REPRESENTATIVES

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June 5, 2013

Total Number Voting	146
Necessary for Adoption	74
Those voting aye	146
Those voting nay	0
Absent and not voting	4

SPEAKER SHARKEY:

The bill as amended passes in concurrence with the Senate. Will the Clerk please call Calendar 659.

THE CLERK:

Calendar number 659, favorable report of the joint standing Committee on Government, Administration and Elections, Senate Bill 1020, AN ACT CONCERNING THE INTERSTATE WILDLIFE VIOLATOR COMPACT.

SPEAKER SHARKEY:

Representative Gentile.

REP. GENTILE (104th):

Mr. Speaker.

SPEAKER SHARKEY:

Representative Gentile.

REP. GENTILE (104th):

Mr. Speaker, I urge --

SPEAKER SHARKEY:

Do you move?

REP. GENTILE (104th):

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2013**

**VOL. 56
PART 13
3813 - 4129**

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Mr. President.

If there is no objection, I would request that this be added to the Consent Calendar, sir.

THE CHAIR:

Seeing and hearing no objections, so ordered.

Mr. Clerk.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

If the Clerk would call as the next two items.

First Calendar Page 43, Calendar 388, Senate Bill 1096.

To be followed by Calendar Page 22, Calendar 580, House Bill 6623.

Both from the Education Committee.

Thank you, Mr. President.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 43, Calendar 388, Substitute for Senate Bill Number 1096, AN ACT CONCERNING GOVERNANCE OF THE STATE EDUCATION RESOURCE CENTER, Favorable Report of the Committee on EDUCATION. There are Amendments.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Good evening, Mr. President. How are you?

THE CHAIR:

Good evening, Madam. Very well.

SENATOR STILLMAN:

I would like to move the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

On acceptance and passage.

Will you remark?

SENATOR STILLMAN:

Yes. Thank you, sir.

The issue about the -- the governance of -- of the State Education Resource Center came to our attention through the auditors of that whose work we -- we so respect in this State and look to, in terms of analyzing projects that are placed before them and there was some very alarming issues around the State Education Resource Center that we -- the Education Committee and so many other people believe needed addressing. And what this amendment will do, which I would like to ask the Clerk to call, will lay out a plan of action.

So if the Clerk would kindly call LCO Number 8252 and I be allowed to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 8252, Senate "A", offered by Senator Stillman and Representative Fleischmann.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Yes. Thank you, Mr. President.

The amendment that is --

THE CHAIR:

Do you move adoption.

SENATOR STILLMAN:

-- before us.

I would like to ask for adoption.

THE CHAIR:

Please remark.

SENATOR STILLMAN:

Thank you, sir.

The amendment that is before us is -- has -- is -- is somewhat short, but I believe very powerful in sending a message that we need a -- a greater oversight of the State Education Resource Center, which was established more than 40 years ago, and seems to have evolved into sort of an arm of the Department of Education, but not really, because it's very hard to, in many cases, to understand and have clarity about the interaction between the two.

So this amendment makes it very clear, which is the Section One, which is effective on passage, makes it very clear that any contracts that SDE has with SERC through (inaudible), that they come under the scrutiny

of our State contracting statutes, which they do not at the moment.

That the Center will be subject to competitive bidding requirements, which they have not been and was certainly outlined in the audit, the interim audit, that we received from the Auditors of Public Accounts.

The third section of this amendment outlines the fact that by January 15, 2014, and every year thereafter, that the Commissioner of Education shall submit a report to both the Education Committee and the GAE Committee, as to the status of all their contracts, the amounts, and sources of private funding, including grants, et cetera. The amounts paid by the Department of Education or the State Education Resource Center for salaries and fringe benefits, et cetera. And of course, we were interested in any consultant fees as well.

And the fourth part of this amendment, requires the Commissioner of Education to submit a plan to the Education Committee by January of next year, with an understanding that if it needs some adjustment they have until March 1st of next year. A plan as to how do we create a more transparent working relationship with SERC. And so it outlines the variety of issues that we would like the Commissioner to investigate or, hopefully, resolve with some answers, so that we can establish a relationship that either -- we are requesting that he look at three options. Either turning them into a quasi-public agency, a State agency, or a nonprofit.

And the amendment outlines the variety of issues that should be addressed as he looks at all those options. We have personnel and payroll issues. We have a few employees out of the 100 that now work through SERC in the teacher retirement system and we want to make sure there aren't any disruptions there. How the transition will affect any outstanding Workers' Compensation claim agreements and how the Center will address the final recommendations of the auditors.

As I said, the auditors have given us an interim report, which we found rather alarming. Currently, SERC has \$12 million in contracts and for the coming

year it will be 13 million with a separate contract through OPM. And they have the ability to spend, really, \$12 million through the (inaudible), which is the fiduciary to award contracts or projects, as I said, to their 100 employees. The folks who are employees, we want to make sure that they're not adversely affected. There are some that -- employees that are consultants. They go out into some of the school districts. They are involved in the Teacher Evaluation Program and -- and serving in those capacities.

And I believe that this amendment puts in place a structure as to how to move forward over the next few months. And then in the next Session, based on recommendations the department makes and the auditors make, we will have more information to -- to devise a plan as to how to sort of realign the State Education Resource Center so that we can have transparency and clarity in -- in how they're spending our money, quite frankly -- taxpayer money, but more -- just as importantly, to makes sure that the programs -- that they are involved with and consulting on are appropriate and it's most important that we -- we be kept in the loop, so to speak as to what is going on there.

I will tell you the Director of SERC has been very helpful. She's given us any information that we've requested or I should say to the auditors. Representative Fleischmann and myself sat down with the auditors about 10 days ago to go over their interim report with us and to explain to us how important it is to start down this path of -- of establishing a better working relationship between the department and SERC.

It's very possible, depending on the information we get, that we will not need a separate fiduciary. We'll have to find that out. That's the way it was established 40 years ago. It was probably appropriate at the time, when their workload was far less and it was revolving around special education programs within the department. But right now it has -- it has grown exponentially and it needs this attention to make sure that we're all doing the right thing.

So I urge adoption of this amendment, which in turn becomes the bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I rise to support the amendment. This is a good move towards adding some clarity on growing complexity of State government that over the years this particular -- probably little-known entity has served some purposes at the State Department of Education, but it also shines a light on how important the office of our Public Accounts is and the Auditors of the State are and the many reports that they do work very -- very diligently on all year for various State -- departments of the State. How helpful that they can be to the work that is conducted here.

As was just very well outlined by the distinguished Chair of the Education Committee, this does put the Connecticut State Education Resource Center into the category of a State Contracted Agency, which subjects them to competitive bidding to the auditing process of our Auditors of Public Accounts and as both a public and a State agency, because again, there's some confusion in that area, which hopefully, through this amendment and then finally the bill, will hope to clarify. And it appears everyone agrees that some clarification is definitely needed.

In addition, it does ask for the Department of Education to submit a plan to transition this entity into an actual entity that can be actually defined and whether it be a quasi-public agency, a State agency, or a nonprofit. Any one of those at their choosing, as long as there -- as was well listed by the Chair of the Education Committee, the various components that should be considered in this transitional period and

also report back. And make the recommended legislation necessary to implement the plan, by those particular committees of the General Assembly.

So for that reason and for the reasons that this would bring some transparency to an entity that is doing quite a bit of work for the Department of Education and for our State and for the amount of funds that they receive both on a State level and a Federal level, this would be a good amendment for everyone to support.

Thank you, Mr. President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

In a moment I'll be asking a couple of questions to the gentlewoman of the Education Committee, but I -- my first comment is, I guess, I'm very supportive of the amendment and I have to apologize for my lack of knowledge in this area, because I -- I wasn't even aware that we had what's known as a State Education Resource Center. So I was kind of trying to read through the amendment while both the Chair and the Ranking Member described the amendment.

And through you, Mr. President, to Senator Stillman.

Just kind of -- what do they do now? I mean, I -- I see that they maybe do some training and some professional development, but are they really to support the State Board of Education or is it for school districts that they can go get information from to help develop their professional development? Just if you could give me a brief overview of what does the Resource Center do?

Through you.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you.

Through you, Mr. President.

They -- they are an -- so, you know, I almost think of them as an arm of the agency because of the kind of work that they do for the State Department of Education. They provide opportunities through folks that work for them. Either some of them are not quite sure and that's what we're still working on, in terms of shaking out all the details. Some of them could be separate contractors who works for SERC and are paid out of that 12 million contract that -- that I mentioned. But they're consultants in education, whether it's special education, whether it's certain programs within school districts. They go out into the districts. They might work with the (inaudible) to provide that expertise that the department doesn't have. So that's why I'm saying it's almost like an arm of the department, but it's not really because we can't figure them out because what's happened is it sort of morphed into this agency or sub-agency of the department. So by receiving all that information from the Commissioner I believe that will help us to determine what's the best path.

Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. That explanation seems like it's a very appropriate amendment to bring forward. And do our local school districts, do they -- can they avail themselves to that or do they have to go through and can they, I guess, can they be a direct to the SERC or do they -- would they go through the State Department of Education if they want to utilize their services if the gentlewoman is aware?

Through you, Mr. President.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you.

Through you, Mr. President.

A school district -- let's say the Department of Education would alert the school districts to a -- a program or project that is available to them -- to the local school districts to access. Then the Department would go to SERC and say can you provide, you know, -- well first of all, they would go to SERC and say we need X number of people to do such-and-such a program and work within the school district or it could be doing a project for the Department itself, which in turn, helps the local school districts, but that is the point is there is supposed to be this sort of operational relationship between SERC and SDE and our local districts and the (inaudible).

Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. I look forward to the findings of the (inaudible) Committee.

Thank you, Mr. Chair.

And I'll be supporting the amendment.

THE CHAIR:

Thank you.

Senator Cassano.

SENATOR CASSANO:

Thank you, Mr. President.

Just a brief comment. Kudos actually to the Chair, Senator Stillman. There's a lesson in this bill. We get these audit reports and stick them aside. As Vice-Chair we -- I have and I imagine our Chair here has and our ranking Member has. We have a file like that of audit reports we just got on higher ed. But if -- if we're serious in our jobs and we use those as Senator Stillman has, that's the beginning of the legislative process for next year. I don't think we pay enough attention sometimes at these audit reports and how serious they can be in their recommendations. And this is an example of how they work. So I appreciate that very much.

Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further on the amendment? Will you remark further on the amendment?

If not, I'll try your minds.

All those in favor, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed nay.

SENATORS:

Nay.

THE CHAIR:

The ayes have it.

Senate "A" is adopted.

Will you remark further on the bill as amended?

Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President.

Just in wrapping, unless, obviously if someone else would like to make some remarks, I do want to thank Senator Boucher for her support and her understanding of the need to move forward with this type of legislation. And -- and it has -- and I so appreciate the opportunity to meet with the auditors. You know, as Senator Cassano said, many times we get these reports and -- and we -- we don't always read them as closely as we would like to or should, but the auditors have been extremely helpful.

As a matter of fact, we had to find out if we were even legally allowed to meet with them. We were -- we just wanted -- don't want in any way to jeopardize this process. And -- and as a matter of fact, they said if anybody ever wants to meet with them from the legislature, they're always available.

So they have been very thorough to begin with. We look forward to the final report so that we can move forward with a more sensible system. I mean, in all fairness, the department did give us -- did make a request of us to move forward and do something, because they realize that this, whatever is in place now is not working. And so, I have to give credit to the department that they were proactive and I look forward to working with them as this activity moves along and we come to some resolution with some legislation next year.

Thank you.

THE CHAIR:

Thank you, Senator.

SENATOR STILLMAN:

If there isn't anything else, I would like to request to be placed on the Consent Calendar.

THE CHAIR:

Seeing and hearing no objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if the next bill that had been marked Calendar 580 on Page 22 would be passed temporarily and if instead the Clerk would call as the next item it would be Calendar Page 21, Calendar 579, House Bill 6358.

And then after that, if we might return to the item that had passed temporarily earlier and that was Calendar Page 27, Calendar 611, House Bill 5811.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Mr. Clerk.

THE CLERK:

On Page 21, Calendar 579, Substitute for House Bill Number 6358, AN ACT UNLEASHING INNOVATION IN CONNECTICUT SCHOOLS, Favorable Report of the Committee on EDUCATION.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President.

Oh -- I apologize.

SENATOR LOONEY:

On the Consent Calendar.

THE CHAIR:

If there's no objection, it will be placed on the
Consent Calendar.

I apologize.

Senator Looney.

SENATOR LOONEY:

Yes, Madam President.

Madam President, if the Clerk would now list the items
on the Second Consent Calendar so that we might move
to a vote on that Second Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 5, Calendar 275, Senate Bill 299.

On Page 7, Calendar 356, House Bill 6253.

Page 15, Calendar 518, House Bill 6316.

And Page 18, Calendar 555, House Bill 5836.

On Page 21, Calendar 579, House Bill 6358.

Page 40, Calendar 265, Senate Bill 191.✓

Page 41, Calendar 305, Senate Bill 1081.

And on Page 43, Calendar 388, Senate Bill 1096.

And Page 45, Calendar 553, House Bill 5250.

THE CHAIR:

Mr. Clerk, please call for a roll call vote. The machine will be open for this Second Consent Calendar.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll call on today's Second Consent Calendar has been ordered in the Senate.

THE CHAIR:

Do me a favor. Call it one more time now, so we can get them in here faster. Thank you.

THE CLERK:

Immediate roll call ordered in the Senate on the Second Consent Calendar of the day. Senators please return to the Chamber. Immediate roll call in the Senate.

THE CHAIR:

All members have voted, all members have voted, the machine will be closed.

Mr. Clerk will you call the last tally of the night.

THE CLERK:

On the Second Consent Calendar of the day.

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

THE CHAIR:

Consent Calendar passes.

Senator Looney, do you have some good news for us, sir?

SENATOR LOONEY:

Madam President, just before moving for adjournment, we have a couple of other just Calendar items. One item on the foot of the Calendar.

Madam President, Calendar Page 49, Calendar 240, Senate Bill 849. I would move to remove that item from the foot and just mark it passed, retaining its place on the Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

And also, Madam President, other item on the foot of the Calendar, Calendar 182, Senate Bill 1000. Would move to remove that item from the foot and to mark it passed, retaining its place on the Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you.

Madam President, the other items previously marked go for this evening, should now be marked passed, retaining their place on the Calendar. We hope to begin with those items early tomorrow.

And I would yield the floor now for Members for announcements of Committee Meetings or other Points of Personal Privilege.

THE CHAIR:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**EDUCATION
PART 3
724 - 1073**

2013

March 15, 2013

jmf/gbr EDUCATION COMMITTEE 11:00 A.M.
MIDDLESEX COMMUNITY COLLEGE, MIDDLETOWN, CT

efforts to be here, a chance to offer his testimony. The floor is yours.

COMMISSIONER STEFAN PRYOR: Thank you, Mr. Chairman. Am I audible? Good. And thank you for acknowledging -- I know everyone has conflicts today. I will stay as long as humanly possible. There is a P-20 Council meeting simultaneous, so please forgive me if after I testify I exit. I thank you for the opportunity, Mr. Chairman and members of the Committee, for the opportunity to testify. I'm back before you today to discuss several of the matters that are before you today at this hearing. Most of the comments I'm going to make pertain to Senate Bill 1097, but I will -- I will address other issues as well.

First, as pertains to 1097, I wish to reiterate my advocacy for no delay in the implementation of the evaluation and support system statement and in the adoption of the recommendations made on a unanimous basis by the Performance Evaluation Advisory Council. As you know, that organization, PEAC, was established by the General Assembly in statute as the advisory body on the evaluation process which we now conceive as the evaluation and support system in our state. PEAC -- though there have been tough discussions within PEAC to be sure among the stakeholders inclusive of the various school leader associations, district leader associations, and both statewide teachers' unions, RESCSs and others, those -- though the discussions have been difficult, we have always been able to reach resolution.

Most recently, to remind you, we tackled the question of implementation next year of the statewide eval and support system. We had heard loud and clear from superintendents,

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jmf/gbr EDUCATION COMMITTEE 11:00 A.M.
MIDDLESEX COMMUNITY COLLEGE, MIDDLETOWN, CT

I'd also like to comment on S.B. 1096, AN ACT CONCERNING GOVERNANCE OF THE STATE EDUCATION RESOURCE CENTER. First, I simply want to say that I'm very grateful to this Committee for taking up this issue. As you know, the Education Department and its board forwarded to you a proposed bill to reform SERC in light of the recent questions that have arisen. And I should note these questions have arisen legitimately, and we are very grateful that you have taken those questions up with vigor and aim to arrive at a solution. We are grateful and encouraged that you have proposed a bill that takes some of the elements of our proposal, many if not most of them, also responds to the interim report from the state auditors, and I believe arrives at the conclusions necessary to ensure that we enhance confidence in SERC and we enable it to continue its good work.

I would note a couple of points. In addition to expressing my gratitude to you for all of this work, I would make a couple of additional points. In reading the bill closely, we note that you have -- and you'll note by the way you have a letter from me subsequent to our making our proposal in which we in response to the auditor report, made a number of very specific recommendations to ensure complete compliance and consistency with the auditor's recommendations.

You too have done so and created a board of directors for the first time in the organization's 40-year history, adoption of competitive bidding procedures that are applicable to state agencies which we fully support, requiring annual compliance audits by the auditors of public accounts, and other

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jmf/gbr EDUCATION COMMITTEE 11:00 A.M.
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elements that were in my letter that was presented to you approximately 11 -- 11 days ago.

I offer two additional points. First, the original State Department of Education proposal specified that SERC should be subject to the Freedom of Information Act. Now it may be implicit in your bill and I'm sure it is intended, so no question there, that Chapter 14 of the state statutes apply, but it is not specifically referenced. It is in our original bill presented to you, and we would simply ask that for clarify, FOI be applied explicitly.

And second, we see that you've restored language in Section 2(b) regarding the Connecticut School Reform Resource Center to be contained within SERC. That was not contained within our bill and we simply would ask that you explicitly apply all of the rules that you've applied to SERC itself to the new center if you wish for it to be contained within. That center does not exist, so we are -- we are before you not requesting any action regarding it, but if there is to be a set of activities associated with this notion of a School Reform Resource Center, we ask that you do that.

Moving on very rapidly, Mr. Chairman, to two other points, if I may. H.B. 6622, AN ACT CONCERNING DISTRICT PARTNERSHIPS, I just want to note that we view that as important. In fairness to the alliance districts that are currently left out of the charter district affiliation statute, we ask that alliance districts be made eligible as a category. We think that would be equitable and fair.

And final point, Mr. Chairman and members of the Committee, as you know, the State of

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frequently as well. I believe that it's important that we do both at the same time and that, in fact, they are mutually reinforcing. We are ever striving to help teachers improve their practice and now specifically do so in accordance with the Common Core State Standards which are appropriately nationally and internationally benchmarked and are the kinds of standards that we wish for our young people to be -- to be taught in accordance with.

I actually -- I think that it's essential that we use all of the data available to us in the evaluation and support systems and all of the coaching that will be associated the evaluation implementation to help teachers get there. I think that delaying would actually postpone the level of intensity of support and the level of intricate information that would be provided to teachers in carrying out their preparation for the Common Core.

REP. FLEISCHMANN: Thank you for those helpful answers. A couple of other quick questions related to SERC, you raised a question about FOIA. I do believe that the Freedom of Information Act implicitly applies, but that's -- that's really a drafting question. If you -
- wish to have --

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COMMISSIONER STEFAN PRYOR: I agree it is possible.

REP. FLEISCHMANN: -- to have it be explicit, we could do that. But I believe the way our state statutes work it would apply in this instance. But to a more important question, so the structure that's in this bill, one that was largely suggested by your department, is that of a quasi-public entity. Virtually all quasi-publics in the state have independent revenue streams. The -- SERC receives about 90 percent

jmf/gbr EDUCATION COMMITTEE 11:00 A.M.
MIDDLESEX COMMUNITY COLLEGE, MIDDLETOWN, CT

of its funding from the State Department of Education.

So if we created this structure, it would be the first quasi-public in Connecticut that had so much state funding directly. And that's something we've ever done before, and one could imagine that other departments might see this and want to do something similar because of the -- the kind of additional flexibility it gives a commissioner. So why -- why would we want to set that precedent?

COMMISSIONER STEFAN PRYOR: First, if I may just reply on the FOIA point. I agree with you that it is probably implicit, and I think the place it is implicit is that in your statute, SERC is defined in part as a political subdivision of the State. And I think by virtue of that, it would be interpreted as applicable. I think it just may be advisable to make it explicit that Chapter 14 applies.

The question of funding, it is true that a substantial portion of the funds for SERC is -- is state and federal. I should note that of the 80 to 90 percent of funding that is from those two sources, the majority, if you follow me, the majority is federal because much of the activity of the organization is regarding special education. I would -- I would note that I do believe that other quasi-publics do receive federal funds for activities such as housing, production, in the case of CHFA and others, but we can research those together.

I think that what -- what your proposal does is it clarifies that the organization is plain and simple a quasi-public agency and as both you and we at the State Department have recommended, it goes beyond that. The quasi-

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public statutes as pertains to the 12, I believe, quasi-publics, does not specify elements such as bidding procedures. Your statute and our letter clarifying our proposal both aim to ensure that the procedures be consistent with state bidding rules. So I believe that you are accomplishing all the goals that you would wish to accomplish in your model. I would be glad and our team would be glad to further analyze.

REP. FLEISCHMANN: Thank you. That's very helpful.

Representative Lavielle has a question to be followed by Representative LeGeyt.

REP. LAVIELLE: I do. Thank you very much, Mr. Chair, and I will be very quick. It's just one question and I hope I ask it in an informed way. You mentioned, Commissioner, earlier that there were some aspects of the literacy bill that were to your mind not present in the final bill that was passed last year. One of the ones you didn't mention was the requirement that any child who could not read to grade level at the end of third grade be held back.

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And I -- when I say ask it in an informed way, I understand that if a child is held back for that reason, there have to be all sorts of interventions to make sure that it works not just that they're held back. But I wondered how you felt about that, whether you saw any possibility of that eventually coming into play to really give as much teeth as possible to the literacy initiatives that we have taken.

COMMISSIONER STEFAN PRYOR: My -- my primary response would be that I -- I know that that subject was discussed extensively within the Black and Puerto Rican Caucus in the last

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SENATOR BYE: Thank you, Mr. Chairman. I have two questions that I'm going to ask quickly and hopefully you can answer quickly. In looking at the auditor's report about SERC, one of the concerns was there were consultants that seemed to be acting almost like employees, directing SDE staff, and that that was a concern. Does this bill address that issue or is SDE addressing that internally?

And then the second piece is, and they're both around SERC because having working at RESC, I've always wondered about the difference between SERC and the other RESCs because it always felt very different, so hopefully you can help me understand that. The second part is there -- I think it was \$11 million went to SERC and where do we see the State Department of Ed appropriation to SERC in the state budget? Where -- where can we see that or is there a better way that that could be transparent?

COMMISSIONER STEFAN PRYOR: Thank you for those questions. First as pertains to SERC personnel, the statute as I read it, your statute, specifies that SERC personnel are not state employees.

SENATOR BYE: I'm talking about the consultant, so the consultant -- oh, were they hired -- you're saying they were SERC employees?

COMMISSIONER STEFAN PRYOR: No. But I was -- I think your -- my interpretation was that you mentioned that you worked at a RESC and that you had these questions --

SENATOR BYE: Oh, yes. Yes. Okay. Good. Start there. Thank you.

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COMMISSIONER STEFAN PRYOR: -- so I'm responding more broadly. So that -- there's a distinction that has been established and I think that that distinction would be translated to any consultant that was hired. And, frankly, I think most important for all of these questions is that there be a board of directors of integrity that establishes rules beyond even those that we can contemplate, that establish the right method for operation. Let's keep in mind that SERC for 40-plus years has not had a board of directors and it has had ambiguous legal status. We've inherited that, all of us, now it's time to correct that.

The second point is -- as pertains to the budget, my understanding is that the -- the 11 or 12 million that are derived from federal and state sources, inclusive of the earned income at SERC, et cetera, it's a larger budget than that, but the state contribution including federal dollars is derived from the other expenses lines within the State Department of Education budget. That's how it's currently allocated for and audited annually within our process. We'd be open to a discussion where there were further -- further specifications regarding that.

SENATOR BYE: Just to press on the first question a little bit because I want to make sure I understand you, my question was so SDE in the audit, you know, was -- I think was asked to look at this, how are you looking at this differently since the audit when your consultants who are being hired through SERC? How is that different now based on the auditor's report?

COMMISSIONER STEFAN PRYOR: There -- the hiring of consultants or any other vendors at SERC ought

to be governed by a set of rules that's established that goes beyond what statute can provide. But I think the reality is that SERC is being established in your proposed statute as a support organization for the districts of the state and for the State Department of Education. There will need to be personnel and vendors who work side by side in these endeavors. So it's a subject that we should continue to explore, whether there's further clarity that can be provided. And I will tell you, Senator, we would be glad to embrace that and pursue it vigorously.

SENATOR BYE: Yeah, I think that would be great. So thank you for your openness. I just think we need to think about, you know, when people are directing SDE -- I think we want them to work together, but how can we -- what's the difference between a state employee and a consultant, and I think that's the --

COMMISSIONER STEFAN PRYOR: I heard you loud and clear and fully agree. And I would say again given the lack of a board of directors, there's been real ambiguity that across multiple generations of state department and SERC employees and executive leadership. With a board of directors and an executive director selected by that board, I think that there will be much greater clarity inherent.

SENATOR BYE: Thank you. And I think that will make it better going forward.

COMMISSIONER STEFAN PRYOR: Thank you.

SENATOR BYE: And you did inherit it, indeed.

COMMISSIONER STEFAN PRYOR: Thank you.

the most intensive parts going forward would be for new teachers into each system. Am I correct in that assumption?

ROBERT RADER: Sure, but the training -- you wouldn't have to train all the teachers and the principals all over again. I think you're right and once we get the technology to help and make this really work, I think it can be fabulous for our schools.

SENATOR STILLMAN: You're on record saying that, thank you.

ROBERT RADER: Was that a trap?

SENATOR STILLMAN: If it was, I wasn't even sure I said it. Anyway, thank you both very much.

ROBERT RADER: Thank you.

SENATOR STILLMAN: And thanks for all the work you do as well. We appreciate it.

Steve McKeever followed by Peter Cummings and then Gina Fafard. Welcome, sir.

STEPHEN MCKEEVER: Good afternoon. Good afternoon, Senator Stillman, Representative Fleischmann, and other members of the Committee. I'm Steve McKeever, I'm the First Vice President of AFT Connecticut. I'm here to talk on three different bills. You have my testimony, I just want to take a few seconds and hit the highlights of those.

The first one I want to talk about is H.B. 6624. The last couple of lines of that bill ask for complementary, I'm sorry, competency-based mastery as part of graduation requirements. I have some serious concerns

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that we're talking about right now are really sophomores and that gives them enough time to alter their course of study.

The final one that I want to talk about is S.B. 1096 regarding the SERC transparencies. I have a lot of concerns within this bill. In the audit that was performed on SERC, they had asked for a board of directors to be developed. As it's written the board of directors -- if you can give me a second I'll finish up -- the board of directors he calls for -- it calls for seven members, a quorum of four, and three could act on that. That just kind of concerns me that you would have three people out of seven making decisions on policies and how money is being spent and where it goes.

Another concern I have is that people on the board could be working for companies that are, in fact, being contracted to work with them and it says that that is not a conflict of interest. To me that kind of sounds like it is a conflict of interest. The final point that I want to make is that at the very end of the bill, they cut out a whole section and then pasted it earlier in the beginning with the exception of they left out "where available appropriations". And this is regarding the school reform center.

It's in the very end, you're giving me a look, do you want me to point it out to you? Okay. The very end of the bill, sort of, line -- where's the section on the resource center? It's on line 313, part (c) there is being deleted, but "within available appropriations, the Department of Education shall establish the Connecticut School Reform Resource Center." That is part of what's in the language up front with the exception of "within available

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appropriations". So I guess my question is why was that pulled out? Other than that, those are my major concerns on the SERC bill. And I know I've gone over the time, so if you have any questions, I can answer them for you.

SENATOR STILLMAN: Thank you very much

Questions anyone?

I'm sorry I don't have your testimony in front of me. It was filed?

STEPHEN MCKEEVER: Yes, ma'am, it was.

SENATOR STILLMAN: Okay. I'll get a copy of it later then.

STEPHEN MCKEEVER: I have a piece here that I have not edited --

SENATOR STILLMAN: Your comments about the board of directors is sort of interesting in terms of, well, I would think the usual rule of thumb is that if you have a full complement of people, the majority rules. That's not what you're saying.

STEPHEN MCKEEVER: Well, the language says that the center may act by majority of members present at any meeting in which a quorum is in attendance. And earlier it defines a quorum as being four out of those seven. So a majority of four is three, so I --

SENATOR STILLMAN: Well, I guess it's like any other committee, if you don't show up, you don't get to vote.

STEPHEN MCKEEVER: That's true.

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SENATOR STILLMAN: So, you know, so I don't think it's that unusual, it just -- it doesn't give you a level of comfort I assume.

STEPHEN MCKEEVER: I become -- when I see big numbers and they get smaller, I get nervous.

SENATOR STILLMAN: Thank you.

Anyone else?

Representative Fleischmann.

REP. FLEISCHMANN: I do believe that that section of drafting is parallel to the drafting we have in current statute for other similar agencies. I don't think there's anything unusual there. In terms of the composition of the board, am I right in thinking that you'd be interested in there being some more teachers who are included in such a body if we do indeed go forward?

STEPHEN MCKEEVER: I'm not so sure that I have a problem with the composition of the board as the way it was outlined. I would just like to make sure that there is a way -- that there is some greater oversight. This is an area of where the money is being spent, funneled, transferred, I don't want to accuse anybody, but based on the audit, are we going to create a board that does not have enough people on it or enough voices on it to make decisions to move forward.

REP. FLEISCHMANN: Thank you.

SENATOR STILLMAN: Thank you, sir.

Anyone else?

Thank you.

RAY ROSSOMANDO: Good afternoon, Senator Stillman, Representative Fleischmann, members of the Education Committee. I'm here today on behalf of CEA. My name is Ray Rossomando, I'm Research and Policy Development Specialist. We are here in opposition of S.B. 1096, AN ACT CONCERNING GOVERNANCE OF SERC. People at SERC do good work. By and large they've built a positive reputation for the services they provide. But something happened last year, no-bid contracts were awarded, people with no apparent ties to the state or even SERC were calling the shots. Some of this is described in my testimony -- in my written testimony.

As a result, the perception of impropriety damaged the public trust. We agree that the status of SERC should be clarified, but we also believe that SERC should abide by the same laws regarding transparency and bidding as every other state agency. The proposed bill does not do this. It puts oversight of bidding and transparency in-house at SERC and does not make them consistent with state laws.

According to OLR, quasi-agencies can, this is a quote from OLR, "avoid many of the requirements and controls imposed on government agencies". This is exactly what the Legislature should seek to avoid. We support clarifying that SERC is a state agency covered under bidding, transparency, and other laws enacted to protect the public's right to know. As was pointed out by Representative Fleischmann earlier today, quasi-government entities have similarities in fiscal complexity. They are not generally funded with state dollars and they serve a purpose that generally cannot be fulfilled within state agencies. None of these characteristics of quasis is consistent with educational practice.

I would also like to note something that is not in my testimony. S.B. 1096 permits funding from any source. This invites influence with strings attached. The perceptions of impropriety last year included this concern. The potential for this to happen again is only worsened if SERC is made a quasi-governmental entity. Creating SERC as a quasi-governmental agency puts it even one arms length further away from oversight than it is currently, and we just think that's a step in the right direction.

The GEA Committee is looking at a bill that would address this issue. We would hope that as you come together with final language, that you look at some of the language coming from GAE as well, I know there's some members overlapping here, and address this and make it clear that SERC is a state agency at it seemed to be under statute initially. Thank you.

SENATOR STILLMAN: Thank you very much. I was looking at your testimony and you've attached the bill proposal from GAE.

RAY ROSSOMANDO: Yes, I've attached the bill proposal as well as language that we had drafted with AFT to address this through GAE, and also written testimony from Mark Waxenberg from my organization.

SENATOR STILLMAN: Okay. Thank you.

Questions anyone?

Representative Fleischmann.

REP. FLEISCHMANN: A couple of questions, not intended to be lengthy, but if we instead of

making this a quasi-public organization, made it a state agency, every employee of SERC would automatically become a state employee and the fringe benefit package and costs for all those employees would change and increase dramatically. Those of us who serve on Appropriations have to think about those matters. Do you have a sense of where or how the state would -- would address that major bump in cost?

RAY ROSSOMANDO: I don't know how Appropriations would -- would address that necessarily, but I think the question comes down to cost-benefit. We've recognized that there's been a lapse at SERC in the last year, and, you know, given a choice between making it a quasi-governmental that does not provide the oversight, and there's a history with quasi-governmentals of not providing oversight that's been documented -- well documented. And -- and the, you know, marginal costs of -- of bringing them into the state employee pool, I would go with the marginal cost of bringing them into the state employee pool and ensuring the oversight.

REP. FLEISCHMANN: Well, I mean I haven't seen the fiscal note, but I think those marginal costs would be massive. So my question to you would be if it were to become a quasi-public, we heard the commissioner saying he wanted it to be clarified, even though I think it's implicit, that the Freedom of Information Act would apply to SERC under this proposal. And we heard testimony that supported a board that might be expanded a bit. If you have clean contracting statutes apply, if you have the Freedom of Information Act applying, if you have a board that's large enough and includes a broad enough membership to be doing oversight, I guess I'm trying to follow why it is that

you're nonetheless so opposed to this approach versus the other one that you've included with your testimony.

RAY ROSSOMANDO: First, the language isn't clear that it -- that it would apply, the state laws on contracting. I believe the commissioner testified that they'd be consistent, but I think that's just inferring into the bill what it doesn't actually say. Because what the bill says that the board, like any other quasi, would -- would be able to come up with its own system of bidding and transparency. And while it would be subject to FOI, there's no guarantee that the rules that they put in place to oversee public service agreements, bidding and those sorts of things would be in and of the same the ones with the State of Connecticut and they would have oversight.

And I would just also like to add, the auditor's report pointed out a significant amount of costs associated with the -- with the current structure and its relationship with Rensselaer Tech. Those costs I assume would go away if you were able to make this run more efficiently and those could possibly help to defer the cost of the overhead.

REP. FLEISCHMANN: Last question following up on yours, if we were to make it absolutely clear that all of the state's, you know, fairness in contracting statutes and regs applied, that our Freedom of Information laws applied, that everything that gives transparency and accountability in government that we use for other agencies applied to this entity, what would your reaction be to that type of proposal?

RAY ROSSOMANDO: I think there remains a concern

with the operations of quasi-governmentals, you know, for the last ten years. And I cite some of the examples in my -- in my testimony. But I think you're then creating a precedent for quasi-governmental agencies that didn't exist previously. You're really taking on what are -- are legitimate state agency functions and now saying that the state's not going to do them, we're going to have them done by, again an organization that's an arm's length away from state agency, and we're going to be paying their general fund basically with state dollars.

I think that's -- that's new ground, I don't think it's necessary to do for educational policy. And again given the track record of quasias, they do some great work, they provide excellent service for the state in some unique complex matters, but they have traditionally had a lapse in the ability to -- to be transparent and to show that they're -- that they're not avoiding perceptions of impropriety. And I just think the cost, particularly when you're talking about education practices in schools and the potential influence from outside money into a quasi-governmental as opposed to a state agency and who's controlling those strings, I think by and large keeping SERC within the state agency realm is a far better proposition.

REP. FLEISCHMANN: Thank you. I appreciate that.

SENATOR STILLMAN: Thank you.

Laura Harvey. Welcome.

LAURA HARVEY: Thanks, members of the Committee for letting me testify, I appreciate it.

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HB6624 HB6626



Patrice Peterson
 President
 Stephen Anderson
 Secretary/Treasurer
 Robert D Rinker
 Executive Director

Connecticut General Assembly
 Education Committee
 March 15, 2013
TESTIMONY FOR PUBLIC HEARING:
 Senate Bill 1096

Senator Stullman, Representative Fleischmann, Ranking Members, and members of the Education Committee.

My name is Patrice Peterson and I'm the president of CSEA/SEIU Local 2001, a union that represents 27,500 state, municipal, and private sector employees and retirees across the state of Connecticut. I'm also a special education teacher for the Department of Developmental Services. CSEA represents Education Administrators who are part of the state's P3A bargaining unit. On behalf of CSEA's members in the P3A bargaining unit, I submit the following testimony on Senate Bill 1096:

Education Administrators in the P3A bargaining unit are an important and necessary component in Connecticut's education infrastructure. P3A members are education consultants who, among many other work functions, supervise training programs for school teachers and paraprofessionals, provide oversight for school construction projects, and administer early intervention programs for the State Department of Education (SDE).

By all appearances, Senate Bill 1096 will legitimize the outsourcing of P3A bargaining unit work to the State Education Resource Center (SERC). By establishing the State Education Resource Center as a "quasi-public agency," Senate Bill 1096 risks turning SERC into a shadow agency not subject to the same level of oversight and accountability as other state agencies. In its present form, we cannot support this legislation.

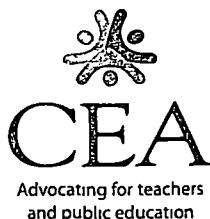
The bill raises many questions. For instance, will SERC contracts with SDE fall under the review and oversight powers of the State Contracting Standards Board? Does the legislation legitimize SDE's transfer of federal and state grant funds to SERC for work which is done by members of the P3A bargaining unit? Does SB 1096 change the current scope of SERC's programmatic activity?

SERC was originally created to "to assist the [State Board of Education] in the provision of programs and activities that will promote educational equity and excellence." It was not created and should not be modified to act as a parallel entity to the types of educational work currently performed by state employees

Every education professional has a vested interest in providing the best services to the students of Connecticut. We want to help children learn, assist teachers and paraprofessionals in improving their professional skills, and work with communities to build schools in which the most important educational work occurs. However, nobody – not education administrators, not state school teachers, not municipal teachers, not paraprofessionals, and certainly not students and their families – wants to see Connecticut turn SERC into something that operates outside established and respected parameters

CSEA members are ready and anxious to work with members of the Education Committee to improve this piece of legislation and the effectiveness of SERC. In addition to answering the questions we raise above, we recommend that members of unions performing education work, like CSEA, have seats on the SERC board. We are all committed to ensuring that Connecticut schools are a model for the nation.

Patrice Peterson



**Connecticut Education
Association**

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Jeff Leake, Vice President
Cheryl Prevost, Secretary
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Affiliated with the
National Education Association

Ray Rossomando
Connecticut Education Association

*Before the
Education Committee*

**Re: SB 1096 AAC Governance of the State Education Resource
Center**

March 15, 2013

Good afternoon Senator Stillman, Representative Fleischmann, and members of the Education Committee. My name is Ray Rossomando, Research and Policy Development Specialist for the Connecticut Education Association. CEA represents 43,000 members who are active and retired teachers across the state.

We testify today in opposition to SB 1096, which would establish the State Education Resource Center (SERC) as a quasi-governmental agency.

SERC was established in legislation as an entity of the state under CGS 10-4q (PA 05-245, Sec. 24). The SERC entity created in 2005 apparently replaced or subsumed an entity formerly known as the Special Education Resource Center. A recent State Auditors' interim report noted that SERC operates within a rather ambiguous organizational structure, having inherited a cumbersome and costly relationship with Rensselaer Hartford Graduate Center.

We support clarifying the organizational structure of SERC. We support the good people of SERC and the Department of Education who, we believe, are people of integrity and whose intentions appear to be to improve education in our state. But we urge lawmakers to reject SB 1096 and consider the alternative noted below to better protect the public's right to know, restore SERC's reputation, and avoid potential future perceptions of undue influence.

SERC's Recent Pattern of No-bid Contracts and Unaccountable Outsiders' Influence

While SERC is respected for providing education support to school districts, its more recent involvement in the drafting of the Education Reform bill last year has compromised its reputation. Materials from a Freedom of Information request last year uncovered instances of contracts being executed without bidding and SERC serving as a conduit for influence over legislation that violated the public's right to know.

For example, one email thread released in the FOI request shows:

1. The no-bid contracting of services to a private firm (Education First) to "help Connecticut policymakers draft human capital legislation that tie new evaluation results to reforms in tenure, certification/licensure, layoff, dismissal, and professional development policies."
 - *Shouldn't the public have a right to know who is drafting legislation affecting our children's education?*
2. Outside sources (Council of Chief State School Officers) being tapped to pay for consultants to influence policies under development by the state's Performance Evaluation and Assessment Council (PEAC).
 - *Shouldn't the public have a right to know that the state sought to have CCSSO fund the development of policies affecting schools? Who else funded these efforts?*
3. A state contract to institute education reform policies being influenced, orchestrated, screened, approved, and practically executed by DSA Capital's William Cox, who is not an employee of the state.
 - *Shouldn't the public have a right to know who William Cox is, what interests he represents, and how he was able to orchestrate and approve a no-bid state contract and have it executed by SERC?*

The Legislature's Options

To resolve this ambiguity and address transparency, there appear to be two options. The legislature could reconstitute SERC as a quasi-governmental agency an arms-length away from the oversight, transparency, accountability, and other protections of the public good that apply to state agencies. SB 1096 seeks to do this.

Alternatively, the legislature could make it crystal clear that SERC is in fact an entity of the state, subject to laws ensuring transparency, competitive bidding, and other measures of accountability that are in the public interest. It is this latter approach that we support. To this end, we wish to draw your attention to HB 5900 An Act Requiring More Transparency in Education, which is a related bill that we do support and is under consideration in the GAE committee (see attached). Whatever the legislative vehicle, we urge legislators to enact legislation similar to HB 5900 that:

- Clarifies that SERC is a public agency subject to Connecticut's fair and open contracting laws.
- Clarifies that non-profit organizations operating as state agents are also subject to fair contracting laws.
- Requires SDE to report all state contracts awarded by SERC.
- Requires SERC to report all costs of salaries, fringe benefits, and other compensation expenses.

An Argument Against Reconstituting SERC as a Quasi-Governmental Agency

Quasi-governmental agencies operate an arm's length away from state government oversight and public transparency. Consequently, their operations have a spotted history in Connecticut. Over the past 10 years, quasi-governmental agencies in Connecticut have too often failed the public good. From unsecured investments of public dollars in Enron and outrageous executive bonuses to no-bid contracts and accusations of cronyism, the good work of quasi-agencies in Connecticut have been marred by well documented failings and perceptions of wrong doing.

According to OLR (2005-R-0772): "The major reason for establishing quasi-public agencies here was their organizational location outside the structure of state government, which meant they could avoid many of the requirements and controls imposed on governmental agencies." The state's 11 quasi-governmental agencies fall primarily into 3 categories: Complex financing, waste-to-energy, and targeted economic development. By putting a quasi-governmental agency in charge of education policies affecting Connecticut children, we would be setting a troubling precedent.

The Table prepared by OLR shows the public protections absent from quasi-governmental operations. While good arguments could be made for using a quasi-governmental structure to carry-out certain complex public functions, the oversight of our public schools is not one of them.

TABLE 1: Applicability of State Government Controls to Quasi-Public Authorities

<i>Control</i>	<i>CDA</i>	<i>CII</i>	<i>CHEFA</i>	<i>CHESLA</i>	<i>CHFA</i>	<i>CHA</i>	<i>CRRA</i>	<i>CHWMS</i>	<i>CCEDA</i>	<i>CLC</i>	<i>LFCCEA</i>
Budget	No	No	No	No	No	No	No	No	No	No	No
Bonding	No *	Yes	No	No	No	Yes	No	Yes	Yes	Yes	No
Personnel	No	No	No	No	No	No	No	No	No	No	No
Purchasing	No	No	No	No	No	No	No	No	No	No	No
Contracting	No	No	No	No	No	No	No	No	No	No	No
Affirmative Action	No	No	No	No	No	No	No	No	No	No	No
UAPA **	No	No	No	No	No	No	No	No	No	No	No
Code of Ethics	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
FOI	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
State Auditors	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Source: LPRIC's report entitled *Connecticut Resources Recovery Authority and other Quasi-Public Agencies*

UAPA= Uniform Administrative Procedure Act

FOI= Freedom of Information

*Under insurance mortgage program the State Bond Commission issues bonds, the proceeds of which are funneled through the Department of Economic and Community Development to CDA

**The law requires all quasi-public agencies to follow certain guidelines when adopting its procedures (similar to the UAPA's notice, publication, and approval requirements but without the need for legislative approval) (CGS § 1-121)

We strongly urge committee members to reject SB 1096 and clarify SERC's status as an entity of the state subject to laws that apply to state agencies and ensure oversight, transparency, accountability, and other protections of the public's right to know.

Thank you.



General Assembly
January Session, 2013

Proposed Bill No. 5900
LCO No. 2007

Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
REP. MORIN, 28th Dist.

AN ACT REQUIRING MORE TRANSPARENCY IN EDUCATION.

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

1 That section 4e-1 of the general statutes be amended to redefine
2 "state contracting agency" to include the State Education Resource
3 Center and all regional educational service centers, that section 1-200
4 of the general statutes be amended to redefine "public agency" to
5 include any nonprofit established by an agency, board or commission,
6 and that the general statutes be amended to require the Commissioner
7 of Education to report annually to the joint standing committees of the
8 General Assembly having cognizance of matters relating to education
9 and government administration regarding (1) all contracts entered into
10 by the Department of Education and the State Education Resource
11 Center, (2) the amounts and sources of private funding received by
12 said department and said center, and (3) the amounts used to pay the
13 salary, fringe benefits and compensation for any department or center
14 employee or consultant.

Statement of Purpose:

To require more transparency in education.

CEA/AFT WORKING DRAFT

General Assembly

 January Session, 2013

AN ACT CONCERNING EDUCATION TRANSPARENCY

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

- 1 Section 1. Section 4e-1*(28) of the general statutes is repealed and the
 2 following is substituted in lieu thereof (*Effective from passage*):
- 3 "State contracting agency" means any executive branch agency, board,
 4 commission, department, office, institution or council. "State
 5 contracting agency" does not include the judicial branch, the legislative
 6 branch, the offices of the Secretary of the State, the State Comptroller,
 7 the Attorney General, the State Treasurer, with respect to their
 8 constitutional functions, any state agency with respect to contracts
 9 specific to the constitutional and statutory functions of the office of the
 10 State Treasurer. For the purposes of section 4e-16, state contracting
 11 agency includes any constituent unit of the state system of higher
 12 education. For the purposes of section 4e-19*. State contracting agency
 13 includes the State Education Resource Center as defined in 10-4q
 14 and all regional educational service centers as defined in 10-66a;
- 15 Section 2. Section 1-200(1)(A) of the general statutes is repealed and the
 16 following is substituted in lieu thereof (*Effective from passage*):
- 17 (1) "Public agency" or "agency" means:
 18
- 19 (A) Any executive, administrative or legislative office of the state or
 20 any political subdivision of the state and any state or town agency, any
 21 nonprofit entity funded or partially funded by the state for purposes
 22 of executing state functions, any department, institution, bureau,
 23 board, commission, authority or official of the state or of any city,
 24 town, borough, municipal corporation, school district, regional district
 25 or other district or other political subdivision of the state, including
 26 any committee of, or created by, any such office, subdivision, agency,
 27 department, institution, bureau, board, commission, authority or
 28 official, and also includes any judicial office, official, or body or

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29 committee thereof but only with respect to its or their administrative
30 functions;

31 Section 3. (NEW) (*Effective July 1, 2013*). (a) Beginning January 15, 2014,
32 and annually thereafter, the Commissioner of Education shall report to
33 the members of the Education Committee and Government
34 Administrations and Elections Committee all contracts issued by the
35 State Department of Education and the State Education Resource
36 Center to private vendors and regional education service centers
37 during the previous year for the purposes of conducting the work of
38 the State Department of Education. Such report shall also be posted on
39 the websites of the State Department of Education and the State
40 Education Resource Center. (b) Beginning January 15, 2014, and
41 annually thereafter, the Commissioner of Education shall report to the
42 members of the Education Committee and Government
43 Administrations and Elections Committee (1) all amounts and sources
44 of private funding, including grants, received by the State Department
45 of Education and the State Education Service Center; and (2) amounts
46 used to pay the salary, fringe benefits and other compensation for any
47 State Department of Education or State Education Resource Center
48 employee. Such report shall be posted on the websites of the State
49 Department of Education and the State Education Resource Center.



STATE OF CONNECTICUT
STATE DEPARTMENT OF EDUCATION



Connecticut General Assembly – Education Committee
Testimony of Education Commissioner Stefan Pryor
March 15, 2013

Senator Stillman, Representative Fleischmann, Senator Boucher, Representative Ackert, and members of the Education Committee, I appreciate the opportunity to comment on legislative proposals before you today.

I would first like to express concerns regarding Senate Bill No. 1097, which would delay by one year the implementation of the state's teacher and school leader evaluation and support system, among other changes. I advocate instead that this committee follow the consensus roadmap set forth by the Performance Evaluation Advisory Council, whose concept of a bridge year will provide districts with appropriate flexibility and resources as they continue to ramp up toward full implementation. PEAC's solution is the best path forward toward our shared goal of strengthening teaching, leading, and learning in our state.

As you know, the State Board's guidelines regarding educator evaluation were informed by the recommendations reached by consensus of the Performance Evaluation Advisory Council, or PEAC, a stakeholder group comprised of both statewide teachers unions, representatives from state education organizations including CAPSS, CAS, and CABE, RESCs, and SDE staff.

We have received regular and invaluable feedback from the piloting of the evaluation model and from other districts as well. We have heard – loud and clear – concerns from districts across the state regarding the program's ambitious timeline for implementation. That is why, following numerous lead-up discussions, PEAC reconvened on February 4th to address these implementation concerns.

I believe that the consensus we reached on that day represents the best path forward. Districts would begin implementation in 2013-14, but do so with requisite flexibility and choice to ensure a successful rollout leading into full implementation in the 2014-15 school year. Any district availing itself of these flexibilities would engage in a committee process including representatives of district teachers and administrators. PEAC's plan lets each district act collaboratively to adjust its approach within the bridge year based on local context and circumstances. And our budget proposal provides support by absorbing certain significant costs at the state level – including data management, training and technical assistance, surveys, and assistance in creating a system of evaluation-informed professional learning.

SB1097
HB6622

HB6623

Another open question is which testing instrument should be used. The Foundations of Reading test focuses upon the elementary years. The bill requires K-12 special education applicants to take the test as well. We would request flexibility in determining which test, including potentially Foundations of Reading, is best suited for K-12 special education teachers.

I would also like to comment on SB 1096, An Act Concerning Governance of the State Education Resource Center. I believe it is crucial that we clarify SERC's legal status, and I support the bill's solution to this longstanding issue.

SERC has been in operation since 1969. Despite operating for over four decades, SERC has never had formal legal status.

Recently, the Education Department has sought to clarify this situation and to provide greater independence and accountability for SERC. In 2011, Raised Bill 1039 attempted to establish SERC as a not-for-profit entity.

This January, I submitted new legislation regarding SERC to the State Board of Education, which voted unanimously to approve it for consideration by this committee. The proposal specified that, among other changes, SERC should be governed by a board of directors; undergo periodic audits; report annually to the State Board of Education; and adopt and maintain transparent procedures concerning procurement, personnel, and budgeting.

My goal with this proposal was to grant SERC the independence and accountability measures it needs to operate with the confidence of this legislature and the education community.

Since then, we have continued to refine our proposal to achieve this goal. My March 4th letter to this committee, following the Auditors of Public Accounts' Interim Audit Report, suggested revisions to CSDE's original bill. The bill you are considering today shares numerous commonalities with our suggestions, including organizing SERC as a quasi-public agency with governance by an independent board; adopting competitive bidding procedures applicable to state agencies; requiring annual compliance audits by the Auditors of Public Accounts; and presentation of annual reports to the General Assembly.

I support this bill, and look forward to working with you to advance it.

I offer two additional points. First, the original SDE proposal specified that SERC should be subject to the provisions of the Freedom of Information Act. There is no such explicit provision in SB 1096. Given the importance of public access to information, I believe the bill should include the FOIA provision contained in the original SDE proposal. And second, I look forward to continued discussions regarding section 2(b) – we are concerned that insufficient clarity may

exist regarding the proposed Connecticut School Reform Resource Center, which should be subject to all of the rules being applied to SERC itself.

HB 6622, An Act Concerning District Partnerships, is also important. Currently Bridgeport, Hartford and New Haven participate in a pilot where charter schools located in those districts may work with a local district to create an agreement whereby in exchange for support or resources, districts may count the academic performance of charter school students in their district performance measures. The Department supports expanding eligibility to include all alliance districts, and we are therefore supportive of the proposal.

As you know, the State of Connecticut has adopted the Common Core State Standards, and districts have begun transitioning to Common Core-aligned curricula. In the spring of 2015, the State will move from administering the Connecticut Mastery Tests and the Connecticut Academic Performance Test to administering Common Core-aligned assessments authored by the Smarter Balanced Assessment Consortium. HB 6623, An Act Concerning Student Assessments, begins to make the changes necessary to allow for this transition to take place, by defining "mastery evaluation" as examinations approved by the State Board of Education to measure essential and grade-appropriate skills in reading, writing, mathematics and science. This flexibility is essential in being able to administer Common Core-aligned assessments. However, the Department has concerns with certain language in this proposal, specifically regarding testing in grade ten and eleven. We look forward to further discussing those concerns.

Thank you.