



# Senate

General Assembly

**File No. 353**

February Session, 2026

Substitute Senate Bill No. 351

*Senate, April 2, 2026*

The Committee on Labor and Public Employees reported through SEN. KUSHNER of the 24th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT ESTABLISHING STANDARD OF REVIEW FOR TEACHER TERMINATION DECISIONS AND REQUIRING TERMINATION HEARINGS TO BE BEFORE A NEUTRAL ARBITRATOR.***

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

1 Section 1. Subsections (c) to (e), inclusive, of section 10-151 of the  
2 general statutes are repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2026*):

4 (c) The contract of employment of a teacher who has not attained  
5 tenure may be terminated at any time for any of the reasons enumerated  
6 in subdivisions (1) to (6), inclusive, of subsection (d) of this section. [;  
7 otherwise] The standard of review for all such reasons shall be the same  
8 standard applied in other disciplinary actions under the terms of such  
9 teacher's collective bargaining agreement. Otherwise the contract of  
10 such teacher shall be continued into the next school year unless such  
11 teacher receives written notice by May first in one school year that such  
12 contract will not be renewed for the following year. Upon the teacher's

13 written request, not later than three calendar days after such teacher  
14 receives such notice of nonrenewal or termination, a notice of  
15 nonrenewal or termination shall be supplemented not later than four  
16 calendar days after receipt of the request by a statement of the reason or  
17 reasons for such nonrenewal or termination. Such teacher, upon written  
18 request filed with the board of education not later than ten calendar  
19 days after the receipt of notice of [termination, or] nonrenewal or  
20 termination shall be entitled to a hearing, except as provided in this  
21 subsection, (1) before the board, or (2) if indicated in such request and if  
22 designated by the board, before an impartial hearing officer chosen by  
23 the teacher and the superintendent in accordance with the provisions of  
24 subsection (d) of this section. Such hearing shall commence not later  
25 than fifteen calendar days after receipt of such request unless the parties  
26 mutually agree to an extension not to exceed fifteen calendar days. The  
27 impartial hearing officer or a subcommittee of the board of education, if  
28 the board of education designates a subcommittee of three or more  
29 board members to conduct hearings, shall submit written findings and  
30 recommendations to the board for final disposition. The teacher shall  
31 have the right to appear with counsel of the teacher's choice at the  
32 hearing. A teacher who has not attained tenure shall not be entitled to a  
33 hearing concerning nonrenewal if the reason for such nonrenewal is  
34 either elimination of position or loss of position to another teacher. [The  
35 board of education shall rescind a nonrenewal decision only if the board  
36 finds such decision to be arbitrary and capricious.] Any such teacher  
37 whose contract is terminated for the reasons enumerated in  
38 subdivisions (3) and (4) of subsection (d) of this section shall have the  
39 right to appeal in accordance with the provisions of subsection (e) of this  
40 section.

41 (d) The contract of employment of a teacher who has attained tenure  
42 shall be continued from school year to school year, except that it may be  
43 terminated at any time for one or more of the following reasons: (1)  
44 Inefficiency, incompetence or ineffectiveness, provided [, if a teacher is  
45 notified on or after July 1, 2014, that termination is under consideration  
46 due to incompetence or ineffectiveness, the] any determination of  
47 incompetence or ineffectiveness is based on evaluation of the teacher

48 using teacher evaluation guidelines established pursuant to section 10-  
49 151b; (2) insubordination against reasonable rules of the board of  
50 education; (3) moral misconduct; (4) disability, as shown by competent  
51 medical evidence; (5) elimination of the position to which the teacher  
52 was appointed or loss of a position to another teacher, if no other  
53 position exists to which such teacher may be appointed if qualified,  
54 provided such teacher, if qualified, shall be appointed to a position held  
55 by a teacher who has not attained tenure, and provided further that  
56 determination of the individual contract or contracts of employment to  
57 be terminated shall be made in accordance with either (A) a provision  
58 for a layoff procedure agreed upon by the board of education and the  
59 exclusive employees' representative organization, or (B) in the absence  
60 of such agreement, a written policy of the board of education; or (6)  
61 other due and sufficient [cause] reasons. The standard of review for all  
62 such reasons shall be the same standard applied in other disciplinary  
63 actions under the terms of such teacher's collective bargaining  
64 agreement. Nothing in this section or in any other section of the general  
65 statutes or of any special act shall preclude a board of education from  
66 making an agreement with an exclusive bargaining representative  
67 which contains a recall provision. Prior to terminating a contract, the  
68 superintendent shall give the teacher concerned a written notice that  
69 termination of such teacher's contract is under consideration and give  
70 such teacher a statement of the reasons for such consideration of  
71 termination. Not later than ten calendar days after receipt of written  
72 notice by the superintendent that contract termination is under  
73 consideration, such teacher may file with the local or regional board of  
74 education a written request for a hearing. [A board of education may  
75 designate a subcommittee of three or more board members to conduct  
76 hearings and submit written findings and recommendations to the  
77 board for final disposition in the case of teachers whose contracts are  
78 terminated.] Such hearing shall commence not later than fifteen  
79 calendar days after receipt of such request, unless the parties mutually  
80 agree to an extension [,] not to exceed fifteen calendar days, [(A) before  
81 the board of education or a subcommittee of the board, or (B) if indicated  
82 in such request or if designated by the board] before an impartial

83 hearing officer chosen by the teacher and the superintendent. If the  
84 parties are unable to agree upon the choice of a hearing officer not later  
85 than five calendar days after the decision to use a hearing officer, the  
86 hearing officer shall be selected with the assistance of the American  
87 Arbitration Association using its expedited selection process and in  
88 accordance with its rules for selection of a neutral arbitrator in grievance  
89 arbitration. [If the hearing officer is not selected with the assistance of  
90 such association after five days, the hearing shall be held before the  
91 board of education or a subcommittee of the board.] When the reason  
92 for termination is incompetence or ineffectiveness, the hearing shall [(i)]  
93 (A) address the question of whether the performance evaluation ratings  
94 of the teacher were determined in good faith in accordance with the  
95 program adopted by the local or regional board of education pursuant  
96 to section 10-151b and were reasonable in light of the evidence  
97 presented, and [(ii)] (B) be limited to twelve total hours of evidence and  
98 testimony, with each side allowed not more than six hours to present  
99 evidence and testimony except the [board, subcommittee of the board  
100 or] impartial hearing officer may extend the time period for evidence  
101 and testimony at the hearing when good cause is shown. Not later than  
102 forty-five calendar days after receipt of the request for a hearing, the  
103 [subcommittee of the board or] hearing officer, unless the parties  
104 mutually agree to an extension not to exceed fifteen calendar days, shall  
105 [submit written findings and a recommendation to the board of  
106 education as to the disposition of the charges against the teacher and  
107 shall send a copy of such findings and recommendation to the teacher.  
108 The board of education shall give the teacher concerned its written  
109 decision not later than fifteen calendar days after receipt of the written  
110 recommendation of the subcommittee or hearing officer] render to the  
111 board of education and the teacher a written disposition that shall be  
112 binding on the parties. Each party shall share equally the fee of the  
113 hearing officer and all other costs incidental to the hearing. [If the  
114 hearing is before the board of education, the board shall render its  
115 decision not later than fifteen calendar days after the close of such  
116 hearing and shall send a copy of its decision to the teacher.] The hearing  
117 shall be public if the teacher so requests. [or the board, subcommittee or

118 hearing officer so designates.] The teacher concerned shall have the right  
119 to appear with counsel at the hearing, whether public or private. [A  
120 copy of a transcript of the proceedings of the hearing shall be furnished  
121 by the board of education, upon written request by the teacher within  
122 fifteen days after the board's decision, provided the teacher shall assume  
123 the cost of any such copy.] Either party shall have the right to request a  
124 copy of the transcript and shall bear the cost of any such copy. Nothing  
125 [herein] contained in this section shall deprive a board of education or  
126 superintendent of the power to suspend a teacher from duty  
127 immediately when serious misconduct is charged without prejudice to  
128 the rights of the teacher as otherwise provided in this section.

129 (e) Any teacher or board of education aggrieved by the [decision of a  
130 board of education] award of the hearing officer after a hearing as  
131 provided in subsection (d) of this section may [appeal therefrom, not  
132 later than thirty calendar days after such decision, to the Superior Court.  
133 Such appeal shall be made returnable to said court in the same manner  
134 as is prescribed for civil actions brought to said court] make an  
135 application to the Superior Court to confirm, vacate or modify said  
136 award pursuant to sections 52-417 to 52-419, inclusive. Any such  
137 [appeal] application shall be a privileged case to be heard by the court  
138 as soon after the return day as is practicable. The teacher or board of  
139 education shall file with the court a copy of the complete transcript of  
140 the proceedings of the hearing, [and the minutes of board of education  
141 meetings relating to such termination, including the vote of the board  
142 on the termination,] together with such other documents, or certified  
143 copies thereof, as shall constitute the record of the case. [The court, upon  
144 such appeal, shall review the proceedings of such hearing. The court,  
145 upon such appeal and hearing thereon, may affirm or reverse the  
146 decision appealed from in accordance with subsection (j) of section 4-  
147 183. Costs shall not be allowed against the board of education unless it  
148 appears to the court that it acted with gross negligence or in bad faith or  
149 with malice in making the decision appealed from.]

This act shall take effect as follows and shall amend the following sections:		
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Section 1	July 1, 2026	10-151(c) to (e)
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**Statement of Legislative Commissioners:**

In Subsec. (d), "the terms of" was added before "such teacher's" for consistency.

**LAB**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

Municipalities	Effect	FY 27 \$	FY 28 \$
Local and Regional School Districts	STATE MANDATE <sup>1</sup> - Potential Cost	Potential Minimal	Potential Minimal

**Explanation**

The bill results in a potential, minimal cost to local and regional school districts annually beginning in FY 27. The bill requires local and regional school districts to hire third party hearing officers for all hearings regarding the termination of a tenured teacher and allows districts to request a copy of the transcript so long as they bear the cost of the copy. Currently, either a hearing officer or a board of education subcommittee may conduct the hearing. The cost of the hearings will be shared by all involved parties as under current law.

The cost of the bill to a district will vary based on the number of hearings conducted, the rate charged by such officers, whether in the absence of the bill the district would have chosen to instead use a subcommittee, and the cost of any requested transcripts. Any cost is expected to be minimal, as such hearings are rare.

<sup>1</sup> State mandate is defined in Sec. 2-32b(2) of the Connecticut General Statutes, "state mandate" means any state initiated constitutional, statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

The bill also: (1) sets a standard of review for when a nontenured or tenured public school teacher is terminated, which is the same standard applied to other disciplinary actions under the teacher's collective bargaining unit; (2) makes the hearing officer's decision final; and (3) allows teachers or districts to appeal to the Superior Court<sup>2</sup> when aggrieved by a hearing officer's decision. These provisions have no fiscal impact, as they are not expected to change any costs to school districts associated with personnel decisions.

***The Out Years***

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

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<sup>2</sup> The court system disposes of over 250,000 cases annually and the number of cases is not anticipated to be great enough to need additional resources.

**OLR Bill Analysis****sSB 351*****AN ACT ESTABLISHING STANDARD OF REVIEW FOR TEACHER TERMINATION DECISIONS AND REQUIRING TERMINATION HEARINGS TO BE BEFORE A NEUTRAL ARBITRATOR.*****SUMMARY**

This bill makes changes to the process for terminating public school teachers. It sets a standard of review for when a nontenured or tenured public school teacher is terminated for the reasons allowed by existing law (inefficiency, incompetence, insubordination, moral misconduct, disability, elimination of a position to another teacher, or other due and sufficient reasons). Current law does not specify a standard of review for these terminations. The bill requires the standard of review to be the same standard applied in other disciplinary actions under the teacher's collective bargaining agreement. This permits the standard to be determined through the collective bargaining process.

The bill also changes who makes the final decision when a tenured teacher is under consideration for termination and requests a hearing. Current law generally allows such a teacher to request a hearing before either a board of education (BOE) subcommittee or an impartial hearing officer. The bill eliminates the option for the hearing before a BOE subcommittee. Under current law, the subcommittee or hearing officer must submit its findings and a recommendation to the BOE, which then makes a final decision on the termination. The bill instead requires the hearing officer to make the final disposition and makes it binding on the parties.

Existing law, unchanged by the bill, similarly allows a nontenured teacher whose contract is not being renewed to request a hearing before either a BOE subcommittee or an impartial hearing officer, which must then submit findings and recommendations to the BOE for final

disposition. Current law only allows a BOE to rescind a nonrenewal decision if it finds that it was arbitrary and capricious. The bill removes this limitation, giving the BOE greater discretion over when to rescind a nonrenewal decision.

Current law allows teachers aggrieved by a BOE's termination decision to appeal to the Superior Court, and it requires the court to review the proceedings under the Uniform Administrative Procedure Act's (UAPA) standards for reviewing appeals of agency decisions. The bill instead allows teachers or BOEs aggrieved by a hearing officer's decision to apply to the court to confirm, vacate, or modify the decision under the laws for court consideration of arbitration awards. It also makes various minor and conforming changes.

EFFECTIVE DATE: July 1, 2026

### **COURT REVIEW STANDARDS FOR APPEALS**

Current law generally requires a court considering an appeal of a teacher's termination under UAPA standards to affirm the decision unless it finds that substantial rights of the teacher have been prejudiced because the findings, inferences, conclusions, or decisions (1) violate constitutional or statutory provisions; (2) exceed statutory authority; or (3) were (a) made using an unlawful procedure, (b) affected by other error of law, (c) clearly erroneous, or (d) arbitrary or capricious.

The bill instead requires a court to consider an appeal from either a teacher or the BOE under the law for appeals of arbitration awards. Under this law, a court must confirm an award unless it vacates or modifies it (CGS § 52-417). The court generally must vacate an award if (1) it was made through corruption, fraud, or undue means; (2) it was evident the arbitrator was partial or corrupt; (3) the arbitrator was guilty of misconduct by refusing to postpone the hearing or in refusing to hear pertinent and material evidence; or (4) the arbitrator exceeded his or her powers, or so imperfectly executed them, that a mutual, final, and definite award was not made (CGS § 52-418).

A court must modify an award if (1) there was an evident material

miscalculation of figures or an evident material mistake in the description of something referred to in the award; (2) the arbitrator awarded for a matter not submitted for arbitration, unless it does not affect the merits of the decision; or (3) the award is imperfect in matter of form not affecting the merits of the controversy (CGS § 52-419).

Current law prohibits a court from awarding costs to a teacher appealing his or her termination unless it finds that the BOE acted with gross negligence, in bad faith, or with malice in its original decision. The bill removes this limitation, and the arbitration standards used under the bill do not explicitly allow costs to be awarded to either party.

**BACKGROUND**

***Related Bill***

sHB 5003, § 9, reported favorably by the Labor and Public Employees Committee, is substantially similar to this bill.

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9      Nay 4      (03/17/2026)