



General Assembly

January Session, 2017

Governor's Bill No. 786

LCO No. 3635



* 0 3 6 3 5 *

Referred to Committee on EDUCATION

Introduced by:

SEN. LOONEY, 11th Dist.

SEN. DUFF, 25th Dist.

REP. ARESIMOWICZ, 30th Dist.

REP. RITTER M., 1st Dist.

**AN ACT CONCERNING EDUCATION MANDATE RELIEF,
TRANSPARENCY AND REGIONAL INCENTIVES.**

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

1 Section 1. Section 10-15 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2017*):

3 Public schools including kindergartens shall be maintained in each
4 town for at least one hundred eighty days of actual school sessions
5 during each school year, and for the school year commencing July 1,
6 2014, and each school year thereafter, in accordance with the
7 provisions of section 10-66q. When public school sessions are cancelled
8 for reasons of inclement weather or otherwise, the rescheduled
9 sessions shall not be held on Saturday or Sunday. Public schools may
10 conduct weekend education programs to provide supplemental and
11 remedial services to students. A local or regional board of education

12 for a school that has been designated as a low achieving school
13 pursuant to subparagraph (A) of subdivision (1) of subsection (e) of
14 section 10-223e, or a category four school or a category five school
15 pursuant to said section 10-223e, may increase the number of actual
16 school sessions during each year, and may increase the number of
17 hours of actual school work per school session in order to improve
18 student performance and remove the school from the list of schools
19 designated as a low achieving school maintained by the State Board of
20 Education. The State Board of Education (1) may authorize the
21 shortening of any school year for a school district, a school or a portion
22 of a school on account of an unavoidable emergency, and (2) may
23 authorize implementation of scheduling of school sessions to permit
24 full year use of facilities which may not offer each child one hundred
25 eighty days of school sessions within a given school year, but which
26 assures an opportunity for each child to average a minimum of one
27 hundred eighty days of school sessions per year during thirteen years
28 of educational opportunity in the elementary and secondary schools.
29 Notwithstanding the provisions of this section and section 10-16, the
30 State Board of Education may, upon application by a local or regional
31 board of education for a town that has not been designated as an
32 alliance district, as defined in section 10-262u, approve, [for any single
33 school year,] in whole or in part, a plan to implement alternative
34 scheduling of school sessions which assures at least four hundred fifty
35 hours of actual school work during the school year for nursery schools
36 and half-day kindergartens and at least nine hundred hours of actual
37 school work during the school year for full-day kindergartens and
38 grades one to twelve, inclusive.

39 Sec. 2. Section 10-16l of the general statutes is repealed and the
40 following is substituted in lieu thereof (*Effective July 1, 2017*):

41 Notwithstanding any provision of the general statutes to the
42 contrary, a local or regional board of education may establish for any
43 school year a firm graduation date for students in grade twelve which
44 is no earlier than the one hundred eighty-fifth day noted in the school

45 calendar originally adopted by the board for that school year, except
46 [that] (1) a board, on or after April first in any school year, may
47 establish such a firm graduation date for that school year which at the
48 time of such establishment provides for at least one hundred eighty
49 days of school, and (2) a board that has been granted a waiver
50 pursuant to section 10-15, as amended by this act, may establish such a
51 firm graduation date that is in accordance with the plan approved
52 pursuant to said section 10-15.

53 Sec. 3. Subsection (c) of section 10-145b of the general statutes is
54 repealed and the following is substituted in lieu thereof (*Effective July*
55 *1, 2017*):

56 (c) (1) The State Board of Education, upon request of a local or
57 regional board of education, shall issue a temporary [ninety-day] one-
58 hundred-eighty-day certificate to any applicant in the certification
59 endorsement areas of elementary education, middle grades education,
60 secondary academic subjects, special subjects or fields, special
61 education, early childhood education and administration and
62 supervision, or in the certification endorsement areas corresponding to
63 teacher shortage areas, as determined by the Commissioner of
64 Education pursuant to section 10-8b, when the following conditions
65 are met:

66 (A) The employing agent of a board of education makes a written
67 request for the issuance of such certificate and attests to the existence
68 of a special plan for supervision of temporary [ninety-day] one-
69 hundred-eighty-day certificate holders;

70 (B) The applicant meets the following requirements, except as
71 otherwise provided in subparagraph (C) of this subdivision:

72 (i) Holds a bachelor's degree from an institution of higher education
73 accredited by the Board of Regents for Higher Education or Office of
74 Higher Education or regionally accredited with a major either in or
75 closely related to the certification endorsement area in which the

76 requesting board of education is placing the applicant or, in the case of
77 secondary or special subject or field endorsement area, possesses at
78 least the minimum total number of semester hours of credit required
79 for the content area, except as provided in section 10-145l;

80 (ii) Has met the requirements pursuant to subsection (b) of section
81 10-145f;

82 (iii) Presents a written application on such forms as the
83 Commissioner of Education shall prescribe;

84 (iv) Has [successfully completed] enrolled in an alternate route to
85 certification program provided by the Board of Regents for Higher
86 Education or the Office of Higher Education or public or independent
87 institutions of higher education, regional educational service centers or
88 private teacher or administrator training organizations and approved
89 by the State Board of Education;

90 (v) Possesses an undergraduate college overall grade point average
91 of at least "B" or, if the applicant has completed at least twenty-four
92 hours of graduate credit, possesses a graduate grade point average of
93 at least "B"; and

94 (vi) Presents supporting evidence of appropriate experience
95 working with children; and

96 (C) The Commissioner of Education may waive the requirements of
97 subparagraphs (B)(v) or (B)(vi), or both, of this subdivision upon a
98 showing of good cause.

99 (2) A person serving under a temporary [ninety-day] one-hundred-
100 eighty-day certificate shall participate in a beginning support and
101 assessment program pursuant to section 10-220a, as amended by this
102 act, which is specifically designed by the state Department of
103 Education for holders of temporary [ninety-day] one-hundred-eighty-
104 day certificates.

105 (3) Notwithstanding the provisions of subsection (a) of this section
106 to the contrary, on and after July 1, 1989, the State Board of Education,
107 upon receipt of a proper application, shall issue an initial educator
108 certificate, which shall be valid for three years, to any person who has
109 taught successfully while holding a temporary [ninety-day] one-
110 hundred-eighty-day certificate and meets the requirements established
111 in regulations adopted pursuant to section 10-145d.

112 (4) A temporary one-hundred-eighty-day certificate shall be valid
113 for one hundred eighty days, concurrent with the school year, and may
114 be renewed once upon request of a local or regional board of education
115 for a consecutive, concurrent school year, provided the request is made
116 prior to the expiration of the one-hundred-eighty-day certificate.

117 Sec. 4. Subsection (a) of section 10-16b of the general statutes is
118 repealed and the following is substituted in lieu thereof (*Effective July*
119 *1, 2017*):

120 (a) In the public schools the program of instruction offered shall
121 [include at least] be in accordance with any standards adopted or
122 curriculum guides prepared by the State Board of Education, pursuant
123 to section 10-4. Such instruction shall be in the following subject
124 matter, as taught by legally qualified teachers, [the arts;] career
125 education; consumer education; health and safety, including, but not
126 limited to, human growth and development, nutrition, first aid,
127 including cardiopulmonary resuscitation training in accordance with
128 the provisions of section 10-16qq, disease prevention and cancer
129 awareness, including, but not limited to, age and developmentally
130 appropriate instruction in performing self-examinations for the
131 purposes of screening for breast cancer and testicular cancer,
132 community and consumer health, physical, mental and emotional
133 health, including youth suicide prevention, substance abuse
134 prevention, safety, [which shall include] including the safe use of
135 social media, as defined in section 9-601, [and may include] the
136 dangers of gang membership, and accident prevention; the arts;

137 language arts, including reading, writing, grammar, speaking and
138 spelling; mathematics; physical education; science; social studies,
139 including, but not limited to, citizenship, economics, geography,
140 government and history; computer programming instruction; and in
141 addition, on at least the secondary level, one or more world languages
142 and vocational education. For purposes of this subsection, world
143 languages shall include American Sign Language, provided such
144 subject matter is taught by a qualified instructor under the supervision
145 of a teacher who holds a certificate issued by the State Board of
146 Education. For purposes of this subsection, the "arts" means any form
147 of visual or performing arts, which may include, but not be limited to,
148 dance, music, art and theatre.

149 Sec. 5. Subdivision (2) of subsection (a) of section 10-198c of the
150 general statutes is repealed and the following is substituted in lieu
151 thereof (*Effective July 1, 2017*):

152 (2) "Absence" means [(A)] an excused absence, unexcused absence
153 or disciplinary absence, as those terms are defined by the State Board
154 of Education pursuant to section 10-198b; [, or (B) an in-school
155 suspension, as defined in section 10-233a, that is greater than or equal
156 to one-half of a school day;]

157 Sec. 6. Section 10-157 of the general statutes is repealed and the
158 following is substituted in lieu thereof (*Effective July 1, 2017*):

159 (a) Any local or regional board of education for a town or towns
160 with a population, as defined in section 10-262f, greater than six
161 thousand or greater than five hundred students enrolled in a public
162 school under the jurisdiction of such board of education shall provide
163 for the supervision of the schools under its control by a superintendent
164 who shall serve as the chief executive officer of the board. The
165 superintendent shall have executive authority over the school system
166 and the responsibility for its supervision. Employment of a
167 superintendent shall be by election of the board of education. Except as

168 provided in subsection (b) of this section, no person shall assume the
169 duties and responsibilities of the superintendent until the board
170 receives written confirmation from the Commissioner of Education
171 that the person to be employed is properly certified or has had such
172 certification waived by the commissioner pursuant to subsection (c) of
173 this section. The commissioner shall inform any such board, in writing,
174 of the proper certification, waiver of certification or lack of certification
175 or waiver of any such person not later than fourteen days after the
176 name of such person is submitted to the commissioner pursuant to
177 section 10-226. A majority vote of all members of the board shall be
178 necessary to an election, and the board shall fix the salary of the
179 superintendent and the term of office. [, which shall not exceed three
180 years.] Upon election and notification of employment or
181 reemployment, the superintendent may request and the board shall
182 provide a written contract of employment which includes, but is not
183 limited to, the salary, employment benefits and term of office of such
184 superintendent. Such superintendent shall, at least three weeks before
185 the annual town or regional school district meeting, submit to the
186 board a full written report of the proceedings of such board and of the
187 condition of the several schools during the school year preceding, with
188 plans and suggestions for their improvement. The board of education
189 shall evaluate the performance of the superintendent annually in
190 accordance with guidelines and criteria mutually determined and
191 agreed to by such board and such superintendent.

192 (b) A local or regional board of education may appoint as acting
193 superintendent a person who is or is not properly certified for a
194 probationary period, not to exceed one school year, with the approval
195 of the Commissioner of Education. During such probationary period
196 such acting superintendent shall assume all duties of the
197 superintendent for the time specified and shall successfully complete a
198 school leadership program, approved by the State Board of Education,
199 offered at a public or private institution of higher education in the
200 state. At the conclusion of such probationary period, such appointing

201 local or regional board of education may request the commissioner to
202 grant a waiver of certification for such acting superintendent pursuant
203 to subsection (c) of this section.

204 (c) The commissioner may, upon request of an employing local or
205 regional board of education, grant a waiver of certification to a person
206 (1) who has successfully completed at least three years of experience as
207 a certified administrator with a superintendent certificate issued by
208 another state in a public school in another state during the ten-year
209 period prior to the date of application, or (2) who has successfully
210 completed a probationary period as an acting superintendent pursuant
211 to subsection (b) of this section, and who the commissioner deems to
212 be exceptionally qualified for the position of superintendent.

213 (d) Any local or regional board of education for a town or towns
214 with a population, as defined in section 10-262f, of six thousand or
215 fewer or five hundred students enrolled in a public school under the
216 jurisdiction of such board of education or fewer may provide for the
217 supervision of the schools under its control by a district manager who
218 shall serve as the chief executive officer of the board. The district
219 manager shall have executive authority over the school system and the
220 responsibility for its supervision. The Commissioner of Education shall
221 establish qualifications for the position of district manager.

222 Sec. 7. Section 10-157a of the general statutes is repealed and the
223 following is substituted in lieu thereof (*Effective July 1, 2017*):

224 (a) Notwithstanding any provisions of the general statutes to the
225 contrary, the boards of education of any two or more towns, or the
226 board of education of any regional school district and the board of
227 education of one or more of the towns comprising the district, or a
228 committee formed and authorized by agreement of such boards on
229 behalf of such boards may jointly employ a superintendent of schools,
230 and said superintendent of schools shall have the powers and duties
231 for each of said boards as provided in section 10-157, as amended by

232 this act. Such boards of education or such committee shall specify in a
233 written agreement the term of office of such superintendent [, which
234 shall not exceed three years,] and the proportionate share and limits of
235 authorized expenditures for the salary of such superintendent and
236 other necessary expenses, and any other pertinent matters, and shall
237 provide for the evaluation of the superintendent pursuant to section
238 10-157, as amended by this act. Any agreement authorizing the
239 employment of a superintendent pursuant to this section shall include,
240 but not be limited to, the duties of the committee, the membership of
241 the committee, the voting requirements for action, and provision for
242 termination of the agreement.

243 (b) Any board of education may withdraw from any agreement
244 entered into under subsection (a) of this section if, at least one year
245 prior to the date of proposed withdrawal, it gives written notice of its
246 intent to do so to each of the other boards.

247 (c) Notwithstanding the provisions of any special act, municipal
248 charter, local ordinance, home rule ordinance or other ordinance, or
249 the provisions of chapters 170 and 171, any board of education that
250 jointly employs a superintendent of schools under this section may
251 reduce the number of board meetings it holds or hold joint meetings
252 with any of the other boards of education that are jointly employing
253 such superintendent for the purpose of reducing the expenses of such
254 boards of education and aligning the provision of education by such
255 boards of education.

256 Sec. 8. Subsection (a) of section 10-158a of the general statutes is
257 repealed and the following is substituted in lieu thereof (*Effective July*
258 *1, 2017*):

259 (a) Any two or more boards of education may, in writing, agree to
260 establish cooperative arrangements to provide administration and
261 central office duties, school accommodations services, programs or
262 activities, special education services, health care services or alternative

263 education, as defined in section 10-74j, to enable such boards to carry
264 out the duties specified in the general statutes. Such arrangements may
265 include the establishment of a committee to supervise such programs,
266 the membership of the committee to be determined by the agreement
267 of the cooperating boards. Such committee shall have the power, in
268 accordance with the terms of the agreement, to (1) apply for, receive
269 directly and expend on behalf of the school districts which have
270 designated the committee an agent for such purpose any state or
271 federal grants which may be allocated to school districts for specified
272 programs, the supervision of which has been delegated to such
273 committee, provided such grants are payable before implementation of
274 any such program or are to reimburse the committee pursuant to
275 subsection (d) of this section for transportation provided to a school
276 operated by a cooperative arrangement; (2) receive and disburse funds
277 appropriated to the use of such committee by the cooperating school
278 districts, the state or the United States, or given to the committee by
279 individuals or private corporations; (3) hold title to real or personal
280 property in trust, or as otherwise agreed to by the parties, for the
281 appointing boards; (4) employ personnel; (5) enter into contracts; and
282 (6) otherwise provide the specified programs, services and activities.
283 Teachers employed by any such committee shall be subject to the
284 provisions of the general statutes applicable to teachers employed by
285 the board of education of any town or regional school district. For
286 purposes of this section, the term "teacher" shall include each
287 professional employee of a committee below the rank of
288 superintendent who holds a regular certificate issued by the State
289 Board of Education and who is in a position requiring such
290 certification.

291 Sec. 9. Subsection (a) of section 10-220a of the general statutes is
292 repealed and the following is substituted in lieu thereof (*Effective July*
293 *1, 2017*):

294 (a) Each local or regional board of education shall provide an in-
295 service training program for its teachers, administrators and pupil

296 personnel who hold the initial educator, provisional educator or
297 professional educator certificate as appropriate for the educational
298 assignment of each such teacher, administrator and pupil personnel,
299 and in accordance with guidance provided by the Department of
300 Education. Such program shall provide such teachers, administrators
301 and pupil personnel with [information] training based on (1)
302 curriculum, (2) needs identified by the professional development and
303 evaluation committee, established pursuant to subsection (b) of this
304 section, and (3) professional learning and effective teaching methods
305 consistent with the program of professional development described in
306 section 10-148a. Such program shall provide information to the
307 appropriate teacher, administrator or pupil personnel in an
308 appropriate time frame on [(1)] (A) the nature and the relationship of
309 drugs, as defined in subdivision (17) of section 21a-240, and alcohol to
310 health and personality development, and procedures for discouraging
311 their abuse, [(2)] (B) health and mental health risk reduction education
312 that includes, but need not be limited to, the prevention of risk-taking
313 behavior by children and the relationship of such behavior to
314 substance abuse, pregnancy, sexually transmitted diseases, including
315 HIV-infection and AIDS, as defined in section 19a-581, violence, teen
316 dating violence, domestic violence, child abuse and youth suicide, [(3)]
317 (C) the growth and development of exceptional children, including
318 handicapped and gifted and talented children and children who may
319 require special education, including, but not limited to, children with
320 attention-deficit hyperactivity disorder or learning disabilities, and
321 methods for identifying, planning for and working effectively with
322 special needs children in a regular classroom, including, but not
323 limited to, implementation of student individualized education
324 programs, [(4)] (D) school violence prevention, conflict resolution, the
325 prevention of and response to youth suicide and the identification and
326 prevention of and response to bullying, as defined in subsection (a) of
327 section 10-222d, except that those boards of education that implement
328 any evidence-based model approach that is approved by the
329 Department of Education and is consistent with subsection (d) of

330 section 10-145a, sections 10-222d, 10-222g and 10-222h, subsection (g)
331 of section 10-233c and sections 1 and 3 of public act 08-160, shall not be
332 required to provide in-service training on the identification and
333 prevention of and response to bullying, [(5)] (E) cardiopulmonary
334 resuscitation and other emergency life saving procedures, [(6)] (F)
335 computer and other information technology as applied to student
336 learning and classroom instruction, communications and data
337 management, [(7)] (G) the teaching of the language arts, reading and
338 reading readiness for teachers in grades kindergarten to three,
339 inclusive, [(8)] (H) second language acquisition in districts required to
340 provide a program of bilingual education pursuant to section 10-17f,
341 [(9)] (I) the requirements and obligations of a mandated reporter, [(10)]
342 (J) the teacher evaluation and support program adopted pursuant to
343 subsection (b) of section 10-151b, [(11)] (K) the detection and
344 recognition of, and evidence-based structured literacy interventions
345 for, students with dyslexia, as defined in section 10-3d, and [(12)] (L)
346 cultural competency consistent with the training in cultural
347 competency described in subsection (i) of section 10-145a. Each local
348 and regional board of education may allow any paraprofessional or
349 noncertified employee to participate, on a voluntary basis, in any in-
350 service training program provided pursuant to this section. The State
351 Board of Education, within available appropriations and utilizing
352 available materials, shall assist and encourage local and regional
353 boards of education to include: [(A)] (i) Holocaust and genocide
354 education and awareness; [(B)] (ii) the historical events surrounding
355 the Great Famine in Ireland; [(C)] (iii) African-American history; [(D)]
356 (iv) Puerto Rican history; [(E)] (v) Native American history; [(F)] (vi)
357 personal financial management; [(G)] (vii) domestic violence and teen
358 dating violence; [(H)] (viii) mental health first aid training; [(I)] (ix)
359 trauma-informed practices for the school setting to enable teachers,
360 administrators and pupil personnel to more adequately respond to
361 students with mental, emotional or behavioral health needs; [(J)] (x)
362 second language acquisition, including, but not limited to, language
363 development and culturally responsive pedagogy; and [(K)] (xi) topics

364 approved by the state board upon the request of local or regional
365 boards of education as part of in-service training programs pursuant to
366 this subsection.

367 Sec. 10. Section 10-66b of the general statutes is repealed and the
368 following is substituted in lieu thereof (*Effective July 1, 2017*):

369 The operation and management of any regional educational service
370 center shall be the responsibility of the board of such center to be
371 composed of the Commissioner of Education, or the commissioner's
372 designee, and at least one member from each participating board of
373 education, selected by such board of education. The board of the
374 regional educational service center may designate from its
375 membership an executive board which shall have such powers as the
376 board of the regional educational service center may delegate and
377 which are consistent with this part. The term of office of members of
378 the board of the regional educational service center shall not exceed
379 four years. Members of the board of the regional educational service
380 center shall receive no compensation for services rendered as such, but
381 may be reimbursed for necessary expenses in the course of their duties.
382 The director of the regional educational service center shall serve as
383 the executive agent of the board of the regional educational service
384 center.

385 Sec. 11. Section 10-15e of the general statutes is repealed and the
386 following is substituted in lieu thereof (*Effective July 1, 2017*):

387 (a) All provisions of the general statutes concerning teachers shall
388 apply to teachers employed by incorporated or endowed high schools
389 or academies approved under the provisions of section 10-34. Teachers
390 who are not certified and employed by such high schools or academies
391 prior to June 30, 1983, shall be excluded from the provisions of this
392 section until certified.

393 (b) All provisions of the general statutes concerning education,
394 except those provisions relating to the eligibility for noncompetitive

395 state aid unless otherwise provided, shall apply to the operation of an
396 incorporated or endowed high school or academy.

397 Sec. 12. Section 10-34 of the general statutes is repealed and the
398 following is substituted in lieu thereof (*Effective July 1, 2017*):

399 (a) The State Board of Education may examine any incorporated or
400 endowed high school or academy in this state and, if it appears that
401 such school or academy meets the requirements of the State Board of
402 Education for the approval of public high schools, said board may
403 approve such school or academy under the provisions of this part, and
404 any town in which a high school is not maintained shall pay the whole
405 of the tuition fees of pupils attending such school or academy, except if
406 it is a school under ecclesiastical control.

407 (b) Each incorporated or endowed high school or academy
408 approved by the State Board of Education shall be operated by a
409 governing board. The membership of such governing board shall
410 include, but need not be limited to, a representative selected by each
411 local or regional board of education that sends more than fifty students
412 to such incorporated or endowed high school or academy. Such
413 representative may be the superintendent of schools employed by such
414 board of education.

415 (c) The governing board of each incorporated or endowed high
416 school or academy approved by the State Board of Education shall post
417 on any Internet web site that the governing board operates the (1)
418 schedule, (2) agenda, and (3) minutes of each meeting, including any
419 meeting of subcommittees of the governing board.

420 (d) Each incorporated or endowed high school or academy
421 approved by the State Board of Education shall submit annually, to the
422 Commissioner of Education, (1) a certified audit statement of all
423 revenues from public and private sources and expenditures related to
424 such governing board's function as a governing board of an
425 incorporated or endowed high school or academy in this state, and (2)

426 a complete copy of such governing board's most recently completed
 427 Internal Revenue Service form 990, including all parts and schedules,
 428 other than Schedule B of such form.

429 (e) The Commissioner of Education shall post any reports, certified
 430 audit statements and forms submitted to the Department of Education
 431 regarding an incorporated or endowed high school or academy
 432 approved by the State Board of Education on the department's Internet
 433 web site not later than thirty days after receiving such reports,
 434 statements or forms. The commissioner shall identify any governing
 435 board of an incorporated or endowed high school or academy that did
 436 not submit a report, certified audit statement or form for the current
 437 reporting period and post such information on the department's
 438 Internet web site not later than thirty days after failing to receive such
 439 reports, statements or forms.

440 (f) Prior to the adoption of an annual budget by the governing board
 441 of an incorporated or endowed high school or academy approved by
 442 the State Board of Education, the sections of such budget that receive
 443 public funds shall be (1) reviewed by the local and regional boards of
 444 education that send students to such incorporated or endowed high
 445 school or academy, and (2) subject to a public hearing.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2017	10-15
Sec. 2	July 1, 2017	10-16l
Sec. 3	July 1, 2017	10-145b(c)
Sec. 4	July 1, 2017	10-16b(a)
Sec. 5	July 1, 2017	10-198c(a)(2)
Sec. 6	July 1, 2017	10-157
Sec. 7	July 1, 2017	10-157a
Sec. 8	July 1, 2017	10-158a(a)
Sec. 9	July 1, 2017	10-220a(a)
Sec. 10	July 1, 2017	10-66b
Sec. 11	July 1, 2017	10-15e

Sec. 12	July 1, 2017	10-34
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Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]