



General Assembly

Amendment

February Session, 2000

LCO No. 5353

Offered by:

REP. HEAGNEY, 16th Dist.
REP. BOUGHTON, 138th Dist.
REP. KLARIDES, 114th Dist.
REP. SHEA, 112th Dist.
REP. SCRIBNER, 107th Dist.
REP. BLACKWELL, 12th Dist.
REP. DELGOBBO, 70th Dist.
REP. FREY, 111th Dist

REP. GARVEY, 67th Dist.
REP. O'NEILL, 69th Dist.
REP. STONE, 134th Dist.
REP. ROWE, 123rd Dist.
REP. FLAHERTY, 68th Dist.
REP. SAN ANGELO, 131st Dist.
REP. TYMNIAK, 133rd Dist.
REP. RORABACK, 64th Dist.

To: Subst. House Bill No. 5737 File No. 523 Cal. No. 416

(As Amended)

"An Act Concerning Underperforming Schools And School Readiness."

1 Strike section 75 in its entirety and insert the following in lieu
2 thereof:

3 "Sec. 75. Section 10-76g of the general statutes is repealed and the
4 following is substituted in lieu thereof:

5 (a) (1) For the fiscal year ending June 30, 1984, and each fiscal year
6 thereafter, in any case in which special education is being provided at
7 a private residential institution, including the residential components
8 of regional educational service centers, to a child for whom no local or

9 regional board of education can be found responsible under subsection
10 (b) of section 10-76d, the Department of Children and Families shall
11 pay the costs of special education to such institution pursuant to its
12 authority under sections 17a-1 to 17a-26, inclusive, 17a-28 to 17a-50,
13 inclusive, and 17a-52. (2) For the fiscal year ending June 30, 1993, and
14 each fiscal year thereafter, any local or regional board of education
15 which provides special education and related services for any child (A)
16 who is placed by a state agency in a private residential facility or who
17 is placed in a facility or institution operated by the Department of
18 Children and Families and who receives such special education at a
19 program operated by a regional education service center or program
20 operated by a local or regional board of education, and (B) for whom
21 no local or regional board of education can be found responsible under
22 subsection (b) of section 10-76d, shall be eligible to receive one
23 hundred per cent of the reasonable costs of special education for such
24 child as defined in the regulations of the State Board of Education. Any
25 such board eligible for payment shall file with the state Department of
26 Education, in such manner as prescribed by the Commissioner of
27 Education, annually, on or before December first a statement of the
28 cost of providing special education for such child, provided a board of
29 education may submit, not later than February first, claims for
30 additional children or costs not included in the December filing.
31 Payment by the state for such costs shall be made to the local or
32 regional board of education as follows: Seventy-five per cent of the
33 cost in February and the balance in April.

34 (b) (1) Any local or regional board of education which provides
35 special education pursuant to the provisions of sections 10-76a to 10-
36 76g, inclusive, for any exceptional child described in subparagraph (A)
37 of subdivision (5) of section 10-76a, under its jurisdiction, excluding
38 ~~[(1)]~~ children placed by a state agency for whom a board of education
39 receives payment pursuant to the provisions of subdivision (2) of
40 subsection (e) of section 10-76d, and ~~[(2)]~~ children who require special
41 education, who reside on state-owned or leased property or in
42 permanent family residences, as defined in section 17a-154, and who

43 are not the educational responsibility of the unified school districts
44 established pursuant to sections 17a-37, 17a-240 and 18-99a, shall be
45 financially responsible for the reasonable costs of special education
46 instruction, as defined in the regulations of the State Board of
47 Education, in an amount equal to five times the average per pupil
48 educational costs of such board of education for the prior fiscal year,
49 determined in accordance with the provisions of subsection (a) of
50 section 10-76f, except as provided in subdivision (2) of this subsection.
51 The State Board of Education shall pay on a current basis any costs in
52 excess of the local or regional boards' basic contribution paid by such
53 board in accordance with the provisions of this subsection. Any
54 amounts paid by the State Board of Education on a current basis
55 pursuant to this subsection shall not be reimbursable in the subsequent
56 year. Application for such grant shall be made by filing with the
57 Department of Education, in such manner as prescribed by the
58 commissioner, annually on or before December first a statement of the
59 cost of providing special education pursuant to this subsection,
60 provided a board of education may submit, not later than February
61 first, claims for additional children or costs not included in the
62 December filing. Payment by the state for such excess costs shall be
63 made to the local or regional board of education as follows: Seventy-
64 five per cent of the cost in February and the balance in April. The
65 amount due each town pursuant to the provisions of this subsection
66 shall be paid to the treasurer of each town entitled to such aid,
67 provided the treasurer shall treat such grant, or a portion of the grant,
68 which relates to special education expenditures incurred in excess of
69 such town's board of education budgeted estimate of such
70 expenditures, as a reduction in expenditures by crediting such
71 expenditure account, rather than town revenue.

72 (2) (A) The State Board of Education shall provide grants, within
73 available appropriations and on a pro rata basis, to local and regional
74 boards of education for special education costs pursuant to subdivision
75 (1) of this subsection for a student that are at least four times the
76 average per pupil educational costs of such board of education for the

77 prior fiscal year but less than five times such average per pupil
78 educational costs. Local and regional boards of education shall apply
79 for such grants at such time and in such manner as the Commissioner
80 of Education prescribes.

81 (B) For the fiscal year ending June 30, 2001, in addition to the
82 amount appropriated for purposes of this subdivision, the department
83 shall use any funds appropriated for purposes of subsection (c) of this
84 section, revision of 1958, revised to 1999, for grants pursuant to this
85 subdivision.

86 [(c) Commencing with the fiscal year ending June 30, 1996, and for
87 each fiscal year thereafter, within available appropriations, each town
88 whose ratio of (1) net costs of special education, as defined in
89 subsection (h) of section 10-76f, for the fiscal year prior to the year in
90 which the grant is to be paid to (2) the product of its total need
91 students, as defined in section 10-262f, and the average regular
92 program expenditures, as defined in section 10-262f, per need student
93 for all towns for such year exceeds the state-wide average for all such
94 ratios shall be eligible to receive a supplemental special education
95 grant. Such grant shall be equal to the product of a town's eligible
96 excess costs and the town's base aid ratio, as defined in section 10-262f,
97 provided each town's grant shall be adjusted proportionately if
98 necessary to stay within the appropriation. Payment pursuant to this
99 subsection shall be made in June. For purposes of this subsection, a
100 town's eligible excess costs are the difference between its net costs of
101 special education and the amount the town would have expended if it
102 spent at the state-wide average rate.]

103 Sec. 76. This act shall take effect from its passage except that sections
104 1 to 19, inclusive, 21, 23 to 36, inclusive, 38 to 53, inclusive, 55 to 61,
105 inclusive, 63 to 69, inclusive, 71, and 73 to 75, inclusive, shall take effect
106 July 1, 2000."