



# House of Representatives

**File No. 677**

General Assembly

February Session, 2000

**(Reprint of File No. 351)**

Substitute House Bill No. 5317  
As Amended by House  
Amendment Schedules "B" and "C"

Approved by the Legislative Commissioner  
April 28, 2000

## ***An Act Concerning Revisions To The Education Statutes.***

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

1 Section 1. (NEW) When a student enrolls in a school in a new school  
2 district, the new school district shall provide written notification of  
3 such enrolment to the school district in which the student previously  
4 attended school. The school district in which the student previously  
5 attended school (1) shall transfer the student's education records to the  
6 new school district no later than ten days after receipt of such  
7 notification and (2) if the student's parent or guardian did not give  
8 written authorization for the transfer of such records, shall send  
9 notification of the transfer to the parent or guardian at the same time  
10 that it transfers the records.

11 Sec. 2. Subsection (a) of section 10-4o of the general statutes is  
12 repealed and the following is substituted in lieu thereof:

13 (a) The Department of Education, in conjunction with the  
14 Department of Social Services, shall coordinate a family resource  
15 center program to provide comprehensive child care services, remedial

16 educational and literacy services, families-in-training programs and  
17 supportive services to parents who are recipients of temporary family  
18 assistance and other parents in need of such services. The family  
19 resource centers shall be located in or associated with public schools,  
20 and, any family resource center established on or after July 1, 2000,  
21 shall be located in a public elementary school unless the Commissioner  
22 of Education waives such requirement. The [Commissioner of  
23 Education] commissioner shall determine the manner in which the  
24 grant recipients of such program, such as municipalities, boards of  
25 education and child care providers shall be selected. The family  
26 resource center shall provide: (1) Quality full-day child care and school  
27 readiness programs for children age three and older who are not  
28 enrolled in school and child care for children enrolled in school up to  
29 the age of twelve for before and after regular school hours and on a  
30 full-day basis during school holidays and school vacation, in  
31 compliance with all state statutes and regulations governing child day  
32 care and, in the case of the school readiness programs, in compliance  
33 with the standards set for such programs pursuant to section 10-16p,  
34 as amended; (2) support services to parents of newborn infants to  
35 ascertain their needs and provide them with referrals to other services  
36 and organizations and, if necessary, education in parenting skills to  
37 such parents; (3) support and educational services to parents whose  
38 children are participants of the child care services of the program and  
39 who are interested in obtaining a high school diploma or its  
40 equivalent. Parents and their preschool age children may attend  
41 classes in parenting and child learning skills together so as to promote  
42 the mutual pursuit of education and enhance parent-child interaction;  
43 (4) training, technical assistance and other support by the staff of the  
44 center to family day care providers in the community and serve as an  
45 information and referral system for other child care needs in the  
46 community or coordinate with such systems as may already exist in  
47 the community; (5) a families-in-training program to provide, within  
48 available appropriations, community support services to expectant  
49 parents and parents of children under the age of three. Such services  
50 shall include, but not be limited to, providing information and advice

51 to parents on their child's language, cognitive, social and motor  
52 development, visiting a participant's home on a regular basis,  
53 organizing group meetings at the center for neighborhood parents of  
54 young children and providing a reference center for parents who need  
55 special assistance or services. The program shall provide for the  
56 recruitment of parents to participate in such program; and (6) a sliding  
57 scale of payment, as developed in consultation with the Department of  
58 Social Services, for child care services at the center. The center shall  
59 also provide a teen pregnancy prevention program for adolescents  
60 emphasizing responsible decision-making and communication skills.

61 Sec. 3. Subsection (a) of section 10-17f of the general statutes, as  
62 amended by section 2 of public act 99-211, is repealed and the  
63 following is substituted in lieu thereof:

64 (a) Annually, the board of education for each local and regional  
65 school district shall ascertain, in accordance with regulations adopted  
66 [ ] by the State Board of Education, the eligible students in such school  
67 district and shall classify such students according to their dominant  
68 language.

69 Sec. 4. Section 10-17g of the general statutes, as amended by section  
70 8 of public act 99-211, is repealed and the following is substituted in  
71 lieu thereof:

72 [For the fiscal year ending June 30, 1979, and annually thereafter]  
73 Annually, the board of education for each local and regional school  
74 district that is required to provide a program of bilingual education,  
75 pursuant to section 10-17f, as amended by this act, may make  
76 application to the State Board of Education and shall thereafter receive  
77 a grant in an amount equal to the product obtained by multiplying the  
78 total appropriation available for such purpose by the ratio which the  
79 number of eligible children in the school district bears to the total  
80 number of such eligible children state-wide. The board of education for  
81 each local and regional school district receiving funds pursuant to this  
82 section shall annually, on or before September first, submit to the State

83 Board of Education a progress report which shall include (1) measures  
84 of increased educational opportunities for eligible students, including  
85 language support services and language transition support services  
86 provided to such students, (2) program evaluation and measures of the  
87 effectiveness of its bilingual education and English as a second  
88 language programs, including data on students in bilingual education  
89 programs and students educated exclusively in English as a second  
90 language programs, and (3) certification by the board of education  
91 submitting the report that any funds received pursuant to this section  
92 have been used for the purposes specified. The State Board of  
93 Education shall annually evaluate programs conducted pursuant to  
94 section 10-17f, as amended by this act. For purposes of this section,  
95 measures of the effectiveness of bilingual education and English as a  
96 second language programs include state-wide mastery examination  
97 results and graduation and school dropout rates.

98 Sec. 5. Subsection (i) of section 10-66bb of the general statutes, as  
99 amended by section 5 of public act 99-289, is repealed and the  
100 following is substituted in lieu thereof:

101 (i) The State Board of Education may revoke a charter if a charter  
102 school has failed to: (1) Comply with the terms of probation, including  
103 the failure to file or implement a corrective action plan; (2)  
104 demonstrate satisfactory student progress, as determined by the  
105 commissioner; (3) comply with the terms of its charter or applicable  
106 laws and regulations; or (4) manage its public funds in a prudent or  
107 legal manner. Unless an emergency exists, prior to revoking a charter,  
108 the State Board of Education shall provide the governing council of the  
109 charter school with a written notice of the reasons for the revocation,  
110 including the identification of specific incidents of noncompliance with  
111 the law, regulation or charter or other matters warranting revocation  
112 of the charter. It shall also provide the governing council with the  
113 opportunity to demonstrate compliance with all requirements for the  
114 retention of its charter by providing the State Board of Education or a  
115 subcommittee of the board, as determined by the State Board of  
116 Education, with a written or oral presentation. Such presentation shall

117 include an opportunity for the governing council to present  
118 documentary and testimonial evidence to refute the facts cited by the  
119 State Board of Education for the proposed revocation or in justification  
120 of [their] its activities. Such opportunity shall not constitute a contested  
121 case within the meaning of chapter 54. The State Board of Education  
122 shall determine, not later than thirty days after the date of an oral  
123 presentation or receipt of a written presentation, whether and when  
124 the charter shall be revoked and notify the governing council of the  
125 decision and the reasons therefor. A decision to revoke a charter shall  
126 not constitute a final decision for purposes of chapter 54. In the event  
127 an emergency exists in which the commissioner finds that there is  
128 imminent harm to the students attending a charter school, the State  
129 Board of Education may immediately revoke the charter of the school,  
130 provided the notice concerning the reasons for the revocation is sent to  
131 the governing council not later than ten days after the date of  
132 revocation and the governing council is provided an opportunity to  
133 make a presentation to the board not later than twenty days from the  
134 date of such notice.

135 Sec. 6. Subsection (a) of section 10-76i of the general statutes is  
136 repealed and the following is substituted in lieu thereof:

137 (a) There shall be an Advisory Council for Special Education which  
138 shall advise the General Assembly, State Board of Education and the  
139 Commissioner of Education, and which shall engage in such other  
140 activities as described in this section. Said advisory council shall  
141 consist of the following members: (1) Two appointed by the  
142 Commissioner of Education, one of whom shall be an official of the  
143 Department of Education and one of whom shall be a representative of  
144 an institution of higher education in the state that prepares teacher and  
145 related services personnel; (2) two appointed by the Commissioner of  
146 Mental Retardation, one of whom shall be an official of the department  
147 and one of whom shall be a person with disabilities or a parent of such  
148 a person; (3) two appointed by the Commissioner of Children and  
149 Families, one of whom shall be an official of the department and one of  
150 whom shall be a person with disabilities or a parent or foster parent of

151 such a person; (4) one appointed by the Commissioner of Correction;  
152 (5) four who are members of the General Assembly, one appointed by  
153 the majority leader of the House of Representatives, one appointed by  
154 the minority leader of the House of Representatives, one appointed by  
155 the president pro tempore of the Senate and one appointed by the  
156 minority leader of the Senate; (6) three appointed by the president pro  
157 tempore of the Senate, one of whom shall be a member of the  
158 Connecticut Association of Boards of Education, one of whom shall be  
159 a member of the Connecticut Speech-Language-Hearing Association  
160 and one of whom shall be a person with disabilities or the parent of  
161 such a person; (7) two appointed by the majority leader of the Senate  
162 one of whom shall be a person with disabilities or the parent of such a  
163 person and one of whom shall be a regular education teacher; (8) four  
164 appointed by the minority leader of the Senate, one of whom shall be a  
165 representative of a vocational, community or business organization  
166 concerned with the provision of transitional services to children with  
167 disabilities, one of whom shall be a member of the Connecticut  
168 Association of Private Special Education Facilities and two of whom  
169 shall be persons with disabilities or the parents of such persons; (9)  
170 three appointed by the speaker of the House of Representatives, one of  
171 whom shall be a member of the Connecticut Association of School  
172 Administrators and a local education official, one of whom shall be a  
173 person with disabilities or the parent of such a person and one of  
174 whom shall be a member of the literacy coalition and a person with  
175 disabilities or the parent of such a person; (10) two appointed by the  
176 majority leader of the House of Representatives, one of whom shall be  
177 a [member of the Connecticut Association of Urban Schools] person  
178 working in the field of special education related services and one of  
179 whom shall be a person with disabilities or the parent of such a person;  
180 (11) four appointed by the minority leader of the House of  
181 Representatives, two of whom shall be persons with disabilities or the  
182 parents of such persons, one of whom shall be a member of the  
183 Connecticut Association of Pupil Personnel Administrators and an  
184 administrator of a program for children who require special education,  
185 and one of whom shall be a special education teacher; and (12) eight

186 appointed by the Governor, all of whom shall be persons with  
187 disabilities or parents of such persons and one of whom shall also be  
188 associated with a charter school. The terms of the present members  
189 shall expire on June 30, 1998. Appointments shall be made to the  
190 council by July 1, 1998. Members shall serve two-year terms, except  
191 that members appointed pursuant to subdivisions (1) to (4), inclusive,  
192 and (12) of this subsection whose terms commenced July 1, 1998, shall  
193 serve three-year terms and the successors to such members appointed  
194 pursuant to said subdivisions, shall serve two-year terms.

195 Sec. 7. Subsection (m) of section 10-145b of the general statutes is  
196 repealed and the following is substituted in lieu thereof:

197 (m) The State Board of Education may revoke any certificate issued  
198 pursuant to sections 10-144o to 10-149, inclusive, for any of the  
199 following reasons: (1) The holder of the certificate obtained such  
200 certificate through fraud or misrepresentation of a material fact; (2) the  
201 holder has persistently neglected to perform the duties for which  
202 certification was granted; (3) the holder is professionally unfit to  
203 perform the duties for which certification was granted; (4) the holder is  
204 convicted in a court of law of a crime involving moral turpitude or of  
205 any other crime of such nature that in the opinion of the board  
206 continued certification would impair the standing of certificates issued  
207 by the board; or (5) other due and sufficient cause. The State Board of  
208 Education shall revoke any certificate issued pursuant to said sections  
209 if the holder is found to have intentionally disclosed specific questions  
210 or answers to students or otherwise improperly breached the security  
211 of any administration of a state-wide examination pursuant to section  
212 10-14n. In any revocation proceeding pursuant to this section, the State  
213 Board of Education shall have the burden of establishing the reason for  
214 such revocation by a preponderance of the evidence. Revocation shall  
215 be in accordance with procedures established by the State Board of  
216 Education pursuant to chapter 54. When the Commissioner of  
217 Education is notified, pursuant to section 17a-101i, as amended by this  
218 act, that a person holding a certificate issued by the State Board of  
219 Education under the provisions of sections 10-144o to 10-149, inclusive,

220 has been convicted of a crime involving an act of child abuse or a  
221 violation of section 53a-71 or section 53a-73a, any certificate issued by  
222 the State Board of Education and held by such person shall be deemed  
223 revoked and the commissioner shall notify such person of such  
224 revocation, provided such person may request reconsideration  
225 pursuant to regulations adopted by the State Board of Education, in  
226 accordance with the provisions of chapter 54. The State Board of  
227 Education may deny an application for certification for any of the  
228 following reasons: (A) The applicant seeks to obtain a certificate  
229 through fraud or misrepresentation of a material fact; (B) the applicant  
230 has been convicted in a court of law of a crime involving moral  
231 turpitude or of any other crime of such nature that in the opinion of  
232 the board issuance of a certificate would impair the standing of  
233 certificates issued by the board; or (C) other due and sufficient cause.  
234 Any applicant denied a certificate shall be notified in writing of the  
235 reasons for denial. Any applicant denied a certificate may request a  
236 review of such denial by the State Board of Education.

237 Sec. 8. Subsection (b) of section 10-151b of the general statutes is  
238 repealed and the following is substituted in lieu thereof:

239 (b) Each local and regional board of education shall develop and  
240 implement teacher evaluation programs consistent with guidelines  
241 established by the State Board of Education and consistent with the  
242 plan developed in accordance with the provisions of [subdivision (2)  
243 of] subsection (b) of section 10-220a, as amended by this act.

244 Sec. 9. Subdivision (2) of subsection (c) of section 10-153f of the  
245 general statutes is repealed and the following is substituted in lieu  
246 thereof:

247 (2) The chairperson of the arbitration panel or the single arbitrator  
248 shall set the date, time and place for a hearing to be held in the school  
249 district between the fifth and twelfth day, inclusive, after such  
250 chairperson or such single arbitrator is selected. At least five days prior  
251 to such hearing, a written notice of the date, time and place of the

252 hearing shall be sent to the board of education and the representative  
253 organization which are parties to the dispute, and, if a three-member  
254 arbitration panel is selected or designated, to the other members of  
255 such panel. Such written notice shall also be sent, by registered mail,  
256 return receipt requested, to the fiscal authority having budgetary  
257 responsibility or charged with making appropriations for the school  
258 district, and a representative designated by such body may be heard at  
259 the hearing as part of the presentation and participation of the board of  
260 education. At the hearing each party shall have full opportunity to  
261 submit all relevant evidence, to introduce relevant documents and  
262 written material, and to argue on behalf of its positions. At the hearing  
263 a representative of the fiscal authority having budgetary responsibility  
264 or charged with making appropriations for the school district shall be  
265 heard regarding the financial capability of the school district, unless  
266 such opportunity to be heard is waived by the fiscal authority. The  
267 nonappearance of the representative shall constitute a waiver of the  
268 opportunity to be heard unless there is a showing that proper notice  
269 was not given to the fiscal authority. The chairperson of the arbitration  
270 panel or the single arbitrator shall preside over such hearing.

271 Sec. 10. Subsection (a) of section 10-220a of the general statutes is  
272 repealed and the following is substituted in lieu thereof:

273 (a) Each local or regional board of education shall provide an in-  
274 service training program for its teachers, administrators and pupil  
275 personnel who hold the initial educator, provisional educator or  
276 professional educator certificate. Such program shall [be submitted to  
277 the Commissioner of Education and shall] provide such teachers,  
278 administrators and pupil personnel with information on (1) the nature  
279 and the relationship of drugs, as defined in subdivision (17) of section  
280 21a-240, and alcohol to health and personality development, and  
281 procedures for discouraging their abuse, (2) health and mental health  
282 risk reduction education which includes, but need not be limited to,  
283 the prevention of risk-taking behavior by children and the relationship  
284 of such behavior to substance abuse, pregnancy, sexually transmitted  
285 diseases, including HIV-infection and AIDS, as defined in section 19a-

286 581, violence, child abuse and youth suicide, (3) the growth and  
287 development of exceptional children, including handicapped and  
288 gifted and talented children and children who may require special  
289 education, and methods for identifying, planning for and working  
290 effectively with special needs children in a regular classroom, (4)  
291 school violence prevention and conflict resolution, (5)  
292 cardiopulmonary resuscitation and other emergency life saving  
293 procedures, (6) computer and other information technology as applied  
294 to student learning and classroom instruction, communications and  
295 data management, and (7) the teaching of the language arts, reading  
296 and reading readiness for teachers in grades kindergarten to three,  
297 inclusive. The State Board of Education, within available  
298 appropriations and utilizing available materials, shall assist and  
299 encourage local and regional boards of education to include: (A)  
300 Holocaust education and awareness; (B) the historical events  
301 surrounding the Great Famine in Ireland; (C) African-American  
302 history; (D) Puerto Rican history; (E) Native American history; (F)  
303 personal financial management; and (G) topics approved by the state  
304 board upon the request of local or regional boards of education as part  
305 of in-service training programs pursuant to this subsection.

306 Sec. 11. Subsections (b) to (d), inclusive, of section 10-226h of the  
307 general statutes are repealed and the following is substituted in lieu  
308 thereof:

309 (b) Each local and regional board of education shall report by  
310 [October 1, 1998] July 1, 2000, and biennially thereafter, to the regional  
311 educational service center for its area on the programs and activities  
312 undertaken in its school district to reduce racial, ethnic and economic  
313 isolation, including (1) information on the number and duration of  
314 such programs and activities and the number of students and staff  
315 involved, and (2) evidence of the progress over time in the reduction of  
316 racial, ethnic and economic isolation.

317 (c) Each regional educational service center shall report by  
318 [December 1, 1998] October 1, 2000, and biennially thereafter, to the

319 Commissioner of Education on the programs and activities undertaken  
320 in its region to reduce racial, ethnic and economic isolation.

321 (d) The Commissioner of Education shall report, by January 1, 1999,  
322 and biennially thereafter, in accordance with section 10-4a, to the  
323 Governor and the General Assembly on activities and programs  
324 designed to reduce racial, ethnic and economic isolation. The report  
325 shall include statistics on any growth in such programs or expansion of  
326 such activities over time, an analysis of the success of such programs  
327 and activities in reducing racial, ethnic and economic isolation, a  
328 recommendation for any statutory changes that would assist in the  
329 expansion of such programs and activities and the sufficiency of the  
330 annual grant pursuant to subsection [(f)] (e) of section 10-266aa, as  
331 amended by this act, and whether additional financial incentives  
332 would improve the program established pursuant to section 10-266aa,  
333 as amended by this act.

334 Sec. 12. Section 10-231 of the general statutes is repealed and the  
335 following is substituted in lieu thereof:

336 Each local and regional board of education shall provide for a fire  
337 drill to be held in the schools of such board at least once each month,  
338 except that once every three months a crisis response drill may be  
339 substituted for a fire drill.

340 Sec. 13. Subdivision (2) of section 10-261 of the general statutes is  
341 repealed and the following is substituted in lieu thereof:

342 (2) "Average daily membership" means the number of all pupils of  
343 the local or regional board of education enrolled in public schools at  
344 the expense of such board of education on October first or the full  
345 school day immediately preceding such date, provided the number so  
346 obtained shall be decreased by the Department of Education for failure  
347 to comply with the provisions of section 10-16 and shall be increased  
348 by one one-hundred-eightieth for each full-time equivalent school day  
349 of at least five hours of actual school work in excess of one hundred  
350 eighty days and nine hundred hours of actual school work and be

351 increased by the full-time equivalent number of such pupils attending  
352 the summer sessions immediately preceding such date at the expense  
353 of such board of education; "enrolled" shall include pupils who are  
354 scheduled for vacation on the above dates and who are expected to  
355 return to school as scheduled. Pupils participating in the program  
356 established pursuant to section 10-266aa shall be counted in  
357 accordance with the provisions of subsection [(g)] (f) of section [10-  
358 266a] 10-266aa, as amended by this act.

359 Sec. 14. Subdivision (22) of section 10-262f of the general statutes is  
360 repealed and the following is substituted in lieu thereof:

361 (22) "Resident students" means the number of pupils of the town  
362 enrolled in public schools at the expense of the town on October first  
363 or the full school day immediately preceding such date, provided the  
364 number shall be decreased by the Department of Education for failure  
365 to comply with the provisions of section 10-16 and shall be increased  
366 by one-one-hundred-eightieth for each full-time equivalent school day  
367 in the school year immediately preceding such date of at least five  
368 hours of actual school work in excess of one hundred eighty days and  
369 nine hundred hours of actual school work and be increased by the  
370 full-time equivalent number of such pupils attending the summer  
371 sessions immediately preceding such date at the expense of the town;  
372 "enrolled" shall include pupils who are scheduled for vacation on the  
373 above date and who are expected to return to school as scheduled.  
374 Pupils participating in the program established pursuant to section  
375 10-266aa, as amended by this act, shall be counted in accordance with  
376 the provisions of subsection [(g)] (f) of section 10-266aa, as amended by  
377 this act.

378 Sec. 15. Subsection (a) of section 10-265h of the general statutes is  
379 repealed and the following is substituted in lieu thereof:

380 (a) The Commissioner of Education shall establish, within available  
381 bond authorizations, a grant program to assist priority school districts  
382 in paying for general improvements to school buildings. For purposes

383 of this section "general improvements to school buildings" means work  
384 that (1) is generally not eligible for reimbursement pursuant to chapter  
385 173, and (2) is to (A) replace windows, doors, boilers and other heating  
386 and ventilation system components, internal communications systems,  
387 lockers, and ceilings including the installation of new drop ceilings, (B)  
388 upgrade restrooms including the replacement of fixtures, (C) upgrade  
389 and replace lighting, or (D) install security equipment including, but  
390 not limited to, video surveillance devices and fencing, provided  
391 "general improvements to school buildings" may include work not  
392 specified in this subdivision if the school district provides justification  
393 for such work acceptable to the Commissioner of Education, but shall  
394 not include routine maintenance such as painting, cleaning, equipment  
395 repair or other minor repairs or work done at the administrative  
396 facilities of a board of education.

397 Sec. 16. Subsection (a) of section 10-266t of the general statutes, as  
398 amended by section 5 of public act 99-224, is repealed and the  
399 following is substituted in lieu thereof:

400 (a) The Commissioner of Education shall award grants annually, in  
401 accordance with this section and section 10-266u, to local and regional  
402 boards of education identified as priority school districts pursuant to  
403 section 10-266p, as amended. In addition, for the fiscal years ending  
404 June 30, 2000, and June 30, 2001, the commissioner shall provide a  
405 grant to any local or regional board of education in a town which does  
406 not qualify for a grant pursuant to subsection (a) of section 10-266p, as  
407 amended, for said fiscal years but does qualify for a grant pursuant to  
408 subsection (b) of said section for said fiscal years. The grants shall  
409 provide funds for extended school building hours for public schools in  
410 such districts for academic enrichment and support, and recreation  
411 programs for students in the districts. Such programs may be  
412 conducted in buildings other than public school buildings, provided  
413 the board of education is able to demonstrate to the commissioner that  
414 the facility in which the program will be run can adequately support  
415 the academic goals of the program and a plan is in place to provide  
416 adequate academic instruction.

417       Sec. 17. Notwithstanding the provisions of subsection (c) of section  
418 10-264l of the general statutes, as amended by section 9 of public act  
419 99-289, the maximum amount any interdistrict magnet school program  
420 established prior to January 1, 1993, that serves two school districts  
421 shall be eligible to receive per enrolled student under said section 10-  
422 264l for operating expenses shall be ninety per cent of the foundation  
423 as defined in subdivision (7) of section 10-262f of the general statutes  
424 for each participating district.

425       Sec. 18. Subsection (f) of section 10-266u of the general statutes is  
426 repealed and the following is substituted in lieu thereof:

427       (f) On or before December first annually, the Commissioner of  
428 Education shall file, in accordance with the provisions of section 11-4a,  
429 an evaluation report of the program established pursuant to section 10-  
430 266t with the Governor, the General Assembly and the Office of Policy  
431 and Management. [On and after October 1, 1996, the report shall be  
432 submitted to the Governor, the Office of Policy and Management, the  
433 joint standing committee of the General Assembly having cognizance  
434 of matters relating to education and, upon request, to any member of  
435 the General Assembly. A summary of the report shall be submitted to  
436 each member of the General Assembly if the summary is two pages or  
437 less and a notification of the report shall be submitted to each member  
438 if the summary is more than two pages. Submission shall be by  
439 mailing the report, summary or notification to the legislative address  
440 of each member of the committee or General Assembly, as applicable.]

441       Sec. 19. Section 10-266aa of the general statutes, as amended by  
442 section 1 of public act 99-289, is repealed and the following is  
443 substituted in lieu thereof:

444       (a) As used in this section:

445       (1) "Receiving district" means any school district that accepts  
446 students under the program established pursuant to this section; and

447       (2) "Sending district" means any school district that sends students it

448 would otherwise be legally responsible for educating to another school  
449 district under the program.

450 (b) There is established, within available appropriations, a state-  
451 wide interdistrict public school attendance program. The purpose of  
452 the program shall be to: (1) Improve academic achievement; (2) reduce  
453 racial, ethnic and economic isolation or preserve racial and ethnic  
454 balance; and (3) provide a choice of educational programs for students  
455 enrolled in the public schools. The Department of Education shall  
456 provide oversight for the program, including the setting of reasonable  
457 limits for the transportation of students participating in the program.

458 (c) The program shall be phased in as provided in this subsection.  
459 (1) For the fiscal year ending June 30, 1998, the Department of  
460 Education shall provide grants in the amount of fifty thousand dollars  
461 each to the regional educational service centers for the Hartford, New  
462 Haven and Bridgeport regions to assist school districts in planning for  
463 the operation of the program. (2) For the school year commencing in  
464 1998, and for each school year thereafter, the program shall be in  
465 operation in the Hartford, New Haven and Bridgeport regions. The  
466 Hartford program shall operate as a continuation of the program  
467 described in section 10-266j. Students who reside in Hartford, New  
468 Haven or Bridgeport may attend school in another school district in  
469 the region and students who reside in such other school districts may  
470 attend school in Hartford, New Haven or Bridgeport. The Department  
471 of Education may provide, within available appropriations, grants for  
472 the fiscal years ending June 30, 1999, and June 30, 2000, to the  
473 remaining regional educational service centers to assist school districts  
474 in planning for the expansion of the program to every priority school  
475 district, pursuant to section 10-266p, as amended, in the state. (3) For  
476 the school year commencing in 2000, and for each school year  
477 thereafter, the program shall be in operation in New Britain, New  
478 London, Waterbury and Windham. (4) For the school year  
479 commencing in 2001, and for each school year thereafter, the program  
480 shall be in operation in every priority school district in the state.  
481 Students from other school districts in the area of a priority school

482 district, as determined by the regional educational service center  
483 pursuant to subsection (d) of this section, may attend school in the  
484 priority school district and students from the priority school district  
485 may attend school in any school district in such area in accordance  
486 with the provisions of this section, including the purposes specified in  
487 subsection (b) of this section.

488 (d) Once the program is in operation in the region served by a  
489 regional educational service center pursuant to subsection (c) of this  
490 section, the Department of Education shall provide, annually, a grant  
491 in the amount of one hundred seventy-five thousand dollars to such a  
492 regional educational service center to assist school districts in its area  
493 in administering the program and to provide staff to assist students  
494 participating in the program to make the transition to a new school  
495 and to act as a liaison between the parents of such students and the  
496 new school district. Each regional educational service center shall  
497 determine which school districts in its area are located close enough to  
498 a priority school district to make participation in the program feasible  
499 in terms of student transportation pursuant to subsection (f) of this  
500 section, provided any student participating in the program prior to  
501 July 1, 1999, shall be allowed to continue to attend the same school  
502 such student attended prior to said date in the receiving district until  
503 the student completes the highest grade in such school. Each regional  
504 educational service center shall convene, annually, a meeting of  
505 representatives of such school districts in order for such school  
506 districts to report, by March thirty-first, the number of spaces available  
507 for the following school year for out-of-district students under the  
508 program. Annually, each regional educational service center shall  
509 provide a count of such spaces to the Department of Education by  
510 April fifteenth. If there are more students who seek to attend school in  
511 a receiving district than there are spaces available, the regional  
512 educational service center shall assist the school district in determining  
513 attendance by the use of a lottery or lotteries designed to preserve or  
514 increase racial, ethnic and economic diversity, except that the regional  
515 educational service center shall give preference to siblings and to

516 students who would otherwise attend a school that has lost its  
517 accreditation by the New England Association of Schools and Colleges.  
518 The admission policies shall be consistent with section 10-15c. No  
519 receiving district shall recruit students under the program for athletic  
520 or extracurricular purposes. Each receiving district shall allow out-of-  
521 district students it accepts to attend school in the district until they  
522 graduate from high school.

523 [(e) Each sending district shall transfer the records of participating  
524 students to the receiving district.]

525 [(f)] (e) The Department of Education shall provide grants to  
526 regional educational service centers or local or regional boards of  
527 education for the reasonable cost of transportation for students  
528 participating in the program. For the fiscal year ending June 30, 2000,  
529 and each fiscal year thereafter, the department shall provide such  
530 grants within available appropriations, provided the state-wide  
531 average of such grants does not exceed an amount equal to two  
532 thousand dollars for each student transported. The regional  
533 [education] educational service centers shall provide reasonable  
534 transportation services to high school students who wish to participate  
535 in supervised extracurricular activities. For purposes of this section,  
536 the number of students transported shall be determined on September  
537 first of each fiscal year.

538 [(g)] (f) The Department of Education shall provide, within available  
539 appropriations, an annual grant to the local or regional board of  
540 education for each receiving district in an amount not to exceed two  
541 thousand dollars for each out-of-district student who attends school in  
542 the receiving district under the program. Each town which receives  
543 funds pursuant to this subsection shall make such funds available to its  
544 local or regional board of education in supplement to any other local  
545 appropriation, other state or federal grant or other revenue to which  
546 the local or regional board of education is entitled.

547 [(h)] (g) Notwithstanding any provision of this chapter, each

548 sending district and each receiving district shall divide the number of  
549 children participating in the program who reside in such district or  
550 attend school in such district by two for purposes of the counts for  
551 subdivision (22) of section 10-262f and subdivision (2) of subsection (a)  
552 of section 10-261.

553 [(i)] (h) In the case of an out-of-district student who requires special  
554 education and related services, the sending district shall pay the  
555 receiving district an amount equal to the difference between the  
556 reasonable cost of providing such special education and related  
557 services to such student and the amount received by the receiving  
558 district pursuant to subdivision [(g)] (f) of this section. The sending  
559 district shall be eligible for reimbursement pursuant to section 10-76g.

560 [(j)] (i) Nothing in this section shall prohibit school districts from  
561 charging tuition to other school districts that do not have a high school  
562 pursuant to section 10-33.

563 [(k)] (j) On or before October fifteenth of each year, the  
564 Commissioner of Education shall determine if the enrolment in the  
565 program for the fiscal year is below the number of students for which  
566 funds were appropriated. If the commissioner determines that the  
567 enrolment is below such number, the additional funds shall not lapse  
568 but shall be used by the commissioner in accordance with this  
569 subsection. (1) Any amount up to three hundred fifty thousand dollars  
570 of such nonlapsing funds shall be used for supplemental grants to  
571 receiving districts on a pro rata basis for each out-of-district student in  
572 the program who attends the same school in the receiving district as at  
573 least nine other such out-of-district students, not to exceed one  
574 thousand dollars per student. (2) Any remaining nonlapsing funds  
575 shall be used for interdistrict cooperative grants pursuant to section 10-  
576 74d, as amended.

577 Sec. 20. Subdivision (18) of section 10-282 of the general statutes is  
578 repealed and the following is substituted in lieu thereof:

579 (18) "Renovation" means a school building project to totally

580 refurbish an existing building [as an alternative to new construction  
581 and] which results in the renovated facility taking on a useful life  
582 comparable to that of a new facility and which will cost less than  
583 building a new facility as determined by the department, provided the  
584 school district may submit a feasibility study and cost analysis of the  
585 project prepared by an independent licensed architect to the  
586 department prior to final plan approval.

587 Sec. 21. Subparagraph (A) of subdivision (3) of subsection (a) of  
588 section 10-283 of the general statutes is repealed and the following is  
589 substituted in lieu thereof:

590 (3) (A) All final calculations completed by the department for school  
591 building projects authorized on or after July 1, 1996, shall include a  
592 computation of the state grant for the school building project  
593 amortized on a straight line basis over a twenty-year period for school  
594 building projects with costs equal to or greater than two million dollars  
595 and over a ten-year period for school building projects with costs less  
596 than two million dollars. Any town or regional school district which  
597 abandons, sells, leases, demolishes or otherwise redirects the use of  
598 such a school building project to [a nonpublic] other than a public  
599 school use during such amortization period shall refund to the state  
600 the unamortized balance of the state grant remaining as of the date the  
601 abandonment, sale, lease, demolition or redirection occurs. The  
602 amortization period for a project shall begin on the date the project  
603 was accepted as complete by the local or regional board of education.  
604 A town or regional school district required to make a refund to the  
605 state pursuant to this subdivision may request forgiveness of such  
606 refund if the building is redirected for public use. The department  
607 shall include as an addendum to the annual school construction  
608 priority list all those towns requesting forgiveness. General Assembly  
609 approval of the priority list containing such request shall constitute  
610 approval of such request. This subdivision shall not apply to projects  
611 pursuant to subsection (b) of this section or projects subject to the  
612 provisions of section 10-285c.

613 Sec. 22. (NEW) (a) If the Department of Education does not  
614 complete an audit of a school building project during the five-year  
615 period from the date the school district files a notice of project  
616 completion with the department, the department shall conduct a  
617 limited scope audit of such project. The limited scope audit shall  
618 review (1) the total amount of expenditures reported, (2) any off-site  
619 improvements, (3) adherence to authorized space specifications, (4)  
620 interest costs on temporary notes and bonds, and (5) any other matter  
621 the Commissioner of Education deems appropriate.

622 (b) The department shall not make any adjustment to a school  
623 construction grant based on the result of an audit finding that a change  
624 order was not publicly bid.

625 Sec. 23. Subsection (e) of section 10-266t of the general statutes is  
626 repealed and the following is substituted in lieu thereof:

627 (e) All programs funded pursuant to this section shall: (1) Offer both  
628 academic enrichment and support and recreation experiences, [in a  
629 specified school building during nonschool hours,] (2) be open to all  
630 resident students in the district, (3) be designed to ensure  
631 communication with the child's teacher and ties to the regular school  
632 curriculum, (4) be clearly articulated with structured and specified  
633 experiences for children but able to accommodate the irregular  
634 participation of any one child, (5) provide for community involvement,  
635 (6) investigate the use of the National Service Corps, (7) coordinate  
636 operations and activities with existing programs and the agencies  
637 which operate such programs, (8) provide for parent involvement in  
638 program planning and the use of parents as advisers and volunteers  
639 and (9) provide for business involvement or sponsorship. Programs  
640 within a district may vary in terms of times of operation and nature of  
641 the program. All programs which operate in a public school shall have  
642 access to existing special facilities and equipment in the public school  
643 [in which they operate] and shall have the written endorsement of the  
644 school principal and superintendent of schools for the school district.

645 Sec. 24. Subsection (a) of section 2 of public act 99-285 is repealed  
646 and the following is substituted in lieu thereof:

647 (a) The accountability measures developed by the Higher Education  
648 Coordinating Council pursuant to subsection (b) of section 10a-6a, as  
649 amended, shall be used by the Department of Higher Education and  
650 each constituent unit of higher education in assessing the constituent  
651 unit's progress toward meeting the following goals to: (1) Enhance  
652 student learning and promote academic excellence; (2) join with  
653 elementary and secondary schools to improve teaching and learning at  
654 all levels; (3) ensure access to and affordability of higher education; (4)  
655 promote the economic development of the state to help business and  
656 industry sustain strong economic growth; (5) respond to the needs and  
657 problems of society; and (6) ensure the efficient use of resources. The  
658 council shall develop an implementation plan for use of the  
659 accountability measures.

660 Sec. 25. Subsection (d) of section 2 of public act 99-285 is repealed  
661 and the following is substituted in lieu thereof:

662 (d) The Commissioner of Higher Education, on behalf of the council,  
663 shall report, in accordance with section 11-4a, to the joint standing  
664 committee of the General Assembly having cognizance of matters  
665 relating to education on the accountability measures and the  
666 implementation plan developed pursuant to this section by February 1,  
667 2000. The report shall include recommendations: (1) For any statutory  
668 changes needed for purposes of assessing the constituent units and  
669 public institutions of higher education based on the accountability  
670 measures; (2) to clarify and streamline planning and accountability  
671 reporting requirements of the constituent units and public institutions  
672 of higher education; (3) concerning goals, actions to achieve such goals  
673 and analysis of performance; and (4) for options to revise budgeting  
674 policies and programs to meet accountability goals and measures as  
675 outlined in subsections (a) and (b) of this section.

676 Sec. 26. Section 10a-170 of the general statutes is repealed and the

677 following is substituted in lieu thereof:

678 The Board of Governors of Higher Education may utilize up to one  
679 per cent of the total annual student financial assistance appropriation  
680 for [data processing] administrative support associated with  
681 implementing the provisions of section 10a-169.

682 Sec. 27. Subsection (a) of section 10a-203 of the general statutes is  
683 repealed and the following is substituted in lieu thereof:

684 (a) Said corporation shall be governed and all of its corporate  
685 powers exercised by a board of directors which shall consist of thirteen  
686 members, as follows: The chairman of the Board of Governors of  
687 Higher Education and the Commissioner of Higher Education; [,  
688 provided each such member may for any specific meeting of the  
689 directors designate in writing to the chairman of the board of directors  
690 a representative to act in his place at such meeting, with all rights and  
691 obligations at such meeting as the member he represents would have  
692 had at such meeting;] seven public members appointed by the  
693 Governor, at least one of whom shall represent the private colleges,  
694 and commencing with the next regular appointments made on and  
695 after July 1, 1984, at least one shall be a financial aid officer at an  
696 eligible institution and at least one shall be a person having a favorable  
697 reputation for skill, knowledge and experience in management of a  
698 private company or lending institution at least as large as the  
699 corporation and all of whom shall be electors of this state; and two  
700 members from the House of Representatives, one appointed by the  
701 speaker of the House and one appointed by the minority leader of the  
702 House; two members from the Senate, one appointed by the president  
703 pro tempore of the Senate and one appointed by the minority leader of  
704 the Senate. Those members who are appointed by the Governor shall  
705 serve for terms of four years each from July first in the year of their  
706 appointment and until their successors have been appointed. Those  
707 members who are appointed by the speaker of the House of  
708 Representatives, the minority leader of the House, the president pro  
709 tempore of the Senate and the minority leader of the Senate shall be

710 appointed for terms of two years from January fifteenth in the year of  
711 their appointment. The term of each appointed member of the board  
712 shall be coterminous with the term of the appointing authority or until  
713 a successor is chosen, whichever is later. The board of directors shall  
714 elect, from its own members each year, a chairman and a vice-  
715 chairman who shall serve for terms of one year and who shall be  
716 eligible for reelection for successive terms. Vacancies shall be filled for  
717 the unexpired term in the same manner as original appointments.  
718 Directors shall receive no compensation for their services but shall be  
719 reimbursed for their expenses actually and necessarily incurred by  
720 them in the performance of their duties under this chapter. Any  
721 member may designate in writing to the chairperson of the board of  
722 directors a representative to act in the place of such member at a  
723 meeting or meetings, with all rights and obligations at such meeting as  
724 the member represented would have had at the meeting.

725 Sec. 28. Section 10a-206a of the general statutes is repealed and the  
726 following is substituted in lieu thereof:

727 Upon notification to the Comptroller by the Connecticut Student  
728 Loan Foundation that any borrower under this chapter is in default on  
729 one or more instalments of a loan made or guaranteed by the  
730 corporation under this chapter, including any interest related thereto,  
731 the Comptroller shall withhold any order upon the Treasurer for  
732 payment of any amount payable by the state to such borrower, unless  
733 the amount so payable is reduced by the amount of such indebtedness,  
734 provided any such amount payable by the state shall not be so reduced  
735 if (1) such amount payable is a payment of salary or wages, or any  
736 payment in lieu of or in addition to such salary or wages, to a state  
737 employee, (2) such taxes, penalties and interest have been fixed by the  
738 Commissioner of Revenue Services pursuant to a request within the  
739 time allowed under title 12 to correct the amount thereof or (3) such  
740 taxes, penalties and interest have been determined by said  
741 commissioner to be due and such determination is the subject of an  
742 appeal pending before any court in this state. The Comptroller shall  
743 promptly notify the corporation of any payment reduced under the

744 provisions of this section and shall promptly forward the amount of  
745 said reduction to the Connecticut Student Loan Foundation.

746 Sec. 29. Subsection (a) of section 10a-210 of the general statutes is  
747 repealed and the following is substituted in lieu thereof:

748 (a) The corporation shall make an annual report, on or before  
749 [September first] December thirty-first for the fiscal year ending  
750 September thirtieth, of its condition to the Governor, as provided in  
751 section 4-60, to the Board of Governors of Higher Education and to the  
752 General Assembly. The report shall include, in addition to the  
753 corporation's financial statement, a description of the organization,  
754 including the number of employees and functions, data on the number  
755 and amounts of loans in default and the results of collection activities  
756 undertaken by the corporation or on behalf of the corporation.

757 Sec. 30. Section 17a-101i of the general statutes is repealed and the  
758 following is substituted in lieu thereof:

759 (a) Notwithstanding any provision of the general statutes to the  
760 contrary, after an investigation has been completed and the  
761 Commissioner of Children and Families, based upon the results of the  
762 investigation, has reasonable cause to believe that a child has been  
763 abused by a [certified public school employee in a position requiring a  
764 certificate] school employee who holds a certificate, permit or  
765 authorization issued by the State Board of Education, the  
766 commissioner shall notify the employing superintendent of such  
767 finding and shall provide records, whether or not created by the  
768 department, concerning such investigation to the superintendent who  
769 shall suspend such school employee. Such suspension shall be with  
770 pay and shall not result in the diminution or termination of benefits to  
771 such employee. Within seventy-two hours after such suspension the  
772 superintendent shall notify the local or regional board of education  
773 and the Commissioner of Education, or his representative, of the  
774 reasons for and conditions of the suspension. The superintendent shall  
775 disclose such records to the Commissioner of Education and the local

776 or regional [boards] board of education or [their] its attorney for  
777 purposes of review of employment status or [certification. Such  
778 suspension] the status of such employee's certificate, permit or  
779 authorization. The suspension of a school employee employed in a  
780 position requiring a certificate shall remain in effect until the board of  
781 education acts pursuant to the provisions of section 10-151. If the  
782 contract of employment of such certified school employee is  
783 terminated, the superintendent shall notify the Commissioner of  
784 Education, or his representative, within seventy-two hours after such  
785 termination. Upon receipt of such notice from the superintendent, the  
786 Commissioner of Education may commence certification revocation  
787 proceedings pursuant to the provisions of subsection (m) of section 10-  
788 145b, as amended. Notwithstanding the provisions of sections 1-210, as  
789 amended, and 1-211, information received by the Commissioner of  
790 Education, or his representative, pursuant to this section shall be  
791 confidential subject to regulations adopted by the State Board of  
792 Education under section 10-145g.

793 (b) After an investigation has been completed and the  
794 Commissioner of Children and Families, based upon the results of the  
795 investigation, has reasonable cause to believe that a child has been  
796 abused by a staff member of a public or private institution or facility  
797 providing care for children or private school, the commissioner shall  
798 notify the executive director of such institution, school or facility and  
799 shall provide records, whether or not created by the department  
800 concerning such investigation to such executive director. Such  
801 institution, school or facility may suspend such staff person. Such  
802 suspension shall be with pay and shall not result in diminution or  
803 termination of benefits to such employee. Such suspension shall  
804 remain in effect until the incident of abuse has been satisfactorily  
805 resolved by the employer of the staff person.

806 (c) If a school employee or any person holding a certificate, permit  
807 or authorization issued by the State Board of Education under the  
808 provisions of sections 10-144o to 10-149, inclusive, is convicted of a  
809 crime involving an act of child abuse or neglect as described in section

810 46b-120 or a violation of section 53-21, 53a-71 or 53a-73a, the state's  
811 attorney for the judicial district in which the conviction occurred shall  
812 in writing notify the superintendent of the school district or the  
813 supervisory agent of the nonpublic school in which the person is  
814 employed and the Commissioner of Education of such conviction.

815 (d) For the purposes of receiving and making reports, notifying and  
816 receiving notification, or investigating, pursuant to the provisions of  
817 sections 17a-101a to 17a-101h, inclusive, and 17a-103 a superintendent  
818 of a school district or a supervisory agent of a nonpublic school may  
819 assign a designee to act on his behalf.

820 (e) On or before February 1, 1997, each local and regional board of  
821 education shall adopt a written policy regarding the reporting by  
822 school employees of suspected child abuse in accordance with sections  
823 17a-101a to 17a-101d, inclusive, and 17a-103.

824 Sec. 31. On or before January 1, 2001, the Department of Education  
825 shall report, in accordance with section 11-4a of the general statutes, to  
826 the joint standing committee of the General Assembly having  
827 cognizance of matters relating to education, on the activities  
828 undertaken by local and regional boards of education to counteract  
829 aggressive behavior among students in the schools under their  
830 jurisdiction. Such report shall include, but not be limited to,  
831 descriptions of the activities undertaken in the school as a whole, in the  
832 classroom and on an individual student basis.

833 Sec. 32. Subsection (b) of section 10-283 of the general statutes is  
834 repealed and the following is substituted in lieu thereof:

835 (b) Notwithstanding the application date requirements of this  
836 section, the Commissioner of Education may approve applications for  
837 grants to assist school building projects to remedy damage from fire  
838 and catastrophe, [or] to correct safety, health and other code violations  
839 or to replace roofs at any time within the limit of available grant  
840 authorization and make payments thereon within the limit of  
841 appropriated funds.

842 Sec. 33. Subdivision (6) of subsection (a) of section 10-286 of the  
843 general statutes is repealed and the following is substituted in lieu  
844 thereof:

845 (6) In the case of the total replacement of a roof or the total  
846 replacement of a portion of a roof which has existed for at least twenty  
847 years, or in the case of the total replacement of a roof or the total  
848 replacement of a portion of a roof which has existed for fewer than  
849 twenty years when it is determined by a registered architect or  
850 registered engineer that such roof was improperly designed or  
851 improperly constructed and the town is prohibited from recovery of  
852 damages or has no other recourse at law or in equity, the eligible  
853 percentage for subdivisions (1) and (2) of this subsection, of the eligible  
854 cost as determined by the Commissioner of Education. In the case of  
855 the total replacement of a roof or the total replacement of a portion of a  
856 roof which has existed for fewer than twenty years (A) when it is  
857 determined by a registered architect or registered engineer that such  
858 roof was improperly designed or improperly constructed and the town  
859 has recourse at law or in equity and recovers less than such eligible  
860 cost, the eligible percentage for subdivisions (1) and (2) of this  
861 subsection of the difference between such recovery and such eligible  
862 cost, and (B) when the roof is at least fifteen years old but less than  
863 twenty years old and it cannot be determined by a registered architect  
864 or registered engineer that such roof was improperly designed or  
865 improperly constructed, the eligible percentage for subdivisions (1)  
866 and (2) of this subsection of the eligible project costs provided such  
867 costs are multiplied by the ratio of the age of the roof to twenty years.  
868 For purposes of this subparagraph, the age of the roof shall be  
869 determined in whole years to the nearest year based on the time  
870 between the completed installation of the old roof and the date of the  
871 grant application for the school construction project for the new roof.

872 Sec. 34. (NEW) The Department of Education shall ensure that all  
873 interdistrict educational programs and activities receiving state  
874 funding are conducted in a manner that promotes a diverse learning  
875 environment. It may establish reasonable enrollment priorities to

876 encourage such programs and activities to have racially, ethnically and  
877 economically diverse student populations.

878 Sec. 35. (NEW) (a) Notwithstanding any provision of the general  
879 statutes, school districts, regional educational service centers, the  
880 Board of Education and Services for the Blind, and all other state and  
881 local governmental agencies concerned with education may loan, lease  
882 or transfer an assistive device for the use and benefit of a student with  
883 a disability to such student or the parent or guardian of such student  
884 or to any other public or private nonprofit agency providing services  
885 to or on behalf of individuals with disabilities including, but not  
886 limited to, an agency providing educational, health or rehabilitative  
887 services. Such device may be sold or transferred pursuant to this  
888 section regardless of whether the device was declared surplus. The sale  
889 or transfer shall be recorded in an agreement between the parties and  
890 based upon the depreciated value of the device. For the purposes of  
891 this section, "assistive device" means any item, piece of equipment or  
892 product system, whether acquired commercially off-the-shelf,  
893 modified or customized, that is used to increase, maintain or improve  
894 the functional capabilities of individuals with disabilities.

895 (b) Each municipality which receives funds derived from loans,  
896 leases or transfers of assistive technology under this section by a local  
897 or regional board of education shall make such funds available to its  
898 local or regional board of education in supplement to any other local  
899 appropriation, other state or federal grant or other revenue to which  
900 the local or regional board of education is entitled.

901 Sec. 36. Section 29-291 of the general statutes is repealed and the  
902 following is substituted in lieu thereof:

903 For the purposes of this part and any other statute related to fire  
904 prevention and safety, the Commissioner of Public Safety shall serve as  
905 the State Fire Marshal. [He] The commissioner may delegate to any  
906 employee of the Department of Public Safety and The University of  
907 Connecticut at Storrs Division of Public Safety such powers as [he] the

908 commissioner deems expedient for the proper administration of this  
909 part and any other statute related to fire prevention and safety.

910 Sec. 37. Subsection (b) of section 10a-168a of the general statutes is  
911 repealed and the following is substituted in lieu thereof:

912 (b) Within available appropriations, the program shall provide  
913 grants [for up to fifty] to minority students entering teacher education  
914 programs in their junior or senior year at any four-year institution of  
915 higher education or enrolled in the alternate route to certification  
916 program administered through the Department of Higher Education.  
917 Maximum grants shall not exceed five thousand dollars per year for  
918 two years. The department shall ensure that at least ten per cent of the  
919 grant recipients are minority students who transfer from a Connecticut  
920 regional community-technical college.

921 Sec. 38. Section 2 of public act 99-285 is amended by adding  
922 subsections (e) and (f), as follows:

923 (NEW) (e) The Commissioner of Higher Education shall develop, in  
924 concurrence with the Higher Education Coordinating Council, an  
925 accountability report prototype. Upon review and approval by the  
926 Board of Governors of Higher Education, the commissioner shall  
927 submit the report prototype to the joint standing committee of the  
928 General Assembly having cognizance of matters relating to education  
929 by October 1, 2000. The report prototype shall include accountability  
930 measures developed and approved under this section for which data  
931 collection mechanisms exist as determined by the commissioner.

932 (NEW) (f) Each constituent unit of higher education shall submit to  
933 the Commissioner of Higher Education its first accountability report  
934 by January 1, 2001. The commissioner shall compile and consolidate  
935 the reports. The commissioner shall submit, in accordance with section  
936 11-4a, an accountability report that covers the state system of higher  
937 education and each constituent unit and public institution of higher  
938 education to the joint standing committee of the General Assembly  
939 having cognizance of matters relating to education by February 1,

940 2001. The report shall include baseline data for the accountability  
941 measures developed under this section for which data collection  
942 mechanisms exist and comparable peer data, as determined by the  
943 commissioner after consultation with the Higher Education  
944 Coordinating Council and reviewed and approved by the Board of  
945 Governors of Higher Education. The report shall also include a  
946 timeline for the collection of data and reporting of the remaining  
947 accountability measures and for the identification of performance  
948 improvement targets.

949 Sec. 39. The Board of Governors of Higher Education and the  
950 Department of Economic and Community Development shall jointly  
951 conduct an educational and economic impact analysis of the planned  
952 relocation of Three Rivers Community-Technical College. The analysis  
953 shall include, but not be limited to, such economic considerations as  
954 the effect of the relocation on the economy and property taxes of the  
955 community the institution is leaving and the community it is moving  
956 into and such educational considerations as the resources available to  
957 students in each community and the accessibility of each location for  
958 students attending the institution. The Board of Governors shall  
959 forward such findings on such relocation to the Board of Trustees for  
960 the Community-Technical Colleges. If the State Bond Commission is  
961 authorized to issue bonds for the relocation, the Board of Governors  
962 shall submit a report on the analysis conducted pursuant to this  
963 section and its findings on the relocation to the State Bond  
964 Commission for its review and consideration prior to the issuance of  
965 such bonds.

966 Sec. 40. Subsection (b) of section 10-76g of the general statutes is  
967 repealed and the following is substituted in lieu thereof:

968 (b) Any local or regional board of education which provides special  
969 education pursuant to the provisions of sections 10-76a to 10-76g,  
970 inclusive, for any exceptional child described in subparagraph (A) of  
971 subdivision (5) of section 10-76a, under its jurisdiction, excluding (1)  
972 children placed by a state agency for whom a board of education

973 receives payment pursuant to the provisions of subdivision (2) of  
974 subsection (e) of section 10-76d, and (2) children who require special  
975 education, who reside on state-owned or leased property or in  
976 permanent family residences, as defined in section 17a-154, and who  
977 are not the educational responsibility of the unified school districts  
978 established pursuant to sections 17a-37, 17a-240 and 18-99a, shall be  
979 financially responsible for the reasonable costs of special education  
980 instruction, as defined in the regulations of the State Board of  
981 Education, in an amount equal to five times the average per pupil  
982 educational costs of such board of education for the prior fiscal year,  
983 determined in accordance with the provisions of subsection (a) of  
984 section 10-76f. The State Board of Education shall pay on a current  
985 basis any costs in excess of the local or regional boards' basic  
986 contribution paid by such board in accordance with the provisions of  
987 this subsection. Any amounts paid by the State Board of Education on  
988 a current basis pursuant to this subsection shall not be reimbursable in  
989 the subsequent year. Application for such grant shall be made by filing  
990 with the Department of Education, in such manner as prescribed by  
991 the commissioner, annually on or before December first a statement of  
992 the cost of providing special education pursuant to this subsection,  
993 provided a board of education may submit, not later than February  
994 first, claims for additional children or costs not included in the  
995 December filing. Payment by the state for such excess costs shall be  
996 made to the local or regional board of education as follows: Seventy-  
997 five per cent of the cost in February and the balance in April. The  
998 amount due each town pursuant to the provisions of this subsection  
999 shall be paid to the treasurer of each town entitled to such aid,  
1000 provided the treasurer shall treat such grant, or a portion of the grant,  
1001 which relates to special education expenditures incurred in excess of  
1002 such town's board of education budgeted estimate of such  
1003 expenditures, as a reduction in expenditures by crediting such  
1004 expenditure account, rather than town revenue. Such expenditure  
1005 account shall be so credited no later than thirty days after receipt by  
1006 the treasurer of necessary documentation from the board of education  
1007 indicating the amount of such special education expenditures incurred

1008 in excess of such town's board of education budgeted estimate of such  
1009 expenditures.

1010       Sec. 41. (NEW) Notwithstanding the provisions of sections 10-144o  
1011 to 10-146b, inclusive, and 10-149 of the general statutes, the State Board  
1012 of Education shall not issue or reissue any certificate pursuant to said  
1013 sections if (1) the applicant for such certificate has been convicted of  
1014 any of the following: (A) A capital felony, as defined in section 53a-54b  
1015 of the general statutes; (B) arson murder, as defined in section 53a-54d  
1016 of the general statutes; (C) any Class A felony; (D) any Class B felony  
1017 except a violation of section 53a-122, 53a-252 or 53a-292 of the general  
1018 statutes; or (E) a violation of section 53-21, 53-37a, 53a-60b, as  
1019 amended, 53a-60c, as amended, 53a-88, 53a-99, 53a-103a, 53a-181b, 53a-  
1020 181c, 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b, or 21a-278 of the  
1021 general statutes, or a violation of subsection (a) of section 21a-277 of  
1022 the general statutes, and (2) the applicant completed serving the  
1023 sentence for such conviction within the five years immediately  
1024 preceding the date of the application.

1025       Sec. 42. Sections 10-220e, 10-222b and 10a-156 of the general statutes  
1026 are repealed.

1027       Sec. 43. This act shall take effect July 1, 2000.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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### **OFA Fiscal Note**

**State Impact:** Cost, Potential Revenue Gain, Indeterminate Cost

**Affected Agencies:** Department of Education, University of Connecticut, Department of Higher Education, State Comptroller, Department of Children and Families, Board of Education and Services for the Blind, Department of Economic and Community Development

**Municipal Impact:** Minimal Cost, Revenue Gain, Potential Revenue Gain

### **Explanation**

#### **State and Municipal Impact:**

Section 17 of the bill will result in an approximate \$397,000 cost to the state as it increases the magnet school grant payment (revenue gain) to the East Hartford/Glastonbury Magnet School. Funds for this purpose have been included within both the House and Senate versions of the budget for FY 01.

Section 22 which limits the amount of time the State Department of Education has to audit future school construction projects will preclude any adjustments in grant payments that would otherwise occur if a longer audit period were still in place. Currently adjustments can result in either increased or decreased grant payments to local and regional school districts.

Section 26 provides greater flexibility to the Department of Higher Education in the usage of the administrative set-aside in the Scholastic Achievement Grant. The section would allow for using the 1% for overall administration not just data processing support.

Sections 1 and 19 which require school districts to transfer student records under specified time periods when a student moves result in a minimal absorbable cost to local and regional school districts.

Section 33 may result in the state making grant payments to school districts for roof replacement earlier than the normal twenty years, however, such payments would be reduced on a prorated basis.

Section 35 would allow certain state agencies and local bodies to loan, lease or transfer assistive devices to disabled students and thus results in a potential revenue gain as the devices would potentially remain in storage or non-use otherwise.

Additionally section 38 requires the Department of Higher Education (DHE) to develop an accountability report prototype for submission to the General Assembly by October 1, 2000. The bill also requires each constituent unit of higher education to submit to DHE a report including responses to accountability measures approved by DHE. After compiling and consolidating this information, the bill requires DHE to submit an accountability report on the state system of higher education.

Although passage of this portion of the bill results in workload increase for the agencies involved, it is not anticipated that additional resources would be necessary. It should be noted that for the past two years DHE has been conducting a task force for the purposes of developing accountability measures as described in the bill. The task force includes representatives of the constituent units of higher education.

Finally section 39 requires the Department of Higher Education (DHE) and Economic and Community Development (DECD) to

conduct an educational and economic impact analyses of the planned relocation of Three Rivers Community-Technical College. It is anticipated that consultants would be necessary to execute some of the aspects of an analysis as described in the bill. Hence, passage of the bill would result in indeterminate cost.

The bill also requires the Department of Higher Education make a recommendation to the Board of Trustees of the Community-Technical Colleges regarding this relocation and that such a recommendation be provided to the State Bond Commission prior to the issuance or authorization of any bonds for this purpose.

All other sections of the bill are technical and/or have no fiscal impact.

House "B" resulted in the fiscal impacts associated with sections 33, 35, 38 and 39 as explained above.

House "C" had no fiscal impact.

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**OLR Amended Bill Analysis**

sHB 5317 (as amended by House "B" and "C")\*

**AN ACT CONCERNING REVISIONS TO THE EDUCATION STATUTES.**

**SUMMARY:**

This bill bars the State Board of Education (SBE) from issuing a teacher or school administrator certificate to anyone who has been convicted of certain specified felonies until at least five years has elapsed since the person finished serving his sentence for the conviction.

The bill makes various changes in the education laws concerning:

1. school employees suspected of child abuse,
2. state-funded interdistrict programs,
3. transferring student records,
4. the standard of proof for revoking an educator certificate,
5. school construction grants,
6. assistive devices for disabled students,
7. the Special Education Advisory Council,
8. where new family resource centers must be located,
9. delegating fire prevention powers to UConn,
10. the number of students eligible for assistance under the minority teacher incentive program,
11. school crisis response drills,

12. extended school building hours programs,
13. costs for administering the Scholastic Achievement Grant Program,
14. the operations of the Connecticut Student Loan Foundation,
15. higher education accountability,
16. special education excess costs,
17. notice requirements for interest arbitration hearings under the Teacher Negotiation Act, and
18. using the school improvement grant to install video surveillance devices.

*The bill requires the State Department of Education (SDE) to report to the Education Committee by January 1, 2001 on activities local boards of education have undertaken to counteract aggressive behavior by students in their schools. The report must include descriptions of school-wide activities and individual student activities (Section 31). It also requires the Board of Governors of Higher Education (BOG) and the Department of Economic and Community Development (DECD) to jointly conduct an analysis of the educational and economic impact of the planned relocation of the Three Rivers Community-Technical College.*

Finally, the bill eliminates certain reporting requirements and obsolete provisions and makes technical changes.

\*House Amendment "B" adds provisions (1) specifying SDE's responsibility to ensure student diversity in state-funded interdistrict programs; (2) clarifying the standard of proof for revoking educator certificates and the standard for reimbursing a school district for a school renovation project; and (3) requiring the Three Rivers Community-Technical College relocation study. It also adds provisions concerning (1) roof replacement projects, (2) assistive devices, (3) delegation of fire prevention duties, (5) the minority teacher incentive program, (6) higher education accountability, and (7) special education excess cost grant money. It imposes conditions on use of nonpublic school buildings for extended school hours programs, limits the scope of SDE audits performed five or more years after a school construction project is completed, applies the limited-scope audit to both existing and future projects, and bars the department

from making construction grant adjustments when a district fails to publicly bid a change order. Finally, the amendment eliminates a provision that would have added two members, appointed by the governor, to the University of Connecticut Board of Trustees.

\*House Amendment "C" limits SBE's authority to issue educator certificates to certain convicted felons.

EFFECTIVE DATE: July 1, 2000

### **EDUCATOR CERTIFICATES ISSUED TO FELONS (SECTION 32)**

The limit on SBE's authority to issue a teacher or administrator certificate covers anyone convicted of a capital or Class A felony, arson murder, certain specified Class D felonies, two drug crimes, and "any Class B felony except" three listed crimes. (But one of the three, vendor fraud in the second degree (CGS § 53a-292), is a Class C felony.)

The limits apply to people convicted of the following:

<b>Crime</b>	<b>Felony Classification</b>
Specified types of murder	Capital felony
Arson murder	Unclassified
Murder other than a capital felony	Class A
Felony murder	Class A
Kidnapping in the first degree	Class A
Arson in the first degree	Class A
Employing a minor in an obscene performance	Class A
Attempt or conspiracy to commit any class A felony	Class B
Attempt or conspiracy to commit any class B felony	Class B
Manslaughter in the first degree	Class B
Manslaughter in the first degree with a firearm	Class B
Assault in the first degree	Class B
Assault victim 60 or older in first degree	Class B
Assault of Department of Correction employee in the first degree	Class B
Sexual assault in first degree	Class B
Aggravated sexual assault in the first degree	Class B
Sexual assault in spousal or cohabitation relationship	Class B
Promoting prostitution in first degree	Class B
Kidnapping in the second degree	Class B
Kidnapping in the second degree with a firearm	Class B
Burglary in the first degree	Class B

Arson in the second degree	Class B
Robbery in the first degree	Class B
Possession of a weapon or dangerous instrument in a correctional institution	Class B
Rioting at correctional institution	Class B
Promoting a minor in an obscene performance	Class B
Money laundering in the first degree	Class B
Vendor fraud in the first degree	Class B
Deprivation of equal rights by death	Class B
Manufacture of bombs	Class B
Importing child pornography	Class C
Risk of injury to child involving sexual contact or baby selling	Class C
Assault of a victim 60 or older in the second degree	Class D
Assault of a victim 60 or older in the second degree with a firearm	Class D
Promoting prostitution in the third degree	Class D
Substitution of children	Class D
Burglary in the third degree with a firearm	Class D
Intimidation based on bigotry or bias	Class D
Stalking in the first degree	Class D
Incest	Class D
Obscenity as to minors	Class D
Criminal use of a firearm or electronic defense weapon	Class D
Possession of a weapon on school property	Class D
Deprivation of civil rights by wearing a hood	Class D
Manufacture, distribution, sale, prescription, and dispensing of illegal drugs	Unclassified
Manufacture, distribution, sale, prescription, or administration of illegal drugs by a nondrug-dependent person	Unclassified

## **SCHOOL EMPLOYEES IN CHILD ABUSE CASES (SECTION 30)**

### ***Employees Holding SBE Credentials***

The bill extends the current procedures for dealing with certified school employees suspected of child abuse to all school employees holding permits or other authorizations from SBE. As under current law, the Department of Children and Families (DCF) would be required to notify the person's employing superintendent when it finds reasonable cause to believe the employee has abused a child.

The superintendent must suspend the employee from duty and notify the education commissioner and the local school board within 72 hours. The superintendent must disclose the records of the DCF

investigation to the commissioner so he may review the status of any SBE-issued credentials, not just a certificate.

### ***Prosecutor Notification Requirements***

The bill requires prosecutors to notify the commissioner and the person's employing school superintendent or nonpublic school supervisory agent whenever someone who holds a teaching certificate, permit, or other SBE-granted teaching authorization is convicted of injury or risk of injury to, or impairing the morals of, a minor under age 16.

Prosecutors must already notify the commissioner whenever a person holding an SBE certificate is convicted of:

1. child abuse or neglect,
2. second-degree sexual assault, or
3. fourth degree sexual assault.

The bill extends these notice requirements to cover convictions of people holding SBE-issued permits or authorizations.

SBE issues permits and other authorizations to allow people to work in public schools, including coaches, substitute teachers, and those who teach subjects for which no certified teachers can be found.

## **INTERDISTRICT PROGRAMS**

### ***Grants For Certain Interdistrict Magnet Schools (Section 17)***

The bill increases, to 90% of the Education Cost Sharing (ECS) foundation amount, the maximum per-pupil state grant for each student at an interdistrict magnet school that serves two towns and that was established before January 1, 1993. (The ECS foundation amount is currently \$5,891 per pupil.) Under the regular interdistrict magnet school grant formula, a magnet school can receive the maximum 90% per-pupil grant for all students only if students from each participating district represent no more than 30% of the students attending the school - an impossibility when a school has only two participating towns.

### ***Reporting Deadlines (Sections 11 and 19)***

The bill pushes forward two reporting deadlines for the interdistrict choice program. It changes, from October 1 to July 1, the deadline for biennial reports from local school boards to regional educational service centers (RESCs) on school district activities to reduce racial, ethnic, and economic isolation. It requires the RESCs to report

biennially to the education commissioner on these activities by October 1 rather than December 1. The new deadlines start with the year 2000 reports.

The bill also requires that, for purposes of the state transportation grant of \$2,000 per pupil, the number of students to be transported as part of the interdistrict choice program be determined as of September 1 of each fiscal year.

### ***SDE Responsibility Regarding Student Diversity (Section 35)***

The bill requires SDE to make sure that interdistrict programs and activities receiving state funding are conducted to promote a diverse learning environment. It allows the department to establish reasonable enrollment priorities for the programs so participating students are racially, ethnically, and economically diverse.

### **STUDENT RECORDS TRANSFERS (SECTIONS 1 AND 19)**

When a student changes school districts, the bill requires the student's new district to notify his old district in writing. The old district must send the student's records to the new district within 10 business days of receiving the notice. Unless the student's parents authorized the records transfer in writing, the old district must send them a notice when it sends the records to the new district.

In light of these generally applicable records transfer requirements, the bill eliminates a requirement that sending districts transfer the records of students participating in the interdistrict choice program to receiving districts.

### **STANDARD OF PROOF FOR REVOKING EDUCATOR CERTIFICATES (SECTION 7)**

The bill codifies current practice by requiring the SBE to establish the reason for revoking a teaching or school administrator certificate by a preponderance of evidence (more likely than not). The preponderance of evidence is the standard of proof required by the Uniform Administrative Procedure Act for state agency actions and the standard required for local boards of education in deciding on teacher terminations.

By law, the SBE may revoke a certificate if it finds any sufficient cause, or that the holder (1) obtained it through fraud or misrepresentation, (2) persistently neglected to perform his duties, (3) is professionally unfit for his duties, or (4) has been convicted of a crime involving

moral turpitude or another crime the SBE believes would impair the standing of certificates. The board must revoke a certificate if it finds the holder has intentionally breached the security of the state mastery examinations.

## **SCHOOL CONSTRUCTION GRANTS**

### ***Roof Replacement Projects (Sections 33 and 34)***

The bill allows the education commissioner to approve roof replacement projects without placing them on the school construction priority list for approval by the General Assembly. Under current law, the commissioner has this authority for projects to correct damages from fires and other catastrophes or to remedy safety, health, and code violations.

It also allows districts to receive grants for replacing roofs that are more than 15 but less than 20 years old even if it cannot be shown that the roof was improperly designed or constructed. Under current law, replacements of roofs less than 20 years old are not eligible for state grants unless a registered architect or engineer determines that it was improperly designed or built and the town has recovered less than full damages from the responsible parties.

Under the bill, the grant for replacing a roof that is between 15 and 20 years old must be reduced based on the ratio the roof's age at the time of replacement to 20 years. The roof's age must be calculated according to the number of whole years between when it was installed and when the district applies for a grant for a new roof.

### ***Audits (Section 22)***

The bill limits the time the SDE has to perform a full audit of a school construction project to five years from the date the school district notifies the department that the project is complete. Unless the department completes the audit within that time, it may review only (1) the total reported expenditures, (2) any off-site improvements, (3) whether the project complies with authorized space requirements, (4) interest on temporary bonds and notes, and (5) any other item the education commissioner considers important.

The bill bars SDE from making any adjustment to a district's school construction grant because the audit finds that a project change order was not bid publicly.

**Renovation Projects (Section 20)**

By law, a school district may receive a state school construction grant for a renovation project only if the renovation produces a school with a useful life comparable to that of a new school. The bill also requires that the renovation cost less than building a new facility. It requires the SDE to determine whether a renovation project meets this criterion and allows a district to submit an independent licensed architect's feasibility study and cost analysis of the renovation project to SDE before the department's final approval.

**Grant Repayments (Section 21)**

The bill clarifies that a school district must repay a school construction grant if it redirects the school building to any use that is not a public school use, not just if it decides to use it as a nonpublic school.

**ASSISTIVE DEVICES FOR DISABLED STUDENTS (SECTION 36)**

The bill allows state and local educational agencies to loan, lease or transfer an "assistive device" used by a student with a disability to the student or his parent or guardian or to another public or private nonprofit agency that provides services to people with disabilities regardless of whether the device is declared surplus. The sale or transfer must be based on the device's depreciated value and recorded in a written agreement.

The bill defines an "assistive device" as any equipment, item, or product system use to increase, maintain, or improve a disabled person's ability to function. The device can be one that is acquired commercially as is or one that has been modified or customized.

The bill also requires municipalities that receive money from loans, leases, or transfers of such devices by local or regional boards of education to make the funds available to the board in addition to other revenues the board receives.

**SPECIAL EDUCATION ADVISORY COUNCIL (SECTION 6)**

The bill requires one of the House majority leader's two appointments to the Special Education Advisory Council to be a person who works in the special education-related services field rather than a member of the Connecticut Association of Urban Schools.

It also staggers the terms of council members by requiring the 15 appointed by executive branch officials (the governor and the

commissioners of education, mental retardation, children and families, and correction) to serve three years and their successors to serve two-year terms. The members appointed by legislative leaders continue to serve two-year terms.

The council advises the governor, General Assembly, and SBE on special education laws and regulations and the unmet educational needs of children with disabilities.

### **FAMILY RESOURCE CENTERS (SECTION 2)**

The bill requires family resource centers established on or after July 1, 2000 to be located in public elementary schools unless the education commissioner waives the requirement. Centers established before that date continue to be governed by current requirements, which are that they be located in or associated with any public school, not just an elementary school.

The bill also requires the centers to meet SDE standards for school readiness programs. By law, the standards may include guidelines for staff-child interactions, curriculum content, lesson plans, parent involvement, staff qualifications and training, and administration.

### **DELEGATION OF FIRE PREVENTION DUTIES (SECTION 37)**

The bill allows the public safety commissioner to delegate any of his powers relating to fire prevention and safety that he considers appropriate to employees of the University of Connecticut's Storrs Division of Public Safety. Under current law, the commissioner may delegate only to Department of Public Safety employees.

### **MINORITY TEACHER INCENTIVE PROGRAM (SECTION 38)**

The bill eliminates the 50-person cap on the number of minority students who can receive grants from the Department of Higher Education's Minority Teacher Incentive Program. To be eligible for a grant, a student must be entering a teacher preparation program in his junior or senior year in college or be enrolled in DHE's alternate route to certification program. The maximum grant is \$5,000 per year for two years.

### **SCHOOL CRISIS RESPONSE DRILLS (SECTION 12)**

The bill allows school boards to substitute a crisis response drill for one of the required monthly school fire drills every three months.

### **EXTENDED SCHOOL BUILDING HOURS PROGRAMS**

***Use of Nonschool Building (Section 16)***

Priority school districts receive the grants to provide academic enrichment and support and recreation programs for their students.

The bill allows state extended school building hours grants to be used to pay for programs held in buildings other than public schools under certain conditions. The board of education seeking to hold a program in a nonschool building must demonstrate to the education commissioner that the building where the program is to run can adequately support the program's academic goals and there is a plan to provide adequate academic instruction.

***Evaluation Report (Section 18)***

The bill eliminates a requirement that the education commissioner file a report on his evaluation of the extended school building hours grant with the Education Committee and, if requested, any member of the General Assembly. It also eliminates a requirement that the commissioner mail a summary of the evaluation or, if the summary is more than two pages, notice of the report to each legislator. The report must still be filed with the governor, the General Assembly, and the Office of Policy and Management.

**SCHOLASTIC ACHIEVEMENT GRANT (SAG) ADMINISTRATIVE COSTS (SECTION 26)**

The bill allows the Board of Governors of Higher Education (BOG) to use 1% of the total annual appropriation for student financial assistance for administrative support, instead of just for data processing support, for the SAG grant.

**CONNECTICUT STUDENT LOAN FOUNDATION (CSLF)*****Board Members (Section 27)***

The bill allows a member of the CSLF board of directors to make a general designation of a representative to act in his place with all his powers at meetings, instead of requiring a member to make a separate designation for each meeting. As under current law, the designation must be in writing to the board chair.

***Annual Report (Section 29)***

The bill changes the submission deadline for the CSLF's annual report from September 1 to December 31 to conform with the foundation's fiscal year, which runs from October 1 to September 30. The report

goes to the governor, the Board of Governors of Higher Education, and the General Assembly.

***Student Loan Payments (Section 28)***

The bill requires the comptroller to forward promptly to the CSLF any amount she withholds from a state payment to someone who has defaulted on a student loan.

**HIGHER EDUCATION ACCOUNTABILITY (SECTION 39)**

The bill requires the higher education commissioner, with the Higher Education Coordinating Council's (HECC) concurrence, to develop a prototype accountability report that includes measures developed and approved under the existing law for which the commissioner determines data can be collected. Once the Board of Governors of Higher Education (BOG) reviews and approves the prototype, the commissioner must submit it, by October 1, 2000, to the Education Committee.

The bill requires each higher education constituent unit to submit its first accountability report to the commissioner by January 1, 2001. The commissioner must compile and consolidate the reports and submit an accountability report covering the state higher education system, each constituent unit, and each public higher education institution to the Education Committee by February 1, 2001. The report must include baseline data on accountability measures developed and approved under existing law for which data can be collected along with comparable data for peer institutions as determined by the commissioner after consulting with HECC. The report must also include a timeline for collecting data and reporting remaining accountability measures and for identifying performance improvement targets.

**SPECIAL EDUCATION EXCESS COST GRANTS (SECTION 41)**

The bill requires a town treasurer to credit state funds for special education excess costs to the local or regional board of education within 30 days after he receives documentation that the board's special education spending has exceeded its budgeted estimate for such costs. By law, the state reimburses districts for the cost of any special education placement that exceeds five times the district's average per-pupil expenditures.

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**NOTICE OF TEACHER CONTRACT ARBITRATION HEARINGS  
(SECTION 9)**

The bill requires arbitrators to notify a school district's fiscal authority of the time and place of the arbitration hearing held in the school district by registered mail, return receipt requested, instead of just sending the notice by regular mail. The hearings concern teacher or school administrator contract issues submitted for binding arbitration under the Teacher Negotiation Act.

**INSTALLATION OF VIDEO SURVEILLANCE DEVICES (SECTION 15)**

The bill specifically allows priority school districts to use state school improvement grants to install video surveillance devices. Districts are already allowed to use the grants to install security equipment.

**THREE RIVERS COMMUNITY-TECHNICAL COLLEGE  
RELOCATION (SECTION 40)**

The bill requires the BOG and DECD to jointly conduct an analysis of the educational and economic impact of the planned relocation of the Three Rivers Community-Technical College. The analysis must cover at least:

1. the effect of the relocation on the economy and property taxes of the community the institution is leaving and the community to which it is moving,
2. the resources available to students in each community, and
3. the accessibility of each location for students attending the institution.

The BOG must forward the findings to the Board of Trustees of the Community-Technical Colleges. If the General Assembly has authorized the State Bond Commission to issue bonds for the relocation, the BOG must submit a report on the analysis and its findings to the commission for its review and consideration prior to issuing bonds.

**REPORTING REQUIREMENTS ELIMINATED*****Teacher In-Service Training Program Plans (Section 10)***

The bill eliminates a requirement that local boards of education submit their in-service training programs for certified personnel to the education commissioner.

***Foster Child Count (Section 32)***

The bill eliminates a requirement that each school district submit to SDE an annual count of foster children attending school in the district whose parents live elsewhere or who have no parents.

**OBSELETE PROVISIONS ELIMINATED (SECTION 32)**

The bill eliminates:

1. a provision granting local school boards authority over funds received from the Johns-Manville Corporation asbestos settlement fund and
2. a requirement that the higher education commissioner and the Higher Education Coordinating Council assure each public higher education institution implements a process of institutional assessment and continuous improvement based on goals, objectives, and measurable outcomes consistent with its mission.

**BACKGROUND**

***Legislative History***

The House referred the original bill (File 351) to the Appropriations Committee on April 7, to the Human Services Committee, on April 12, and to the Legislative Management Committee on April 18. Those committees reported the bill favorably without change on April 10, April 17, and April 24, respectively.

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute  
Yea 30 Nay 0

Appropriations Committee

Joint Favorable Report  
Yea 44 Nay 0

Human Services Committee

Joint Favorable Report

Yea 17    Nay 0

Joint Committee on Legislative Management

Joint Favorable Report

Yea 22    Nay 5