



General Assembly

Substitute Bill No. 5317

February Session, 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12 repealed and the following is substituted in lieu thereof: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, by a preponderance
198 of the evidence, any certificate issued pursuant to sections 10-144o to
199 10-149, inclusive, for any of the following reasons: (1) The holder of the
200 certificate obtained such certificate through fraud or misrepresentation
201 of a material fact; (2) the holder has persistently neglected to perform
202 the duties for which certification was granted; (3) the holder is
203 professionally unfit to perform the duties for which certification was
204 granted; (4) the holder is convicted in a court of law of a crime
205 involving moral turpitude or of any other crime of such nature that in
206 the opinion of the board continued certification would impair the
207 standing of certificates issued by the board; or (5) other due and
208 sufficient cause. The State Board of Education shall revoke, by a
209 preponderance of the evidence, any certificate issued pursuant to said
210 sections if the holder is found to have intentionally disclosed specific
211 questions or answers to students or otherwise improperly breached the
212 security of any administration of a state-wide examination pursuant to
213 section 10-14n. Revocation shall be in accordance with procedures
214 established by the State Board of Education pursuant to chapter 54.
215 When the Commissioner of Education is notified, pursuant to section
216 17a-101i, as amended by this act, that a person holding a certificate
217 issued by the State Board of Education under the provisions of sections
218 10-144o to 10-149, inclusive, has been convicted of a crime involving an
219 act of child abuse or a violation of section 53a-71 or section 53a-73a,
220 any certificate issued by the State Board of Education and held by such
221 person shall be deemed revoked and the commissioner shall notify
222 such person of such revocation, provided such person may request
223 reconsideration pursuant to regulations adopted by the State Board of
224 Education, in accordance with the provisions of chapter 54. The State

225 Board of Education may deny an application for certification for any of
226 the following reasons: (A) The applicant seeks to obtain a certificate
227 through fraud or misrepresentation of a material fact; (B) the applicant
228 has been convicted in a court of law of a crime involving moral
229 turpitude or of any other crime of such nature that in the opinion of
230 the board issuance of a certificate would impair the standing of
231 certificates issued by the board; or (C) other due and sufficient cause.
232 Any applicant denied a certificate shall be notified in writing of the
233 reasons for denial. Any applicant denied a certificate may request a
234 review of such denial by the State Board of Education.

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

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

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

245 (2) The chairperson of the arbitration panel or the single arbitrator
246 shall set the date, time and place for a hearing to be held in the school
247 district between the fifth and twelfth day, inclusive, after such
248 chairperson or such single arbitrator is selected. At least five days prior
249 to such hearing, a written notice of the date, time and place of the
250 hearing shall be sent to the board of education and the representative
251 organization which are parties to the dispute, and, if a three-member
252 arbitration panel is selected or designated, to the other members of
253 such panel. Such written notice shall also be sent, by registered mail,
254 return receipt requested, to the fiscal authority having budgetary
255 responsibility or charged with making appropriations for the school
256 district, and a representative designated by such body may be heard at

257 the hearing as part of the presentation and participation of the board of
258 education. At the hearing each party shall have full opportunity to
259 submit all relevant evidence, to introduce relevant documents and
260 written material, and to argue on behalf of its positions. At the hearing
261 a representative of the fiscal authority having budgetary responsibility
262 or charged with making appropriations for the school district shall be
263 heard regarding the financial capability of the school district, unless
264 such opportunity to be heard is waived by the fiscal authority. The
265 nonappearance of the representative shall constitute a waiver of the
266 opportunity to be heard unless there is a showing that proper notice
267 was not given to the fiscal authority. The chairperson of the arbitration
268 panel or the single arbitrator shall preside over such hearing.

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

271 (a) Each local or regional board of education shall provide an in-
272 service training program for its teachers, administrators and pupil
273 personnel who hold the initial educator, provisional educator or
274 professional educator certificate. Such program shall [be submitted to
275 the Commissioner of Education and shall] provide such teachers,
276 administrators and pupil personnel with information on (1) the nature
277 and the relationship of drugs, as defined in subdivision (17) of section
278 21a-240, and alcohol to health and personality development, and
279 procedures for discouraging their abuse, (2) health and mental health
280 risk reduction education which includes, but need not be limited to,
281 the prevention of risk-taking behavior by children and the relationship
282 of such behavior to substance abuse, pregnancy, sexually transmitted
283 diseases, including HIV-infection and AIDS, as defined in section 19a-
284 581, violence, child abuse and youth suicide, (3) the growth and
285 development of exceptional children, including handicapped and
286 gifted and talented children and children who may require special
287 education, and methods for identifying, planning for and working
288 effectively with special needs children in a regular classroom, (4)
289 school violence prevention and conflict resolution, (5)
290 cardiopulmonary resuscitation and other emergency life saving

291 procedures, (6) computer and other information technology as applied
292 to student learning and classroom instruction, communications and
293 data management, and (7) the teaching of the language arts, reading
294 and reading readiness for teachers in grades kindergarten to three,
295 inclusive. The State Board of Education, within available
296 appropriations and utilizing available materials, shall assist and
297 encourage local and regional boards of education to include: (A)
298 Holocaust education and awareness; (B) the historical events
299 surrounding the Great Famine in Ireland; (C) African-American
300 history; (D) Puerto Rican history; (E) Native American history; (F)
301 personal financial management; and (G) topics approved by the state
302 board upon the request of local or regional boards of education as part
303 of in-service training programs pursuant to this subsection.

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

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

315 (c) Each regional educational service center shall report by
316 [December 1, 1998] October 1, 2000, and biennially thereafter, to the
317 Commissioner of Education on the programs and activities undertaken
318 in its region to reduce racial, ethnic and economic isolation.

319 (d) The Commissioner of Education shall report, by January 1, 1999,
320 and biennially thereafter, in accordance with section 10-4a, to the
321 Governor and the General Assembly on activities and programs
322 designed to reduce racial, ethnic and economic isolation. The report

323 shall include statistics on any growth in such programs or expansion of
324 such activities over time, an analysis of the success of such programs
325 and activities in reducing racial, ethnic and economic isolation, a
326 recommendation for any statutory changes that would assist in the
327 expansion of such programs and activities and the sufficiency of the
328 annual grant pursuant to subsection [(f)] (e) of section 10-266aa, as
329 amended by this act, and whether additional financial incentives
330 would improve the program established pursuant to section 10-266aa,
331 as amended by this act.

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

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

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

340 (2) "Average daily membership" means the number of all pupils of
341 the local or regional board of education enrolled in public schools at
342 the expense of such board of education on October first or the full
343 school day immediately preceding such date, provided the number so
344 obtained shall be decreased by the Department of Education for failure
345 to comply with the provisions of section 10-16 and shall be increased
346 by one one-hundred-eightieth for each full-time equivalent school day
347 of at least five hours of actual school work in excess of one hundred
348 eighty days and nine hundred hours of actual school work and be
349 increased by the full-time equivalent number of such pupils attending
350 the summer sessions immediately preceding such date at the expense
351 of such board of education; "enrolled" shall include pupils who are
352 scheduled for vacation on the above dates and who are expected to
353 return to school as scheduled. Pupils participating in the program
354 established pursuant to section 10-266aa shall be counted in

355 accordance with the provisions of subsection [(g)] (f) of section [10-
356 266a] 10-266aa, as amended by this act.

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

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

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

378 (a) The Commissioner of Education shall establish, within available
379 bond authorizations, a grant program to assist priority school districts
380 in paying for general improvements to school buildings. For purposes
381 of this section "general improvements to school buildings" means work
382 that (1) is generally not eligible for reimbursement pursuant to chapter
383 173, and (2) is to (A) replace windows, doors, boilers and other heating
384 and ventilation system components, internal communications systems,
385 lockers, and ceilings including the installation of new drop ceilings, (B)
386 upgrade restrooms including the replacement of fixtures, (C) upgrade

387 and replace lighting, or (D) install security equipment including, but
388 not limited to, video surveillance devices and fencing, provided
389 "general improvements to school buildings" may include work not
390 specified in this subdivision if the school district provides justification
391 for such work acceptable to the Commissioner of Education, but shall
392 not include routine maintenance such as painting, cleaning, equipment
393 repair or other minor repairs or work done at the administrative
394 facilities of a board of education.

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

398 (a) The Commissioner of Education shall award grants annually, in
399 accordance with this section and section 10-266u, to local and regional
400 boards of education identified as priority school districts pursuant to
401 section 10-266p, as amended. In addition, for the fiscal years ending
402 June 30, 2000, and June 30, 2001, the commissioner shall provide a
403 grant to any local or regional board of education in a town which does
404 not qualify for a grant pursuant to subsection (a) of section 10-266p, as
405 amended, for said fiscal years but does qualify for a grant pursuant to
406 subsection (b) of said section for said fiscal years. The grants shall
407 provide funds for extended school building hours for public schools in
408 such districts for academic enrichment and support, and recreation
409 programs for students in the districts. Such programs may be
410 conducted in buildings other than public school buildings.

411 Sec. 17. Notwithstanding the provisions of subsection (c) of section
412 10-264l of the general statutes, as amended by section 9 of public act
413 99-289, the maximum amount any interdistrict magnet school program
414 established prior to January 1, 1993, that serves two school districts
415 shall be eligible to receive per enrolled student under said section 10-
416 264l for operating expenses shall be ninety per cent of the foundation
417 as defined in subdivision (7) of section 10-262f of the general statutes
418 for each participating district.

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

421 (f) On or before December first annually, the Commissioner of
422 Education shall file, in accordance with the provisions of section 11-4a,
423 an evaluation report of the program established pursuant to section 10-
424 266t with the Governor, the General Assembly and the Office of Policy
425 and Management. [On and after October 1, 1996, the report shall be
426 submitted to the Governor, the Office of Policy and Management, the
427 joint standing committee of the General Assembly having cognizance
428 of matters relating to education and, upon request, to any member of
429 the General Assembly. A summary of the report shall be submitted to
430 each member of the General Assembly if the summary is two pages or
431 less and a notification of the report shall be submitted to each member
432 if the summary is more than two pages. Submission shall be by
433 mailing the report, summary or notification to the legislative address
434 of each member of the committee or General Assembly, as applicable.]

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

438 (a) As used in this section:

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

441 (2) "Sending district" means any school district that sends students it
442 would otherwise be legally responsible for educating to another school
443 district under the program.

444 (b) There is established, within available appropriations, a state-
445 wide interdistrict public school attendance program. The purpose of
446 the program shall be to: (1) Improve academic achievement; (2) reduce
447 racial, ethnic and economic isolation or preserve racial and ethnic
448 balance; and (3) provide a choice of educational programs for students
449 enrolled in the public schools. The Department of Education shall

450 provide oversight for the program, including the setting of reasonable
451 limits for the transportation of students participating in the program.

452 (c) The program shall be phased in as provided in this subsection.

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

482 (d) Once the program is in operation in the region served by a
483 regional educational service center pursuant to subsection (c) of this

484 section, the Department of Education shall provide, annually, a grant
485 in the amount of one hundred seventy-five thousand dollars to such a
486 regional educational service center to assist school districts in its area
487 in administering the program and to provide staff to assist students
488 participating in the program to make the transition to a new school
489 and to act as a liaison between the parents of such students and the
490 new school district. Each regional educational service center shall
491 determine which school districts in its area are located close enough to
492 a priority school district to make participation in the program feasible
493 in terms of student transportation pursuant to subsection (f) of this
494 section, provided any student participating in the program prior to
495 July 1, 1999, shall be allowed to continue to attend the same school
496 such student attended prior to said date in the receiving district until
497 the student completes the highest grade in such school. Each regional
498 educational service center shall convene, annually, a meeting of
499 representatives of such school districts in order for such school
500 districts to report, by March thirty-first, the number of spaces available
501 for the following school year for out-of-district students under the
502 program. Annually, each regional educational service center shall
503 provide a count of such spaces to the Department of Education by
504 April fifteenth. If there are more students who seek to attend school in
505 a receiving district than there are spaces available, the regional
506 educational service center shall assist the school district in determining
507 attendance by the use of a lottery or lotteries designed to preserve or
508 increase racial, ethnic and economic diversity, except that the regional
509 educational service center shall give preference to siblings and to
510 students who would otherwise attend a school that has lost its
511 accreditation by the New England Association of Schools and Colleges.
512 The admission policies shall be consistent with section 10-15c. No
513 receiving district shall recruit students under the program for athletic
514 or extracurricular purposes. Each receiving district shall allow out-of-
515 district students it accepts to attend school in the district until they
516 graduate from high school.

517 [(e) Each sending district shall transfer the records of participating

518 students to the receiving district.]

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

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

541 [(h)] (g) Notwithstanding any provision of this chapter, each
542 sending district and each receiving district shall divide the number of
543 children participating in the program who reside in such district or
544 attend school in such district by two for purposes of the counts for
545 subdivision (22) of section 10-262f and subdivision (2) of subsection (a)
546 of section 10-261.

547 [(i)] (h) In the case of an out-of-district student who requires special
548 education and related services, the sending district shall pay the
549 receiving district an amount equal to the difference between the

550 reasonable cost of providing such special education and related
551 services to such student and the amount received by the receiving
552 district pursuant to subdivision [(g)] (f) of this section. The sending
553 district shall be eligible for reimbursement pursuant to section 10-76g.

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

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

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

573 (18) "Renovation" means a school building project to totally
574 refurbish an existing building as an alternative to new construction
575 and which results in the renovated facility taking on a useful life
576 comparable to that of a new facility as determined by the department,
577 provided the school district may submit a feasibility study and cost
578 analysis of the project prepared by an independent licensed architect to
579 the department prior to final plan approval.

580 Sec. 21. Subparagraph (A) of subdivision (3) of subsection (a) of
581 section 10-283 of the general statutes is repealed and the following is

582 substituted in lieu thereof:

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

606 Sec. 22. Subdivision (1) of subsection (a) of section 10-286 of the
607 general statutes is repealed and the following is substituted in lieu
608 thereof:

609 (1) For the fiscal year ending June 30, 1984, and each fiscal year
610 thereafter, in the case of a new school plant, an extension of an existing
611 school building or projects involving the major alteration of any
612 existing building to be used for school purposes, the eligible
613 percentage, as determined in section 10-285a, of the result of
614 multiplying together the number representing the highest projected

615 enrolment, based on data acceptable to the Commissioner of
616 Education, for such building during the eight-year period from the
617 date a local or regional board of education files a notification of a
618 proposed school building project with the state Department of
619 Education, the number of gross square feet per pupil determined by
620 the Commissioner of Education to be adequate for the kind of
621 educational program or programs intended, and the eligible cost of
622 such project, divided by the gross square feet of such building, or the
623 eligible percentage, as determined in section 10-285a, of the eligible
624 cost of such project, whichever is less, provided, (A) any such project
625 on which construction was started prior to July 1, 1975, shall be
626 reimbursed under the formula in effect prior to said date, (B) any such
627 project on which construction or payments under this chapter were
628 started after June 30, 1975, but prior to July 31, 1983, shall be
629 reimbursed based upon the data, submitted for each such project and
630 accepted by the state Department of Education during said period,
631 representing the number of pupils the plant was designed to
632 accommodate, (C) any project for which final grant calculation has
633 been made after June 30, 1975, but prior to July 31, 1983, shall be
634 reimbursed based upon such final calculation, [and] (D) any such
635 project for which estimated grant payments were begun prior to July
636 31, 1983, shall be reimbursed based upon the calculation formula used
637 in making such estimated grant payments, and (E) for projects
638 authorized after July 1, 2000, if the State Board of Education does not
639 complete a final audit of the project during (i) the five-year period
640 from the date the department receives the final application for grant
641 payment, the department shall not require an audit for such project,
642 and shall provide reimbursement for such project based on the data
643 submitted in such final application, and (ii) the three-year period from
644 the date the department receives the final application for grant
645 payment, the department shall limit school building project grant
646 payment adjustments associated with a final audit of such project to
647 five per cent of the total grant amount calculated for the project prior
648 to such audit.

649 Sec. 23. Section 10a-103 of the general statutes is repealed and the
650 following is substituted in lieu thereof:

651 There shall continue to be a Board of Trustees for The University of
652 Connecticut to consist of [nineteen] twenty-one persons, [twelve]
653 fourteen to be appointed by the Governor, who shall reflect the state's
654 geographic, racial and ethnic diversity; two to be elected by the
655 university alumni; two to be elected by the students enrolled at the
656 institutions under the jurisdiction of said board; and three members ex
657 officio. On or before July 1, 1983, the Governor shall appoint members
658 to the board as follows: Four members for a term of two years from
659 said date; four members for a term of four years from said date; and
660 four members for a term of six years from said date. On or before July
661 1, 2000, the Governor shall appoint two additional members, one
662 member for a term of one year from said date and one member for a
663 term of three years from said date. Thereafter the Governor shall
664 appoint trustees of said university to succeed those appointees whose
665 terms expire, and each trustee so appointed shall hold office for a
666 period of six years from the first day of July in the year of his
667 appointment, provided two of the trustees appointed for terms
668 commencing July 1, 1995, and their successors shall be alumni of the
669 university, one of the trustees appointed for a term commencing July 1,
670 1997, and his successors shall be such alumni and one of the members
671 appointed for a term commencing July 1, 1999, and his successors shall
672 be such alumni. The Commissioner of Agriculture and the
673 Commissioner of Education shall be, ex officio, members of the board
674 of trustees. The Governor shall be, ex officio, president of said board.
675 The graduates of all of the schools and colleges of said university shall,
676 prior to September first in the odd-numbered years, elect one trustee,
677 who shall be a graduate of the institution and who shall hold office for
678 four years from the first day of September succeeding his election. Not
679 less than two nor more than four nominations for each such election
680 shall be made by the alumni association of said university, provided
681 no person who has served as an alumni trustee for the two full
682 consecutive terms immediately prior to the term for which such

683 election is to be held shall be nominated for any such election. Such
684 election shall be conducted by mail prior to September first under the
685 supervision of a canvassing board consisting of three members, one
686 appointed by the board of trustees, one by the board of directors of the
687 alumni association of the university and one by the president of the
688 university. No ballot in such election shall be opened until the date by
689 which ballots must be returned to the canvassing board. In such
690 election all graduates shall be entitled to vote by signed ballots which
691 have been circulated to them by mail and which shall be returned by
692 mail. Vacancies occurring by death or resignation of either of such
693 alumni trustees shall be filled for the unexpired portion of the term by
694 special election, if such unexpired term is for more than eighteen
695 months. When the unexpired term is eighteen months or less, such
696 vacancy shall be filled by appointment by the board of directors of said
697 alumni association. On or before November 1, 1975, the students of
698 The University of Connecticut shall, in such manner as the board of
699 trustees of said university shall determine, elect two trustees, each of
700 whom shall be enrolled as a full-time student of said university at the
701 time of his election. One such member shall be elected for a term of one
702 year from November 1, 1975, and one for a term of two years from said
703 date. Prior to July first, annually, such students shall, in such manner
704 as the board shall determine, elect one member of said board, who
705 shall be so enrolled at said university at the time of his election and
706 who shall serve for a term of two years from July first in the year of his
707 election. Any vacancies in the elected membership of said board shall,
708 except as otherwise provided in this section, be filled by special
709 election for the balance of the unexpired term.

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

712 (a) The accountability measures developed by the Higher Education
713 Coordinating Council pursuant to subsection (b) of section 10a-6a, as
714 amended, shall be used by the Department of Higher Education and
715 each constituent unit of higher education in assessing the constituent
716 unit's progress toward meeting the following goals to: (1) Enhance

717 student learning and promote academic excellence; (2) join with
718 elementary and secondary schools to improve teaching and learning at
719 all levels; (3) ensure access to and affordability of higher education; (4)
720 promote the economic development of the state to help business and
721 industry sustain strong economic growth; (5) respond to the needs and
722 problems of society; and (6) ensure the efficient use of resources. The
723 council shall develop an implementation plan for use of the
724 accountability measures.

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

727 (d) The Commissioner of Higher Education, on behalf of the council,
728 shall report, in accordance with section 11-4a, to the joint standing
729 committee of the General Assembly having cognizance of matters
730 relating to education on the accountability measures and the
731 implementation plan developed pursuant to this section by February 1,
732 2000. The report shall include recommendations: (1) For any statutory
733 changes needed for purposes of assessing the constituent units and
734 public institutions of higher education based on the accountability
735 measures; (2) to clarify and streamline planning and accountability
736 reporting requirements of the constituent units and public institutions
737 of higher education; (3) concerning goals, actions to achieve such goals
738 and analysis of performance; and (4) for options to revise budgeting
739 policies and programs to meet accountability goals and measures as
740 outlined in subsections (a) and (b) of this section.

741 Sec. 26. Section 10a-170 of the general statutes is repealed and the
742 following is substituted in lieu thereof:

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

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

749 (a) Said corporation shall be governed and all of its corporate
750 powers exercised by a board of directors which shall consist of thirteen
751 members, as follows: The chairman of the Board of Governors of
752 Higher Education and the Commissioner of Higher Education; [,
753 provided each such member may for any specific meeting of the
754 directors designate in writing to the chairman of the board of directors
755 a representative to act in his place at such meeting, with all rights and
756 obligations at such meeting as the member he represents would have
757 had at such meeting;] seven public members appointed by the
758 Governor, at least one of whom shall represent the private colleges,
759 and commencing with the next regular appointments made on and
760 after July 1, 1984, at least one shall be a financial aid officer at an
761 eligible institution and at least one shall be a person having a favorable
762 reputation for skill, knowledge and experience in management of a
763 private company or lending institution at least as large as the
764 corporation and all of whom shall be electors of this state; and two
765 members from the House of Representatives, one appointed by the
766 speaker of the House and one appointed by the minority leader of the
767 House; two members from the Senate, one appointed by the president
768 pro tempore of the Senate and one appointed by the minority leader of
769 the Senate. Those members who are appointed by the Governor shall
770 serve for terms of four years each from July first in the year of their
771 appointment and until their successors have been appointed. Those
772 members who are appointed by the speaker of the House of
773 Representatives, the minority leader of the House, the president pro
774 tempore of the Senate and the minority leader of the Senate shall be
775 appointed for terms of two years from January fifteenth in the year of
776 their appointment. The term of each appointed member of the board
777 shall be coterminous with the term of the appointing authority or until
778 a successor is chosen, whichever is later. The board of directors shall
779 elect, from its own members each year, a chairman and a vice-
780 chairman who shall serve for terms of one year and who shall be
781 eligible for reelection for successive terms. Vacancies shall be filled for
782 the unexpired term in the same manner as original appointments.
783 Directors shall receive no compensation for their services but shall be

784 reimbursed for their expenses actually and necessarily incurred by
785 them in the performance of their duties under this chapter. Any
786 member may designate in writing to the chairperson of the board of
787 directors a representative to act in the place of such member at a
788 meeting or meetings, with all rights and obligations at such meeting as
789 the member represented would have had at the meeting.

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

792 Upon notification to the Comptroller by the Connecticut Student
793 Loan Foundation that any borrower under this chapter is in default on
794 one or more instalments of a loan made or guaranteed by the
795 corporation under this chapter, including any interest related thereto,
796 the Comptroller shall withhold any order upon the Treasurer for
797 payment of any amount payable by the state to such borrower, unless
798 the amount so payable is reduced by the amount of such indebtedness,
799 provided any such amount payable by the state shall not be so reduced
800 if (1) such amount payable is a payment of salary or wages, or any
801 payment in lieu of or in addition to such salary or wages, to a state
802 employee, (2) such taxes, penalties and interest have been fixed by the
803 Commissioner of Revenue Services pursuant to a request within the
804 time allowed under title 12 to correct the amount thereof or (3) such
805 taxes, penalties and interest have been determined by said
806 commissioner to be due and such determination is the subject of an
807 appeal pending before any court in this state. The Comptroller shall
808 promptly notify the corporation of any payment reduced under the
809 provisions of this section and shall promptly forward the amount of
810 said reduction to the Connecticut Student Loan Foundation.

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

813 (a) The corporation shall make an annual report, on or before
814 [September first] December thirty-first for the fiscal year ending
815 September thirtieth, of its condition to the Governor, as provided in

816 section 4-60, to the Board of Governors of Higher Education and to the
817 General Assembly. The report shall include, in addition to the
818 corporation's financial statement, a description of the organization,
819 including the number of employees and functions, data on the number
820 and amounts of loans in default and the results of collection activities
821 undertaken by the corporation or on behalf of the corporation.

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

824 (a) Notwithstanding any provision of the general statutes to the
825 contrary, after an investigation has been completed and the
826 Commissioner of Children and Families, based upon the results of the
827 investigation, has reasonable cause to believe that a child has been
828 abused by a [certified public school employee in a position requiring a
829 certificate] school employee who holds a certificate, permit or
830 authorization issued by the State Board of Education, the
831 commissioner shall notify the employing superintendent of such
832 finding and shall provide records, whether or not created by the
833 department, concerning such investigation to the superintendent who
834 shall suspend such school employee. Such suspension shall be with
835 pay and shall not result in the diminution or termination of benefits to
836 such employee. Within seventy-two hours after such suspension the
837 superintendent shall notify the local or regional board of education
838 and the Commissioner of Education, or his representative, of the
839 reasons for and conditions of the suspension. The superintendent shall
840 disclose such records to the Commissioner of Education and the local
841 or regional [boards] board of education or [their] its attorney for
842 purposes of review of employment status or [certification. Such
843 suspension] the status of such employee's certificate, permit or
844 authorization. The suspension of a school employee employed in a
845 position requiring a certificate shall remain in effect until the board of
846 education acts pursuant to the provisions of section 10-151. If the
847 contract of employment of such certified school employee is
848 terminated, the superintendent shall notify the Commissioner of
849 Education, or his representative, within seventy-two hours after such

850 termination. Upon receipt of such notice from the superintendent, the
851 Commissioner of Education may commence certification revocation
852 proceedings pursuant to the provisions of subsection (m) of section 10-
853 145b, as amended. Notwithstanding the provisions of sections 1-210, as
854 amended, and 1-211, information received by the Commissioner of
855 Education, or his representative, pursuant to this section shall be
856 confidential subject to regulations adopted by the State Board of
857 Education under section 10-145g.

858 (b) After an investigation has been completed and the
859 Commissioner of Children and Families, based upon the results of the
860 investigation, has reasonable cause to believe that a child has been
861 abused by a staff member of a public or private institution or facility
862 providing care for children or private school, the commissioner shall
863 notify the executive director of such institution, school or facility and
864 shall provide records, whether or not created by the department
865 concerning such investigation to such executive director. Such
866 institution, school or facility may suspend such staff person. Such
867 suspension shall be with pay and shall not result in diminution or
868 termination of benefits to such employee. Such suspension shall
869 remain in effect until the incident of abuse has been satisfactorily
870 resolved by the employer of the staff person.

871 (c) If a school employee or any person holding a certificate, permit
872 or authorization issued by the State Board of Education under the
873 provisions of sections 10-144o to 10-149, inclusive, is convicted of a
874 crime involving an act of child abuse or neglect as described in section
875 46b-120 or a violation of section 53-21, 53a-71 or 53a-73a, the state's
876 attorney for the judicial district in which the conviction occurred shall
877 in writing notify the superintendent of the school district or the
878 supervisory agent of the nonpublic school in which the person is
879 employed and the Commissioner of Education of such conviction.

880 (d) For the purposes of receiving and making reports, notifying and
881 receiving notification, or investigating, pursuant to the provisions of
882 sections 17a-101a to 17a-101h, inclusive, and 17a-103 a superintendent

883 of a school district or a supervisory agent of a nonpublic school may
884 assign a designee to act on his behalf.

885 (e) On or before February 1, 1997, each local and regional board of
886 education shall adopt a written policy regarding the reporting by
887 school employees of suspected child abuse in accordance with sections
888 17a-101a to 17a-101d, inclusive, and 17a-103.

889 Sec. 31. On or before January 1, 2001, the Department of Education
890 shall report, in accordance with section 11-4a of the general statutes, to
891 the joint standing committee of the General Assembly having
892 cognizance of matters relating to education, on the activities
893 undertaken by local and regional boards of education to counteract
894 aggressive behavior among students in the schools under their
895 jurisdiction. Such report shall include, but not be limited to,
896 descriptions of the activities undertaken in the school as a whole, in the
897 classroom and on an individual student basis.

898 Sec. 32. Sections 10-220e, 10-222b and 10a-156 of the general statutes
899 are repealed.

900 Sec. 33. This act shall take effect from its passage, except that
901 sections 1 to 22, inclusive, and 24 to 32, inclusive, shall take effect July
902 1, 2000.

ED Committee Vote: Yea 30 Nay 0 JFS
APP Committee Vote: Yea 44 Nay 0 JF
HS Committee Vote: Yea 17 Nay 0 JF