



General Assembly

January Session, 2001

Committee Bill No. 458

LCO No. 3253

Referred to Committee on Education

Introduced by:

(ED)

AN ACT CONCERNING STATE SPECIAL EDUCATION PAYMENTS.

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

1 Section 1. Section 2-33a of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 The General Assembly shall not authorize an increase in general
4 budget expenditures for any fiscal year above the amount of general
5 budget expenditures authorized for the previous fiscal year by a
6 percentage which exceeds the greater of the percentage increase in
7 personal income or the percentage increase in inflation, unless the
8 Governor declares an emergency or the existence of extraordinary
9 circumstances and at least three-fifths of the members of each house of
10 the General Assembly vote to exceed such limit for the purposes of
11 such emergency or extraordinary circumstances. Any such declaration
12 shall specify the nature of such emergency or circumstances and may
13 provide that such proposed additional expenditures shall not be
14 considered general budget expenditures for the current fiscal year for
15 the purposes of determining general budget expenditures for the
16 ensuing fiscal year and any act of the General Assembly authorizing
17 such expenditures may contain such provision. As used in this section,

18 "increase in personal income" means the average of the annual increase
19 in personal income in the state for each of the preceding five years,
20 according to United States Bureau of Economic Analysis data;
21 "increase in inflation" means the increase in the consumer price index
22 for urban consumers during the preceding twelve-month period,
23 according to United States Bureau of Labor Statistics data; and "general
24 budget expenditures" means expenditures from appropriated funds
25 authorized by public or special act of the General Assembly, provided
26 (1) general budget expenditures shall not include expenditures for
27 payment of the principal of and interest on bonds, notes or other
28 evidences of indebtedness, expenditures pursuant to section 4-30a, [or]
29 current or increased expenditures for statutory grants to distressed
30 municipalities, provided such grants are in effect on July 1, 1991, or
31 expenditures for special education from the Special Education
32 Municipal Aid Fund established pursuant to section 2 of this act, and
33 (2) expenditures for the implementation of federal mandates or court
34 orders shall not be considered general budget expenditures for the first
35 fiscal year in which such expenditures are authorized, but shall be
36 considered general budget expenditures for such year for the purposes
37 of determining general budget expenditures for the ensuing fiscal year.
38 As used in this section, "federal mandates" means those programs or
39 services in which the state must participate, or in which the state
40 participated on July 1, 1991, and in which the state must meet federal
41 entitlement and eligibility criteria in order to receive federal
42 reimbursement, provided expenditures for program or service
43 components which are optional under federal law or regulation shall
44 be considered general budget expenditures.

45 Sec. 2. (NEW) There is established a fund to be known as the
46 "Special Education Municipal Aid Fund". The fund shall contain any
47 moneys required by law to be deposited in the fund and shall be held
48 by the State Treasurer separate and apart from all other moneys, funds
49 and accounts. All appropriations made for the purposes of special
50 education grants pursuant to sections 10-76e, 10-76g and 10-253 of the
51 general statutes, as amended by this act, shall be deposited in the fund

52 and shall be disbursed for the payment of said grants in accordance
53 with said sections. Any balance remaining in said fund at the end of
54 any fiscal year shall be carried forward in said fund for the fiscal year
55 next succeeding.

56 Sec. 3. Subdivision (2) of subsection (e) of section 10-76d of the
57 general statutes is repealed and the following is substituted in lieu
58 thereof:

59 (2) Notwithstanding any other provisions of the general statutes, for
60 the fiscal year ending June 30, 1987, and each fiscal year thereafter,
61 whenever a public agency, other than a local or regional board of
62 education, the State Board of Education or the Superior Court acting
63 pursuant to section 10-76h, places a child in a foster home, group
64 home, hospital, state institution, receiving home, custodial institution
65 or any other residential or day treatment facility, and such child
66 requires special education, the local or regional board of education
67 under whose jurisdiction the child would otherwise be attending
68 school or, if no such board can be identified, the local or regional board
69 of education of the town where the child is placed, shall provide the
70 requisite special education and related services to such child in
71 accordance with the provisions of this section. Within one business day
72 of such a placement by the Department of Children and Families, said
73 department shall orally notify the local or regional board of education
74 responsible for providing special education and related services to
75 such child of such placement. The department shall provide written
76 notification to such board of such placement within two business days
77 of the placement. Such local or regional board of education shall
78 convene a planning and placement team meeting for such child within
79 thirty days of the placement and shall invite a representative of the
80 Department of Children and Families to participate in such meeting.
81 [(A) The local or regional board of education under whose jurisdiction
82 such child would otherwise be attending school shall be financially
83 responsible for the reasonable costs of such special education and
84 related services in an amount equal to the lesser of one hundred per

85 cent of the costs of such education or the average per pupil educational
86 costs of such board of education for the prior fiscal year, determined in
87 accordance with the provisions of subsection (a) of section 10-76f. The
88 State Board of Education shall pay on a current basis, except as
89 provided in subdivision (3) of this subsection, any costs in excess of
90 such local or regional board's basic contributions paid by such board of
91 education in accordance with the provisions of this subdivision. (B)
92 Whenever a child is placed pursuant to this subdivision, on or after
93 July 1, 1995, by the Department of Children and Families and the local
94 or regional board of education under whose jurisdiction such child
95 would otherwise be attending school cannot be identified, the local or
96 regional board of education under whose jurisdiction the child
97 attended school or in whose district the child resided at the time of
98 removal from the home by said department shall be responsible for the
99 reasonable costs of special education and related services provided to
100 such child, for one calendar year or until the child is committed to the
101 state pursuant to section 46b-129 or 46b-140 or is returned to his parent
102 or guardian, whichever is earlier. If the child remains in such
103 placement beyond one calendar year the Department of Children and
104 Families shall be responsible for such costs. During the period the local
105 or regional board of education is responsible for the reasonable cost of
106 special education and related services pursuant to this subparagraph,
107 the board shall be responsible for such costs in an amount equal to the
108 lesser of one hundred per cent of the costs of such education and
109 related services or the average per pupil educational costs of such
110 board of education for the prior fiscal year, determined in accordance
111 with the provisions of subsection (a) of section 10-76f. The State Board
112 of Education shall pay on a current basis, except as provided in
113 subdivision (3) of this subsection, any costs in excess of such local or
114 regional board's basic contributions paid by such board of education in
115 accordance with the provisions of this subdivision] The state shall pay
116 the full cost of special education and related services provided to a
117 child placed pursuant to this subdivision. Such payment shall be made
118 from the fund established pursuant to section 2 of this act. The costs

119 for services other than educational shall be paid by the state agency
120 which placed the child. The provisions of this subdivision shall not
121 apply to the school districts established within the Department of
122 Children and Families, pursuant to section 17a-37, the Department of
123 Correction, pursuant to section 18-99a, or the Department of Mental
124 Retardation, pursuant to section 17a-240, provided in any case in
125 which special education is being provided at a private residential
126 institution, including the residential components of regional
127 educational service centers, to a child for whom no local or regional
128 board of education can be found responsible under subsection (b) of
129 this section, Unified School District #2 shall provide the special
130 education and related services and be financially responsible for the
131 reasonable costs of such special education instruction for such
132 children.

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

135 (a) Any school district, except a state-operated school district, which
136 provides special education in accordance with regulations adopted
137 pursuant to sections 10-76a to 10-76g, inclusive, for any exceptional child
138 described in subdivision (1) of subsection (e) of section 10-76a, shall, for
139 each fiscal year, be reimbursed for a percentage of its net cost of special
140 education for the preceding fiscal year, as defined in subsection (h) of
141 section 10-76f, equal to the percentage such school district would be
142 eligible to receive pursuant to subsection (c) of this section. Applications
143 for such reimbursements shall be made not later than October first, and
144 all such reimbursements shall be paid not later than December fifteenth,
145 provided, if a school district submits after November first the audited
146 data, pursuant to section 10-227, upon which reimbursements are based
147 or if the data submitted would result in increased reimbursements in
148 excess of one hundred twenty per cent of the reimbursements for the
149 prior fiscal year, then not less than eighty-five per cent of the estimated
150 reimbursements based upon the prior year's reported expenditures shall
151 be paid not later than December fifteenth and the adjusted balance shall

152 be paid not later than March first. Payments shall be made from the
153 fund established pursuant to section 2 of this act.

154 [(a)] (b) (1) For the fiscal year ending June 30, 1984, and each fiscal
155 year thereafter, in any case in which special education is being
156 provided at a private residential institution, including the residential
157 components of regional educational service centers, to a child for
158 whom no local or regional board of education can be found
159 responsible under subsection (b) of section 10-76d, the Department of
160 Children and Families shall pay the costs of special education to such
161 institution pursuant to its authority under sections 17a-1 to 17a-26,
162 inclusive, 17a-28 to 17a-50, inclusive, and 17a-52. (2) For the fiscal year
163 ending June 30, 1993, and each fiscal year thereafter, any local or
164 regional board of education which provides special education and
165 related services for any child (A) who is placed by a state agency in a
166 private residential facility or who is placed in a facility or institution
167 operated by the Department of Children and Families and who
168 receives such special education at a program operated by a regional
169 education service center or program operated by a local or regional
170 board of education, and (B) for whom no local or regional board of
171 education can be found responsible under subsection (b) of section 10-
172 76d, shall be eligible to receive one hundred per cent of the reasonable
173 costs of special education for such child as defined in the regulations of
174 the State Board of Education. Any such board eligible for payment
175 shall file with the state Department of Education, in such manner as
176 prescribed by the Commissioner of Education, annually, on or before
177 December first a statement of the cost of providing special education
178 for such child, provided a board of education may submit, not later
179 than February first, claims for additional children or costs not included
180 in the December filing. Payment by the state for such costs shall be
181 made to the local or regional board of education as follows: Seventy-
182 five per cent of the cost in February and the balance in April. Such
183 payments shall be made from the fund established pursuant to section
184 2 of this act.

185 (c) A school district providing special education in accordance with
186 regulations adopted pursuant to sections 10-76a to 10-76g, inclusive, for
187 any exceptional child described in subdivision (1) of subsection (e) of
188 section 10-76a, shall be eligible annually for reimbursement as follows:

189 (1) The percentage of the net cost of special education aid a local board
190 of education shall receive, under the provisions of this section, shall be
191 determined as follows: (A) Each town shall be ranked in descending
192 order from one to one hundred sixty-nine according to such town's
193 adjusted equalized net grand list per capita, as defined in section 10-261;
194 (B) based upon such ranking, and notwithstanding the provisions of
195 section 2-32a, a percentage of not less than zero nor more than seventy
196 shall be determined for each town on a continuous scale, except that no
197 town shall receive less than two per cent.

198 (2) The percentage of the net cost of special education a regional board
199 of education shall receive under the provisions of this section shall be
200 determined by its ranking. Such ranking shall be determined by (A)
201 multiplying the total population, as defined in section 10-261, of each
202 town in the district by such town's ranking, as determined in subdivision
203 (1) of this subsection, (B) adding together the figures for each town
204 determined under (A), and (C) dividing the total computed under (B) by
205 the total population of all towns in the district. The ranking of each
206 regional board of education shall be rounded to the next higher whole
207 number and each such board shall receive the same reimbursement
208 percentage as would a town with the same rank.

209 (3) The percentage of the net cost of special education a regional
210 educational service center shall receive under the provisions of this
211 section and section 10-66i shall be determined by its ranking. Such
212 ranking shall be determined by (A) multiplying the total population, as
213 defined in section 10-261, of each member town in the regional
214 educational service center by such town's ranking, as determined in
215 subdivision (1) of this subsection, (B) adding together the figures for each
216 town determined under (A), and (C) dividing the total computed under

217 (B) by the total population of all member towns in the regional
218 educational service center. The ranking of each regional educational
219 service center shall be rounded to the next higher whole number and
220 each such center shall receive the same reimbursement percentage as
221 would a town with the same rank.

222 [(b)] (d) Any local or regional board of education which provides
223 special education pursuant to the provisions of sections 10-76a to 10-
224 76g, inclusive, for any exceptional child described in subparagraph (A)
225 of subdivision (5) of section 10-76a, under its jurisdiction, excluding (1)
226 children placed by a state agency for whom a board of education
227 receives payment pursuant to the provisions of subdivision (2) of
228 subsection (e) of section 10-76d, and (2) children who require special
229 education, who reside on state-owned or leased property or in
230 permanent family residences, as defined in section 17a-154, and who
231 are not the educational responsibility of the unified school districts
232 established pursuant to sections 17a-37, 17a-240 and 18-99a, shall be
233 financially responsible for the reasonable costs of special education
234 instruction, as defined in the regulations of the State Board of
235 Education, in an amount equal to [five] two and one-half times the
236 average per pupil educational costs of such board of education for the
237 prior fiscal year, determined in accordance with the provisions of
238 subsection (a) of section 10-76f. The State Board of Education shall pay
239 on a current basis any costs in excess of the local or regional boards'
240 basic contribution paid by such board in accordance with the
241 provisions of this subsection. Any amounts paid by the [State Board of
242 Education] state, from the fund established pursuant to section 2 of
243 this act, on a current basis pursuant to this subsection shall not be
244 reimbursable in the subsequent year. Application for such grant shall
245 be made by filing with the Department of Education, in such manner
246 as prescribed by the commissioner, annually on or before December
247 first a statement of the cost of providing special education pursuant to
248 this subsection, provided a board of education may submit, not later
249 than February first, claims for additional children or costs not included
250 in the December filing. Payment by the state for such excess costs shall

251 be made to the local or regional board of education as follows:
252 Seventy-five per cent of the cost in February and the balance in April.
253 The amount due each town pursuant to the provisions of this
254 subsection shall be paid to the treasurer of each town entitled to such
255 aid, provided the treasurer shall treat such grant, or a portion of the
256 grant, which relates to special education expenditures incurred in
257 excess of such town's board of education budgeted estimate of such
258 expenditures, as a reduction in expenditures by crediting such
259 expenditure account, rather than town revenue. Such expenditure
260 account shall be so credited no later than thirty days after receipt by
261 the treasurer of necessary documentation from the board of education
262 indicating the amount of such special education expenditures incurred
263 in excess of such town's board of education budgeted estimate of such
264 expenditures.

265 [(c)] (d) Commencing with the fiscal year ending June 30, 1996, and
266 for each fiscal year thereafter, within available appropriations, each
267 town whose ratio of (1) net costs of special education, as defined in
268 subsection (h) of section 10-76f, for the fiscal year prior to the year in
269 which the grant is to be paid to (2) the product of its total need
270 students, as defined in section 10-262f, and the average regular
271 program expenditures, as defined in section 10-262f, per need student
272 for all towns for such year exceeds the state-wide average for all such
273 ratios shall be eligible to receive a supplemental special education
274 grant. Such grant shall be equal to the product of a town's eligible
275 excess costs and the town's base aid ratio, as defined in section 10-262f,
276 provided each town's grant shall be adjusted proportionately if
277 necessary to stay within the appropriation. Payment pursuant to this
278 subsection shall be made in June from the fund established pursuant to
279 section 2 of this act. For purposes of this subsection, a town's eligible
280 excess costs are the difference between its net costs of special education
281 and the amount the town would have expended if it spent at the state-
282 wide average rate.

283 Sec. 5. Subsection (b) of section 10-253 of the general statutes is

284 repealed and the following is substituted in lieu thereof:

285 [(b) The board of education of the school district under whose
286 jurisdiction a child would otherwise be attending school shall be
287 financially responsible for the reasonable costs of education for a child
288 placed out by the Commissioner of Children and Families or by other
289 agencies in a private residential facility when such child requires
290 educational services other than special education services. Such
291 financial responsibility shall be the lesser of one hundred per cent of
292 the costs of such education or the average per pupil educational costs
293 of such board of education for the prior fiscal year, determined in
294 accordance with subsection (a) of section 10-76f. Any costs in excess of
295 the boards' basic contribution shall be paid by the State Board of
296 Education on a current basis.]

297 (b) The state shall pay the full cost of the education provided to a
298 child placed pursuant to this subsection. Such payment shall be made
299 from the fund established pursuant to section 2 of this act. The costs
300 for services other than educational shall be paid by the state agency
301 which placed the child. Application for the grant to be paid by the state
302 for costs in excess of the local or regional board of education's basic
303 contribution shall be made in accordance with the provisions of
304 subdivision (5) of subsection (e) of section 10-76d.

305 Sec. 6. Subdivision (9) of section 10-262f of the general statutes is
306 repealed and the following is substituted in lieu thereof:

307 (9) "Foundation" means (A) for the fiscal year ending June 30, 1990,
308 three thousand nine hundred eighteen dollars, (B) for the fiscal year
309 ending June 30, 1991, four thousand one hundred ninety-two dollars,
310 (C) for the fiscal year ending June 30, 1992, four thousand four
311 hundred eighty-six dollars, (D) for the fiscal years ending June 30,
312 1993, June 30, 1994, and June 30, 1995, four thousand eight hundred
313 dollars, (E) for the fiscal years ending June 30, 1996, June 30, 1997, and
314 June 30, 1998, five thousand seven hundred eleven dollars, (F) for the
315 fiscal year ending June 30, 1999, five thousand seven hundred seventy-

316 five dollars, [and] (G) for the fiscal years ending June 30, 2000, and
317 June 30, 2001, five thousand eight hundred ninety-one dollars, and (H)
318 for the fiscal year ending June 30, 2002, and each fiscal year thereafter,
319 four thousand nine hundred fifty-one dollars.

320 Sec. 7. Subsection (a) of section 10-262h of the general statutes is
321 repealed and the following is substituted in lieu thereof:

322 (a) Each town maintaining public schools according to law shall be
323 entitled to an equalization aid grant as follows:

324 (1) For the fiscal year ending June 30, 1990, a grant in an amount
325 equal to the sum of (A) the town's base aid and (B) twenty-one and
326 one-half per cent of the difference between the town's target grant and
327 its base aid;

328 (2) For the fiscal year ending June 30, 1991, a grant in an amount
329 equal to the sum of (A) the town's base aid and (B) forty-five per cent
330 of the difference between the town's target grant and its base aid;

331 (3) For the fiscal year ending June 30, 1992, a grant in an amount
332 equal to the sum of (A) the town's base aid plus seventy-one per cent
333 of the difference between the town's target grant aid and its base aid
334 and (B) for towns whose minimum aid or enhancement aid, whichever
335 is applicable, is more than the amount determined pursuant to
336 subparagraph (A) of this subdivision, a percentage, determined
337 pursuant to subparagraph (C) of this subdivision, of the difference
338 between such minimum aid or enhancement aid, whichever is
339 applicable, and the amount determined pursuant to said subparagraph
340 (A). (C) Such percentage shall be determined as follows: (i) Towns
341 whose minimum aid or enhancement aid, whichever is applicable, is
342 more than the amount determined pursuant to said subparagraph (A)
343 shall be ranked in descending order based on the average of the grant
344 mastery percentage of such town, as defined in subdivision (8) of
345 section 10-262f, for the school year prior to the school year in which the
346 grant is to be paid and the ratio of the number of children in such town

347 under the aid to families with dependent children program, as defined
348 in subdivision (14) of said section, to the resident students of such
349 town, as defined in subdivision (19) of said section, for the school year
350 two years prior to the fiscal year in which the grant is to be paid, (ii)
351 based upon such ranking, a percentage of not more than eighty and
352 not less than thirty-eight and two-tenths shall be determined for each
353 town on a continuous scale, except that the percentage for minimum
354 aid towns shall be twenty-five per cent;

355 (4) For the fiscal year ending June 30, 1993, a grant in the amount
356 equal to the sum of (A) the product of the town's aid ratio, the
357 foundation level and the town's total need students for the prior school
358 year, and (B) the town's regional bonus, and (C) for any town whose
359 grant is less than the grant it received in the previous fiscal year, the
360 product of such difference and the sum of such town's grant mastery
361 percentage, as defined in subdivision (8) of section 10-262f, for the
362 school year prior to the school year in which the grant is to be paid and
363 the ratio of the number of children in such town under the aid to
364 families with dependent children program, as defined in subdivision
365 (14) of said section 10-262f, to the resident students of such town, as
366 defined in subdivision (19) of said section 10-262f, for the school year
367 two years prior to the fiscal year in which the grant is to be paid,
368 except such sum shall be adjusted to the greater amount as follows: (i)
369 If such sum is forty or more it shall be multiplied by two, (ii) for towns
370 whose rank when all towns are ranked in ascending order from one to
371 one hundred sixty-nine based on equalized mill rate is greater than
372 eighty-five, such sum shall be fifty and (iii) for towns which received
373 payments pursuant to section 32-9s, during the fiscal year ending June
374 30, 1992, such sum shall be fifty, and (D) provided no town shall
375 receive a grant greater than one hundred four and thirty-five
376 hundredths per cent of its previous year's grant;

377 (5) For the fiscal years ending June 30, 1994, and June 30, 1995, a
378 grant in an amount equal to the sum of (A) the product of the town's
379 aid ratio, the foundation level and the town's total need students for

380 the prior fiscal year, and (B) the town's regional bonus, except that no
381 town shall receive a grant smaller than the grant it received in the
382 previous fiscal year;

383 (6) For the fiscal year ending June 30, 1996, and each fiscal year
384 thereafter, a grant in an amount equal to the sum of (A) the product of
385 a town's base aid ratio, the foundation level and the town's total need
386 students for the fiscal year prior to the year in which the grant is to be
387 paid, (B) the product of a town's supplemental aid ratio, the
388 foundation level and the sum of the portion of its total need students
389 count described in subparagraphs (B) and (C) of subdivision (25) of
390 section 10-262f for the fiscal year prior to the fiscal year in which the
391 grant is to be paid, and the adjustments to its resident student count
392 described in subdivision (22) of section 10-262f, relative to length of
393 school year and summer school sessions, and (C) the town's regional
394 bonus, except that the amount so determined shall be adjusted in
395 accordance with the following: For the fiscal years ending June 30,
396 1996, June 30, 1997, June 30, 1998, and June 30, 1999, for each town, the
397 maximum percentage increase over its previous year's base revenue
398 shall be the product of five per cent and the ratio of the wealth of the
399 town ranked one hundred fifty-third when all towns are ranked in
400 descending order to each town's wealth, provided no town shall
401 receive an increase greater than five per cent. For the fiscal years
402 ending June 30, 2000, June 30, 2001, June 30, 2002, and June 30, 2003,
403 for each town, the maximum percentage increase over its previous
404 year's base revenue shall be the product of six per cent and the ratio of
405 the wealth of the town ranked one hundred fifty-third when all towns
406 are ranked in descending order to each town's wealth, provided no
407 town shall receive an increase greater than six per cent. No such
408 adjustment shall be made for the fiscal year ending June 30, 2004, or
409 any fiscal year thereafter. For the fiscal year ending June 30, 1996, for
410 each town, the maximum percentage reduction from its previous
411 year's base revenue shall be equal to the product of three per cent and
412 the ratio of each town's wealth to the wealth of the town ranked
413 seventeenth when all towns are ranked in descending order, provided

414 no town's grant shall be reduced by more than three per cent. For the
415 fiscal years ending June 30, 1997, June 30, 1998, and June 30, 1999, for
416 each town, the maximum percentage reduction from its previous
417 year's base revenue shall be equal to the product of five per cent and
418 the ratio of each town's wealth to the wealth of the town ranked
419 seventeenth when all towns are ranked in descending order, provided
420 no town's grant shall be reduced by more than five per cent. For the
421 fiscal year ending June 30, 2000, and each fiscal year thereafter, no
422 town's grant shall be less than the grant it received for the prior fiscal
423 year. In addition to the amount determined pursuant to this
424 subdivision, a town shall be eligible for a density supplement if the
425 density of the town is greater than the average density of all towns in
426 the state. The density supplement shall be determined by multiplying
427 the density aid ratio of the town by the foundation level and the town's
428 total need students for the prior fiscal year provided, for the fiscal year
429 ending June 30, 2000, and each fiscal year thereafter, no town's density
430 supplement shall be less than the density supplement such town
431 received for the prior fiscal year. For the fiscal year ending June 30,
432 1997, the grant determined in accordance with this subdivision for a
433 town ranked one to forty-two when all towns are ranked in
434 descending order according to town wealth shall be further reduced by
435 one and two-hundredths of a per cent and such grant for all other
436 towns shall be further reduced by fifty-six-hundredths of a per cent.
437 For the fiscal year ending June 30, 1998, and each fiscal year thereafter,
438 no town whose school district is a priority school district shall receive a
439 grant pursuant to this subdivision in an amount that is less than the
440 amount received under such grant for the prior fiscal year. For the
441 fiscal year ending June 30, 2000, and each fiscal year thereafter, no
442 town whose school district is a priority school district shall receive a
443 grant pursuant to this subdivision that provides an amount of aid per
444 resident student that is less than the amount of aid per resident
445 student provided under the grant received for the prior fiscal year. For
446 the fiscal year ending June 30, 1998, and each fiscal year thereafter, no
447 town whose school district is a priority school district shall receive a

448 grant pursuant to this subdivision in an amount that is less than
449 seventy per cent of the sum of (i) the product of a town's base aid ratio,
450 the foundation level and the town's total need students for the fiscal
451 year prior to the year in which the grant is to be paid, (ii) the product
452 of a town's supplemental aid ratio, the foundation level and the sum of
453 the portion of its total need students count described in subparagraphs
454 (B) and (C) of subdivision (25) of section 10-262f for the fiscal year
455 prior to the fiscal year in which the grant is to be paid, and the
456 adjustments to its resident student count described in subdivision (22)
457 of said section 10-262f relative to length of school year and summer
458 school sessions, and (iii) the town's regional bonus. For the fiscal year
459 ending June 30, 2000, and each fiscal year thereafter, no town whose
460 school district is a transitional school district shall receive a grant
461 pursuant to this subdivision in an amount that is less than forty per
462 cent of the sum of (I) the product of a town's base aid ratio, the
463 foundation level and the town's total need students for the fiscal year
464 prior to the fiscal year in which the grant is to be paid, (II) the product
465 of a town's supplemental aid ratio, the foundation level and the sum of
466 the portion of its total need students count described in subparagraphs
467 (B) and (C) of subdivision (25) of section 10-262f for the fiscal year
468 prior to the fiscal year in which the grant is to be paid, and the
469 adjustments to its resident student count described in subdivision (22)
470 of said section 10-262f relative to length of school year and summer
471 school sessions, and (III) the town's regional bonus. [;]

472 [(7) For the fiscal year ending June 30, 1996, for towns that used an
473 accrual method of accounting for the fiscal year ending June 30, 1995,
474 the portion of the grant received pursuant to subdivision (6) of this
475 subsection which is considered to be a reimbursement for special
476 education expenses incurred in the fiscal year ending June 30, 1995,
477 shall be equal to the ratio of the amount received for special education
478 pursuant to subsection (a) of section 10-76g, in the fiscal year ending
479 June 30, 1995, to the sum of such special education amount and the
480 education equalization aid pursuant to this section for the fiscal year
481 ending June 30, 1995. For the fiscal year ending June 30, 1997, and each

482 fiscal year thereafter, such ratio shall be used to identify the amount of
483 the grant pursuant to this section which is considered to be a
484 reimbursement for special education expenses for the prior fiscal year.]

485 Sec. 8. This act shall take effect July 1, 2001.

Statement of Purpose:

To remove state payments for federally mandated special education services from the spending cap. To establish a Special Education Municipal Aid Fund through which all payments to towns for special education will be made. To require the state to pay the full cost of special education for children placed by the state. To lower the threshold for special education excess cost grants from five times to two and one-half times the average educational cost of the school district. To remove special education from the education cost sharing grant and to provide for a separate special education grant.

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

Co-Sponsors: SEN. JEPSEN, 27th Dist.; REP. BEALS, 88th Dist.

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