



General Assembly

January Session, 2001

**Amendment**

LCO No. 8491

Offered by:

SEN. GAFFEY, 13<sup>th</sup> Dist.

REP. STAPLES, 96<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1122

File No. 476

Cal. No. 329

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

1 Strike line 163 in its entirety and insert the following in lieu thereof:  
2 "2001, or which applied for a grant by [May 15, 2000] June 30, 2001,  
3 with prior"

4 In line 427, after the comma insert "or documented successful  
5 completion of a national board certification assessment in the  
6 appropriate endorsement area,"

7 Strike line 858 in its entirety and insert the following in lieu thereof:

8 "1950, except that a board of education may apply to the department  
9 by June 30, 2002, for use of such increased percentage for a building  
10 constructed prior to July 1, 1951."

11 Strike section 29 in its entirety and insert the following in lieu  
12 thereof:

13 "Sec. 29. (NEW) Notwithstanding any provision of chapter 173 of  
14 the general statutes, a local or regional board of education may design  
15 and construct a central kitchen facility to provide food services to its  
16 public schools and shall be eligible for a school construction grant at  
17 the rate of reimbursement pursuant to subsection (a) of section 10-285a  
18 of the general statutes. Such project may also include costs for  
19 alterations, expansions or creation of existing or new kitchen facilities  
20 in its schools to accommodate the new method of centralized food  
21 service preparation. Such projects shall not be subject to the standard  
22 space specification requirements for school construction projects, but  
23 shall be of reasonable size and scope as approved by the  
24 Commissioner of Education."

25 Strike line 1177 in its entirety and insert the following in lieu  
26 thereof:

27 "(a) The Board of"

28 Strike line 1180 in its entirety and insert the following in lieu  
29 thereof:

30 "at the pleasure of the board of trustees."

31 After line 1338 insert the following and renumber the remaining  
32 section accordingly:

33 "Sec. 48. Subsection (j) of section 10-16p of the general statutes is  
34 repealed and the following is substituted in lieu thereof:

35 (j) Children enrolled in school readiness programs funded pursuant  
36 to this section shall not be counted (1) as resident students for  
37 purposes of subdivision (22) of section 10-262f, or (2) in the  
38 determination of average daily membership pursuant to subdivision  
39 (2) of subsection (a) of section 10-261.

40 Sec. 49. Subsection (c) of section 10-76i of the general statutes is  
41 repealed and the following is substituted in lieu thereof:

42 (c) The advisory council shall: (1) Advise the state Department of  
43 Education of unmet needs in educating children with disabilities and  
44 on the administration of the provisions of sections 10-94f to 10-94k,  
45 inclusive; (2) review periodically the laws, regulations, standards and  
46 guidelines pertaining to special education and recommend to the  
47 General Assembly and the State Board of Education any changes  
48 which it finds necessary; (3) comment on any new or revised  
49 regulations, standards and guidelines proposed for issuance; (4)  
50 participate with the State Board of Education in the development of  
51 any state [plan] eligibility documents for provision of special  
52 education; (5) comment publicly on any procedures necessary for  
53 distributing federal funds received pursuant to the [Education of the  
54 Handicapped Act, 89 Stat. 774 (1975)] Individuals with Disabilities  
55 Education Act, 20 USC 1400 et seq., as from time to time amended; (6)  
56 assist the state Department of Education in developing and reporting  
57 such data and evaluations as may be conducted pursuant to the  
58 provisions of said act; [and] (7) report to the General Assembly not  
59 later than January fifteenth in the odd-numbered years and not later  
60 than February fifteenth in the even-numbered years, concerning  
61 recommendations for effecting changes in the special education laws;  
62 and (8) perform any other such activity that is required by the  
63 Individuals with Disabilities Education Act, 20 USC 1400, et seq., as  
64 from time to time amended.

65 Sec. 50. Subsection (b) of section 10-285a of the general statutes is  
66 repealed and the following is substituted in lieu thereof:

67 (b) The percentage of school building project grant money a regional  
68 board of education may be eligible to receive under the provisions of  
69 section 10-286 shall be determined by its ranking. Such ranking shall  
70 be determined by (1) multiplying the total population, as defined in  
71 section 10-261, of each town in the district by such town's ranking, as  
72 determined in subsection (a) of this section, (2) adding together the  
73 figures determined under (1), and (3) dividing the total computed  
74 under (2) by the total population of all towns in the district. The  
75 ranking of each regional board of education shall be rounded to the

76 next higher whole number and each such board shall receive the same  
77 reimbursement percentage as would a town with the same rank [. In  
78 the case of a school building project (A) in a secondary regional school  
79 district, such reimbursement percentage shall be increased by five per  
80 cent and (B) in a regional school district accommodating pupils in  
81 kindergarten to grade twelve, inclusive, such reimbursement  
82 percentage shall be increased by ten per cent] plus ten per cent, except  
83 that no such percentage shall exceed eighty-five per cent.

84 Sec. 51. Subsection (b) of section 4d-80 of the general statutes is  
85 repealed and the following is substituted in lieu thereof:

86 (b) The commission shall elect a chairperson from among its  
87 members. Subject to the provisions of chapter 67, and within available  
88 appropriations, the commission may appoint an executive director and  
89 such other employees as may be necessary for the discharge of the  
90 duties of the commission. Notwithstanding any provision of the  
91 general statutes, the executive director shall have the option to elect  
92 participation in the State Employees Retirement System, or the  
93 alternate retirement program established for eligible employees in  
94 higher education or the Teachers' Retirement System.

95 Sec. 52. Section 10a-6b of the general statutes is amended by adding  
96 subsection (g) as follows:

97 (NEW) (g) Each constituent unit of higher education shall submit an  
98 accountability report to the Commissioner of Higher Education  
99 annually, by January first. The commissioner shall compile the reports  
100 and shall submit, in accordance with section 11-4a, a consolidated  
101 accountability report for the state system of higher education to the  
102 joint standing committee of the General Assembly having cognizance  
103 of matters relating to education annually, by February first. The report  
104 shall contain accountability measures for each constituent unit and  
105 public institution of higher education pursuant to subsections (a) and  
106 (b) of this section. The report shall include updated baseline and peer  
107 comparison data, performance improvement targets for each measure,

108 and other information as determined by the commissioner.

109 Sec. 53. Subsection (m) of section 10-145b of the general statutes is  
110 repealed and the following is substituted in lieu thereof:

111 (m) (1) The State Board of Education may revoke any certificate,  
112 authorization or permit issued pursuant to sections 10-144o to 10-149,  
113 inclusive, for any of the following reasons: [(1)] (A) The holder of the  
114 certificate, authorization or permit obtained such certificate,  
115 authorization or permit through fraud or misrepresentation of a  
116 material fact; [(2)] (B) the holder has persistently neglected to perform  
117 the duties for which [certification] the certificate, authorization or  
118 permit was granted; [(3)] (C) the holder is professionally unfit to  
119 perform the duties for which [certification] the certificate,  
120 authorization or permit was granted; [(4)] (D) the holder is convicted  
121 in a court of law of a crime involving moral turpitude or of any other  
122 crime of such nature that in the opinion of the board continued  
123 [certification] holding of a certificate, authorization or permit by the  
124 person would impair the standing of certificates, authorizations or  
125 permits issued by the board; or [(5)] (E) other due and sufficient cause.  
126 The State Board of Education shall revoke any certificate, authorization  
127 or permit issued pursuant to said sections if the holder is found to  
128 have intentionally disclosed specific questions or answers to students  
129 or otherwise improperly breached the security of any administration of  
130 a state-wide examination pursuant to section 10-14n. In any revocation  
131 proceeding pursuant to this section, the State Board of Education shall  
132 have the burden of establishing the reason for such revocation by a  
133 preponderance of the evidence. Revocation shall be in accordance with  
134 procedures established by the State Board of Education pursuant to  
135 chapter 54.

136 (2) When the Commissioner of Education is notified, pursuant to  
137 section 17a-101i that a person holding a certificate, authorization or  
138 permit issued by the State Board of Education under the provisions of  
139 sections 10-144o to 10-149, inclusive, has been convicted of [a crime  
140 involving an act of child abuse or a violation of section 53a-71 or

141 section 53a-73a] (A) a capital felony, pursuant to section 53a-54b, (B)  
142 arson murder, pursuant to section 53a-54d, (C) a class A felony, (D) a  
143 class B felony, except a violation of section 53a-122, 53a-252 or 53a-291,  
144 (E) a crime involving an act of child abuse or neglect as described in  
145 section 46b-120, or (F) a violation of section 53-21, 53-37a, 53a-60b, 53a-  
146 60c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-99, 53a-103a, 53a-  
147 181c, 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278 or  
148 subsection (a) of section 21a-277, any certificate, permit or  
149 authorization issued by the State Board of Education and held by such  
150 person shall be deemed revoked and the commissioner shall notify  
151 such person of such revocation, provided such person may request  
152 reconsideration pursuant to regulations adopted by the State Board of  
153 Education, in accordance with the provisions of chapter 54.

154 (3) The State Board of Education may deny an application for  
155 [certification] a certificate, authorization or permit for any of the  
156 following reasons: (A) The applicant seeks to obtain a certificate,  
157 authorization or permit through fraud or misrepresentation of a  
158 material fact; (B) the applicant has been convicted in a court of law of a  
159 crime involving moral turpitude or of any other crime of such nature  
160 that in the opinion of the board issuance of a certificate, authorization  
161 or permit would impair the standing of certificates, authorizations or  
162 permits issued by the board; or (C) other due and sufficient cause. Any  
163 applicant denied a certificate, authorization or permit shall be notified  
164 in writing of the reasons for denial. Any applicant denied a certificate,  
165 authorization or permit may request a review of such denial by the  
166 State Board of Education.

167 Sec. 54. Section 10-145i of the general statutes is repealed and the  
168 following is substituted in lieu thereof:

169 Notwithstanding the provisions of sections 10-144o to 10-146b,  
170 inclusive, and 10-149, the State Board of Education shall not issue or  
171 reissue any certificate pursuant to said sections if (1) the applicant for  
172 such certificate has been convicted of any of the following: (A) A  
173 capital felony, as defined in section 53a-54b; (B) arson murder, as

174 defined in section 53a-54d; (C) any Class A felony; (D) any Class B  
175 felony except a violation of section 53a-122, 53a-252 or ~~[53a-292]~~ 53a-  
176 291; (E) a crime involving an act of child abuse or neglect as described  
177 in section 46b-120; or ~~[(E)]~~ (F) a violation of section 53-21, 53-37a, 53a-  
178 60b, 53a-60c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-99, 53a-103a,  
179 [53a-181b,] 53a-181c, 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or  
180 21a-278 or a violation of subsection (a) of section 21a-277, and (2) the  
181 applicant completed serving the sentence for such conviction within  
182 the five years immediately preceding the date of the application.

183 Sec. 55. Section 10-221d of the general statutes is repealed and the  
184 following is substituted in lieu thereof:

185 (a) On and after July 1, 1994, each local and regional board of  
186 education shall (1) require each applicant for a position in a public  
187 school to state whether such person has ever been convicted of a crime  
188 or whether criminal charges are pending against such person at the  
189 time of [his] application, [and] (2) require, subject to the provisions of  
190 subsection (d) of this section, each person hired by the board after July  
191 1, 1994, to submit to state and national criminal history records checks  
192 within [ninety] thirty days from the date of employment [. Any local or  
193 regional board of education] and may require, subject to the provisions  
194 of subsection (d) of this section, any person hired prior to said date to  
195 submit to state and national criminal history records checks, and (3)  
196 require each employee of a contracted service provider if such  
197 employee performs a service involving direct student contact and each  
198 worker placed within a school under a public assistance employment  
199 program who performs a service involving direct student contact to  
200 submit to state and national criminal history records checks within  
201 thirty days from the date such employee or worker begins to perform  
202 such service. The board or a regional educational service center  
203 pursuant to subsection (b) of this section shall request the state  
204 criminal history records check for each such person from the State  
205 Police Bureau of Identification. The board or such regional educational  
206 service center shall arrange for the fingerprinting of each such person  
207 and forward the fingerprints to said bureau which shall submit the

208 fingerprints to the Federal Bureau of Investigation for a national  
209 criminal history records check. The board or the regional educational  
210 service center may charge each such person a fee for the national  
211 criminal history records check which shall not exceed the fee charged  
212 by the Federal Bureau of Investigation for performing the check. If the  
213 local or regional board of education receives notice of a conviction of a  
214 crime which has not previously been disclosed by such person to the  
215 board, the board may (A) terminate the contract of a certified  
216 employee, in accordance with the provisions of section 10-151, and (B)  
217 dismiss a noncertified employee provided such employee is notified of  
218 the reason for such dismissal, is provided the opportunity to file with  
219 the board, in writing, any proper answer to such criminal conviction  
220 and a copy of the notice of such criminal conviction, the answer and  
221 the dismissal order are made a part of the records of the board. In  
222 addition, if the local or regional board of education receives notice of a  
223 conviction of a crime by a person holding a certificate, authorization or  
224 permit issued by the State Board of Education, the local or regional  
225 board of education shall send such notice to the State Board of  
226 Education. The supervisory agent of a private school may require any  
227 applicant for a position in such school or any employee of such school  
228 to submit to state and national criminal history records checks in  
229 accordance with the procedures described in this subsection.

230 (b) If a local or regional board of education requests, a regional  
231 educational service center shall arrange for fingerprinting pursuant to  
232 subsection (a) of this section and forward such fingerprints for state  
233 and national criminal history records checks. Such regional  
234 educational service centers shall provide the results of such checks to  
235 such local or regional board of education. Such regional educational  
236 service centers shall provide such results to any other local or regional  
237 board of education or regional educational service center upon the  
238 request of the person fingerprinted.

239 (c) State and national criminal history records checks for substitute  
240 teachers completed within one year prior to the date of employment  
241 with a local or regional board of education and submitted to the

242 employing board of education shall meet the requirements of  
243 subdivision (2) of subsection (a) of this section. A local or regional  
244 board of education shall not require substitute teachers to submit to  
245 state and national criminal history records checks pursuant to  
246 subdivision (2) of subsection (a) of this section if they are continuously  
247 employed by such local or regional board of education. For purposes  
248 of this section, substitute teachers shall be deemed to be continuously  
249 employed by a local or regional board of education if they are  
250 employed at least one day of each school year by such local or regional  
251 board of education.

252 (d) (1) The provisions of this section shall not apply to a person  
253 required to submit to a criminal history records check pursuant to the  
254 provisions of subsection (d) of section 14-44.

255 (2) The provisions of this section shall not apply to a student  
256 employed by the local or regional school district in which the student  
257 attends school.

258 (3) The provisions of subsection (a) of this section requiring state  
259 and national criminal history records checks shall, at the discretion of a  
260 local or regional board of education, apply to a person employed by a  
261 local or regional board of education as a teacher for a noncredit adult  
262 class or adult education activity, as defined in section 10-67, who is not  
263 required to hold a teaching certificate pursuant to section 10-145b for  
264 his or her position.

265 (e) The State Board of Education shall submit, periodically, a  
266 database of applicants for an initial issuance of certificate,  
267 authorization or permit pursuant to sections 10-144o to 10-149,  
268 inclusive, to the State Police Bureau of Identification. The State Police  
269 Bureau of Identification shall conduct a state criminal history records  
270 check against such database and notify the State Board of Education of  
271 any such applicant who has a criminal conviction. The State Board of  
272 Education shall not issue a certificate, authorization or permit until it  
273 receives and evaluates the results of such check and may deny an

274 application in accordance with the provisions of subsection (m) of  
275 section 10-145b, as amended by this act.

276 (f) The State Board of Education shall submit, periodically, a  
277 database of all persons who hold certificates, authorizations or permits  
278 to the State Police Bureau of Identification. The State Police Bureau of  
279 Identification shall conduct a state criminal history records check  
280 against such database and shall notify the State Board of Education of  
281 any such person who has a criminal conviction. The State Board of  
282 Education may revoke the certificate, authorization or permit of such  
283 person in accordance with the provisions of subsection (m) of section  
284 10-145b, as amended by this act.

285 Sec. 56. (NEW) Prior to hiring any person, a local or regional board  
286 of education shall make a documented good faith effort to contact  
287 previous employers of the person in order to obtain information and  
288 recommendations which may be relevant to the person's fitness for  
289 employment.

290 Sec. 57. Section 8-265pp of the general statutes is repealed and the  
291 following is substituted in lieu thereof:

292 The Connecticut Housing Finance Authority shall develop and  
293 administer a program of mortgage assistance to certified teachers (1)  
294 employed by priority school districts pursuant to section 10-266p, (2)  
295 employed by transitional school districts pursuant to section 10-263c,  
296 (3) employed by regional vocational-technical schools located in such  
297 priority or transitional school districts, (4) who are minorities and are  
298 employed in a school district in which minority teachers constitute less  
299 than five per cent of the teachers employed by such school district, or  
300 [(3)] (5) who teach in a subject matter shortage area pursuant to section  
301 10-8b. Such assistance shall be available to eligible teachers for the  
302 purchase of a house as their principal residence, provided, in the case  
303 of a teacher employed by a priority or a transitional school district, or  
304 by a regional vocational-technical school located in a priority or  
305 transitional school district, the house is located in such district. In

306 making mortgage assistance available under the program, the  
307 authority shall utilize downpayment assistance or any other  
308 appropriate housing subsidies. The terms of any mortgage assistance  
309 shall allow the mortgagee to realize a reasonable portion of the equity  
310 gain upon sale of the mortgaged property. For purposes of this section,  
311 "minorities" means those whose racial ancestry is defined as other than  
312 white by the Bureau of Census of the United States Department of  
313 Commerce.

314 Sec. 58. (NEW) (a) The Department of Education shall conduct a  
315 study of the relationship between admissions scores and performance  
316 within the regional vocational technical school system using the classes  
317 graduating in 2003, 2004 and 2005.

318 (b) The department shall report periodically, in accordance with this  
319 subsection and section 11-4a of the general statutes, on the study to the  
320 joint standing committee of the General Assembly having cognizance  
321 of matters relating to education.

322 (1) On or before January 1, 2002, the department shall describe (A)  
323 the number and distribution of students by class in each of the regional  
324 vocational-technical schools, (B) the format and contents of the initial  
325 data base developed to carry out the study, (C) the measures, such as  
326 the scores on the state-wide tenth grade mastery examination under  
327 section 10-14n of the general statutes, grade point average, class rank,  
328 dropout rates, or trade specific assessment tests, selected to assess the  
329 ability of the individual components of the admissions score to predict  
330 success in the vocational-technical school, and (D) any other factors the  
331 department deems relevant to conducting the study or understanding  
332 the results of the study;

333 (2) On or before January 1, 2003, the department shall present  
334 preliminary results of the study based on data analysis through the  
335 first quarter of the school year commencing in 2002, including the  
336 relevance of the individual components of the admissions score to the  
337 assessment measures, and shall provide statistics on the number of

338 students from each class for the classes graduating in 2003, 2004 and  
339 2005 who have withdrawn from a vocational-technical school;

340 (3) On or before January 1, 2004, the department shall (A) present  
341 final results for the class of 2003, including graduation rates and the  
342 results of the post graduation survey, (B) using such results, predict  
343 the probability of a vocation-technical school student being successful  
344 based on the components of the student's admissions score, and (C)  
345 evaluate the results and discuss whether it feels any changes are  
346 needed in the admissions policies;

347 (4) On or before January 1, 2005, the department shall present the  
348 final results for the class of 2004, and explain any differences between  
349 said class and the class of 2003; and

350 (5) On or before January 1, 2006, the department shall submit its  
351 final report, including (A) final results for the class of 2005, (B) using  
352 such results, predict the probability of a vocational-technical school  
353 student being successful based on the elements of the student's  
354 admissions score, and (C) describe any changes it intends to make in  
355 the system's admissions policies.

356 Sec. 59. Section 10-95 of the general statutes is repealed and the  
357 following is substituted in lieu thereof:

358 (a) The State Board of Education may establish and maintain a state-  
359 wide system of regional vocational-technical schools offering full-time,  
360 part-time and evening programs in vocational, technical and  
361 technological education and training. The board may make regulations  
362 controlling the admission of students to any such school. The  
363 Commissioner of Education, in accordance with policies established by  
364 the board, may appoint and remove members of the staffs of such  
365 schools and make rules for the management of and expend the funds  
366 provided for the support of such schools. The board may enter into  
367 cooperative arrangements with local and regional boards of education,  
368 private occupational schools, institutions of higher education, job  
369 training agencies and employers in order to provide general education,

370 vocational, technical or technological education or work experience.

371 (b) If the New England Association of Schools and Colleges places a  
372 regional vocational-technical school on probation or otherwise notifies  
373 the superintendent of the vocational-technical school system that a  
374 regional vocational-technical school is at risk of losing its accreditation,  
375 the Commissioner of Education shall notify the joint standing  
376 committee of the General Assembly having cognizance of matters  
377 relating to education of such placement or problems relating to  
378 accreditation.

379 (c) The State Board of Education shall establish specific achievement  
380 goals for students at the vocational-technical schools at each grade  
381 level. The board shall measure the performance of each vocational-  
382 technical school and shall identify a set of quantifiable measures to be  
383 used. The measures shall include factors such as performance on the  
384 state-wide tenth grade mastery examination under section 10-14n,  
385 trade-related assessment tests, dropout rates and graduation rates.

386 Sec. 60. (NEW) The director of each regional vocation-technical  
387 school shall meet with members of the business community within the  
388 geographic area the regional vocational-technical school to develop a  
389 plan to assess workforce needs and implement curriculum  
390 modifications to address those needs.

391 Sec. 61. The Department of Education shall apply for funding and  
392 participation in the Troops to Teachers Program sponsored by the  
393 federal government. Upon receipt of funding, the Department of  
394 Education shall establish a program in conformance with federal  
395 requirements and encourage participation in the program.

396 Sec. 62. Subsection (d) of section 10-262j of the general statutes is  
397 repealed and the following is substituted in lieu thereof:

398 (d) (1) For the year ending June 30, 1994, the regular program  
399 expenditures of a town shall be not less than the greater of the  
400 foundation for such year multiplied by the total need students of the

401 town for the prior school year or an amount equal to the sum of (A) the  
402 regular program expenditures for the town for the prior fiscal year,  
403 and (B) the amount of the aid increase paid to the town as calculated  
404 pursuant to subsection (b) of this section, except that no town shall be  
405 required to spend more on regular program expenditures than one  
406 hundred five per cent of the product of the foundation for such year  
407 and the total need students of the town for the prior school year.

408 (2) For the fiscal year ending June 30, 1995, the regular program  
409 expenditures of a town shall be not less than the greater of the  
410 foundation for such year multiplied by the total need students of the  
411 town for the prior school year or an amount equal to the sum of (A) the  
412 regular program expenditures for the town for the prior fiscal year,  
413 and (B) the amount of the aid increase paid to the town as calculated  
414 pursuant to subsection (b) of this section, except that no town shall be  
415 required to spend more on regular program expenditures than one  
416 hundred ten per cent of the product of the foundation for such year  
417 and the total need students of the town for the prior school year.

418 (3) For the fiscal years ending June 30, 1996, and June 30, 1997, the  
419 regular program expenditures of a town shall not be less than the  
420 lesser of (A) the sum of the regular program expenditures for the town  
421 for the prior fiscal year, and the amount of the aid increase paid to a  
422 town pursuant to subsection (b) of this section, or (B) the sum of the  
423 town's minimum expenditure requirement cap as determined by the  
424 Department of Education for the fiscal year ending June 30, 1995, and  
425 the sum of any aid increases paid to a town pursuant to subsection (b)  
426 of this section after the fiscal year ending June 30, 1995.

427 (4) For the fiscal year ending June 30, 1998, the regular program  
428 expenditures of a town shall be the lesser of the sum of (A) its  
429 minimum expenditure requirement for the fiscal year ending June 30,  
430 1997, (B) its aid increase pursuant to subsection (b) of this section, and  
431 (C) the result obtained by multiplying the difference between the  
432 town's resident student count for October 1996, using the data of  
433 record as of December 1, 1996, and its final audited resident student

434 count for October 1993, by one-half of the foundation, or the sum of (i)  
435 its minimum expenditure requirement for the fiscal year ending June  
436 30, 1997, and (ii) its aid increase pursuant to subsection (b) of this  
437 section.

438 (5) For the fiscal year ending June 30, 1999, the regular program  
439 expenditures of a town shall be the lesser of the sum of (A) its  
440 minimum expenditure requirement for the fiscal year ending June 30,  
441 1998, (B) its aid increase pursuant to subsection (b) of this section, and  
442 (C) the result obtained by multiplying the difference between the  
443 town's resident student count for October 1997, using the data of  
444 record as of December 1, 1997, and the town's resident student count  
445 for October 1996, using the data of record as of December 1, 1996, by  
446 one-half of the foundation, or the sum of (i) its minimum expenditure  
447 requirement for the fiscal year ending June 30, 1998, and (ii) its aid  
448 increase pursuant to subsection (b) of this section.

449 (6) For the fiscal year ending June 30, 2000, the regular program  
450 expenditures of a town shall be no less than the sum of (A) its  
451 minimum expenditure requirement for the fiscal year ending June 30,  
452 1999, (B) its aid increase pursuant to subsection (b) of this section, and  
453 (C) the result obtained by multiplying the difference between the  
454 town's resident student count for October 1998, using the data of  
455 record as of December 1, 1998, and the town's resident student count  
456 for October 1997, using the data of record as of December 1, 1997, by  
457 one-half of the foundation.

458 (7) For the fiscal year ending June 30, 2001, the regular program  
459 expenditures of a town shall be no less than the sum of (A) its  
460 minimum expenditure requirement for the fiscal year ending June 30,  
461 2000, (B) its aid increase pursuant to subsection (b) of this section, and  
462 (C) if the resident student count for October 1999, is less than the  
463 resident student count for October 1998, the result obtained by  
464 multiplying the difference between the town's resident student count  
465 for October 1999, using the data of record as of December 1, 1999, and  
466 the town's resident student count for October 1998, using the data of

467 record as of December 1, 1998, by one-half of the foundation.

468 (8) For the fiscal year ending June 30, 2002, the regular program  
469 expenditures of a town shall be no less than the sum of (A) its  
470 minimum expenditure requirement for the fiscal year ending June 30,  
471 2001, (B) its aid increase pursuant to subsection (b) of this section, and  
472 (C) if the resident student count for October 2000, is less than the  
473 resident student count for October 1999, the result obtained by  
474 multiplying the difference between the town's resident student count  
475 for October 2000, using the data of record as of December 1, 2000, and  
476 the town's resident student count for October 1999, using the data of  
477 record as of December 1, 1999, by one-half of the foundation.

478 (9) For the fiscal year ending June 30, 2003, the regular program  
479 expenditures of a town shall be no less than the sum of (A) its  
480 minimum expenditure requirement for the fiscal year ending June 30,  
481 2002, (B) its aid increase pursuant to subsection (b) of this section, and  
482 (C) if the resident student count for October 2001, is less than the  
483 resident student count for October 2000, the result obtained by  
484 multiplying the difference between the town's resident student count  
485 for October 2001, using the data of record as of December 1, 2001, and  
486 the town's resident student count for October 2000, using the data of  
487 record as of December 1, 2000, by one-half of the foundation.

488 Sec. 63. Section 10-287c of the general statutes is repealed and the  
489 following is substituted in lieu thereof:

490 The State Board of Education is authorized to prescribe such rules  
491 and regulations as may be necessary to implement the provisions of  
492 this chapter, provided any rules or regulations to implement the  
493 provisions of sections 10-283, 10-287, 10-287a, 10-292d and subsection  
494 (d) of section 10-292m shall be prescribed in consultation with the  
495 Secretary of the Office of Policy and Management. The regulations  
496 shall require the applicant to submit documentation that, in proposals  
497 for new construction or renovation of a school building, the  
498 maximization of natural light was considered. Whenever the

499 Commissioner of Education has made a commitment for a grant prior  
500 to the completion of a project as provided in section 10-287a, and said  
501 commissioner has made advances thereon as provided in said section,  
502 any such rules or regulations prescribed in accordance with this  
503 section which were in effect at the time of such commitment and  
504 advances shall be applicable to any additional commitment and  
505 subsequent advances with respect to said project.

506 Sec. 64. Subsection (b) of section 10-76g of the general statutes is  
507 repealed and the following is substituted in lieu thereof:

508 (b) Any local or regional board of education which provides special  
509 education pursuant to the provisions of sections 10-76a to 10-76g,  
510 inclusive, for any exceptional child described in subparagraph (A) of  
511 subdivision (5) of section 10-76a, under its jurisdiction, excluding (1)  
512 children placed by a state agency for whom a board of education  
513 receives payment pursuant to the provisions of subdivision (2) of  
514 subsection (e) of section 10-76d, and (2) children who require special  
515 education, who reside on state-owned or leased property or in  
516 permanent family residences, as defined in section 17a-154, and who  
517 are not the educational responsibility of the unified school districts  
518 established pursuant to sections 17a-37, 17a-240 and 18-99a, shall be  
519 financially responsible for the reasonable costs of special education  
520 instruction, as defined in the regulations of the State Board of  
521 Education, in an amount equal to five times the average per pupil  
522 educational costs of such board of education for the prior fiscal year,  
523 determined in accordance with the provisions of subsection (a) of  
524 section 10-76f. The State Board of Education shall pay on a current  
525 basis any costs in excess of the local or regional boards' basic  
526 contribution paid by such board in accordance with the provisions of  
527 this subsection. Any amounts paid by the State Board of Education on  
528 a current basis pursuant to this subsection shall not be reimbursable in  
529 the subsequent year. Application for such grant shall be made by filing  
530 with the Department of Education, in such manner as prescribed by  
531 the commissioner, annually on or before December first a statement of  
532 the cost of providing special education pursuant to this subsection,

533 provided a board of education may submit, not later than [February]  
534 March first, claims for additional children or costs not included in the  
535 December filing. Payment by the state for such excess costs shall be  
536 made to the local or regional board of education as follows: Seventy-  
537 five per cent of the cost in February and the balance in [April] May.  
538 The amount due each town pursuant to the provisions of this  
539 subsection shall be paid to the treasurer of each town entitled to such  
540 aid, provided the treasurer shall treat such grant, or a portion of the  
541 grant, which relates to special education expenditures incurred in  
542 excess of such town's board of education budgeted estimate of such  
543 expenditures, as a reduction in expenditures by crediting such  
544 expenditure account, rather than town revenue. Such expenditure  
545 account shall be so credited no later than thirty days after receipt by  
546 the treasurer of necessary documentation from the board of education  
547 indicating the amount of such special education expenditures incurred  
548 in excess of such town's board of education budgeted estimate of such  
549 expenditures."

550 Strike line 1340 in its entirety and insert the following in lieu  
551 thereof:

552 "sections 1 to 6, inclusive, 8 to 36, inclusive, 38 to 48, inclusive, 50 to  
553 64, inclusive"