



General Assembly

January Session, 2003

Raised Bill No. 1142

LCO No. 4416

Referred to Committee on Education

Introduced by:
(ED)

AN ACT CONCERNING SCHOOL CONSTRUCTION.

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

1 Section 1. Subsections (d) and (e) of section 10-283 of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2003*):

4 (d) No application for a school building project shall be accepted by
5 the commissioner on or after July 1, 2002, unless the applicant has
6 secured funding authorization for the local share of the project costs
7 prior to application or notifies the commissioner that such
8 authorization will be secured not later than the November fifteenth
9 following the June thirtieth application deadline. If the applicant does
10 not notify the commissioner by said November fifteenth that it has
11 secured such authorization, such application shall not be included in
12 the list of projects submitted to the Governor and General Assembly in
13 December of that year. The reimbursement percentage for a project
14 covered by this subsection shall reflect the rates in effect during the
15 fiscal year in which such local funding authorization is secured.

16 (e) For each such list submitted in December, 2003, and December,

17 2004, the total amount requested by the commissioner for grant
18 commitments shall not exceed one billion dollars. In each such list, the
19 commissioner shall list the categories described in subdivision (2) of
20 subsection (a) of this section in order of priority and shall list the
21 projects within each category in order of priority. The commissioner
22 shall comply with the limitation on grant commitments provided for
23 under this subsection according to such priorities. Eligible projects that
24 cannot be included on the list shall be included first on the list
25 submitted the next following year. Projects shall be prioritized within
26 each category based on the applicant's average school construction
27 project costs authorized for state grant commitments pursuant to this
28 section per enrolled pupil for the five-year period immediately
29 preceding the fiscal year of the current application with the applicant
30 with the lowest such average being assigned the first priority. In
31 determining such average, projects authorized pursuant to section 10-
32 264h shall not be included in project costs or enrollment. Projects
33 submitted pursuant to section 10-264h, those for regional vocational-
34 technical schools and those necessary to preserve accreditation of a
35 facility that has been placed on probation by the New England
36 Association of Schools and Colleges shall have the highest priority.

37 Sec. 2. Subsection (a) of section 10-285f of the general statutes is
38 repealed and the following is substituted in lieu thereof (*Effective July*
39 *1, 2003*):

40 (a) Notwithstanding any provision of this chapter or any regulation
41 adopted by the State Board of Education pursuant to this chapter, the
42 State Board of Education may establish a pilot program for a period of
43 three years that authorizes up to two school construction projects per
44 year using a design-build contract and with the approval of the [State
45 Board] Commissioner of Education a town or regional school district
46 may enter into a design-build contract for new school construction and
47 shall be eligible to be considered for a grant commitment and progress
48 payments from the state provided each design phase shall be reviewed
49 and approved for compliance with all applicable codes by local

50 authorities having jurisdiction over such codes. The provisions of
51 section 10-287 relative to bidding all orders and contracts for school
52 building construction shall not apply to any such project.

53 Sec. 3. Subsection (d) of section 10-285a of the general statutes is
54 repealed and the following is substituted in lieu thereof (*Effective July*
55 *1, 2003*):

56 (d) The percentage of school building project grant money a
57 cooperative arrangement pursuant to section 10-158a, may be eligible
58 to receive shall be determined by its ranking. Such ranking shall be
59 determined by (1) multiplying the total population, as defined in
60 section 10-261, of each town in the cooperative arrangement by such
61 town's ranking, as determined in subsection (a) of this section, (2)
62 adding the products determined under subdivision (1) of this
63 subsection, and (3) dividing the total computed under subdivision (2)
64 of this subsection by the total population of all towns in the
65 cooperative arrangement. The ranking of each cooperative
66 arrangement shall be rounded to the next higher whole number and
67 each such cooperative arrangement shall receive the same
68 reimbursement percentage as would a town with the same rank plus
69 ten percentage points, except that no such percentage shall exceed
70 eighty-five per cent. On and after October 1, 2003, any cooperative
71 arrangement shall include at least ninety per cent of the eligible
72 students of all towns in the cooperative arrangement, unless such an
73 arrangement includes a town that (A) has provided enrollment options
74 at an incorporated or endowed high school or academy approved
75 pursuant to section 10-34 for ten consecutive years immediately prior
76 to the time of application to be considered part of a cooperative
77 arrangement, and (B) has an agreement current at the time of such
78 application to provide enrollment options at such high school or
79 academy for nine years following such application, in which case such
80 arrangement shall be considered a cooperative arrangement if at least
81 fifty per cent of the eligible students from such town attend the
82 cooperatively constructed school.

83 Sec. 4. (NEW) (*Effective July 1, 2003*) For any school building project
84 authorized by the General Assembly on and after July 1, 2004, or any
85 other alteration of a classroom or other space where students learn,
86 such classrooms and such spaces shall be constructed or altered in
87 accordance with American Nations Standard: Acoustical Performance
88 Criteria, Design Requirements and Guidelines for Schools, ANSI
89 S12.60-2002. For purposes of this section, "alteration" means a change
90 to any feature of a classroom that has a measurable effect on (1)
91 background noise level, as defined in Section 3.2.2 of ANSI S12.60-
92 2002, or (2) reverberation time, as defined in Section 3.2.3.1 of ANSI
93 S12.60-2002. The provisions of this section shall not apply to
94 classrooms or other spaces where students learn where adequate
95 acoustical modifications cannot be made without compromising health
96 and safety, or the purpose or function of a specific classroom or other
97 space where students learn.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>
Sec. 4	<i>July 1, 2003</i>

Statement of Purpose:

To amend requirements that school construction grant applicants secure local authorization prior to application, to define method of prioritizing individual school construction priority list, to provide that the Commissioner of Education issues approval for a town or regional school district to enter into a design build contract, to clarify eligibility for the school construction reimbursement bonus for construction projects undertaken by cooperative arrangements, and to establish acoustics standards for classrooms that are constructed or altered.

[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.]