



General Assembly

**Amendment**

June 30 Special Session, 2003

LCO No. 8087

\*HB0680608087SD0\*

Offered by:

SEN. HARP, 10<sup>th</sup> Dist.

SEN. DAILY, 33<sup>rd</sup> Dist.

To: House Bill No. 6806

File No.

Cal. No.

**"AN ACT CONCERNING GENERAL BUDGET AND REVENUE  
IMPLEMENTATION PROVISIONS."**

1 In line 341, strike "local or regional boards of education" and insert  
2 "towns, regional boards of education or regional educational service  
3 centers" in lieu thereof

4 Strike section 12 in its entirety and insert the following in lieu  
5 thereof:

6 "Sec. 12. Section 10-66j of the general statutes is amended by adding  
7 subsection (e) as follows (*Effective from passage*):

8 (NEW) (e) Notwithstanding the provisions of this section, for the  
9 fiscal years ending June 30, 2004, and June 30, 2005, the amount of  
10 grants payable to regional educational service centers, shall be reduced  
11 proportionately if the total of such grants in such year exceeds the  
12 amount appropriated for such grants for such year."

13 In line 635, after "statutes", insert ", as amended by sections 1 and 10  
14 of public act 03-76,"

15 In lines 636 and 637, strike "(c)" and insert "(d)" in lieu thereof

16 Strike sections 22 and 23 in their entirety and insert the following in  
17 lieu thereof:

18 "Sec. 22. Subdivision (28) of section 10-262f of the general statutes  
19 is repealed and the following is substituted in lieu thereof (*Effective*  
20 *from passage*):

21 (28) "Base revenue" for the fiscal year ending June 30, 1995, means  
22 the sum of the grant entitlements for the fiscal year ending June 30,  
23 1995, of a town pursuant to section 10-262h, as amended by this act,  
24 and subsection (a) of section 10-76g, including its proportional share,  
25 based on enrollment, of the revenue paid pursuant to section 10-76g, to  
26 the regional district of which the town is a member, and for each fiscal  
27 year thereafter means the amount of each town's entitlement pursuant  
28 to section 10-262h, as amended by this act, minus its density  
29 supplement, as determined pursuant to subdivision (6) of subsection  
30 (a) of section 10-262h, as amended by this act, except that for the fiscal  
31 year ending June 30, 2003, each town's entitlement shall be determined  
32 without using the adjustments made to the previous year's grant  
33 pursuant to subparagraph (M) of subdivision (6) of subsection (a) of  
34 section 10-262h, as amended by this act, except that for the fiscal year  
35 ending June 30, 2004, each town's entitlement shall be determined  
36 without using the adjustments made to the previous year's grant  
37 pursuant to subparagraph (N) of subdivision (6) of subsection (a) of  
38 section 10-262h, as amended by this act.

39 Sec. 23. Subdivision (6) of subsection (a) of section 10-262h of the  
40 general statutes is repealed and the following is substituted in lieu  
41 thereof (*Effective from passage*):

42 (6) For the fiscal year ending June 30, 1996, and each fiscal year  
43 thereafter, a grant in an amount equal to the amount of its target aid as

44 described in subdivision (32) of section 10-262f, except that such  
45 amount shall be capped in accordance with the following: (A) For the  
46 fiscal years ending June 30, 1996, June 30, 1997, June 30, 1998, and June  
47 30, 1999, for each town, the maximum percentage increase over its  
48 previous year's base revenue shall be the product of five per cent and  
49 the ratio of the wealth of the town ranked one hundred fifty-third  
50 when all towns are ranked in descending order to each town's wealth,  
51 provided no town shall receive an increase greater than five per cent.  
52 (B) For the fiscal years ending June 30, 2000, June 30, 2001, June 30,  
53 2002, [and] June 30, 2003, June 30, 2004, and June 30, 2005, for each  
54 town, the maximum percentage increase over its previous year's base  
55 revenue shall be the product of six per cent and the ratio of the wealth  
56 of the town ranked one hundred fifty-third when all towns are ranked  
57 in descending order to each town's wealth, provided no town shall  
58 receive an increase greater than six per cent. (C) No such cap shall be  
59 used for the fiscal year ending June 30, [2004] 2006, or any fiscal year  
60 thereafter. (D) For the fiscal year ending June 30, 1996, for each town,  
61 the maximum percentage reduction from its previous year's base  
62 revenue shall be equal to the product of three per cent and the ratio of  
63 each town's wealth to the wealth of the town ranked seventeenth when  
64 all towns are ranked in descending order, provided no town's grant  
65 shall be reduced by more than three per cent. (E) For the fiscal years  
66 ending June 30, 1997, June 30, 1998, and June 30, 1999, for each town,  
67 the maximum percentage reduction from its previous year's base  
68 revenue shall be equal to the product of five per cent and the ratio of  
69 each town's wealth to the wealth of the town ranked seventeenth when  
70 all towns are ranked in descending order, provided no town's grant  
71 shall be reduced by more than five per cent. (F) For the fiscal year  
72 ending June 30, 2000, and each fiscal year thereafter, no town's grant  
73 shall be less than the grant it received for the prior fiscal year. (G) [In]  
74 For each fiscal year through the fiscal year ending June 30, 2003, in  
75 addition to the amount determined pursuant to this subdivision, a  
76 town shall be eligible for a density supplement if the density of the  
77 town is greater than the average density of all towns in the state. The  
78 density supplement shall be determined by multiplying the density aid

79 ratio of the town by the foundation level and the town's total need  
80 students for the prior fiscal year provided, for the fiscal year ending  
81 June 30, 2000, and each fiscal year thereafter, no town's density  
82 supplement shall be less than the density supplement such town  
83 received for the prior fiscal year. (H) For the fiscal year ending June 30,  
84 1997, the grant determined in accordance with this subdivision for a  
85 town ranked one to forty-two when all towns are ranked in  
86 descending order according to town wealth shall be further reduced by  
87 one and two-hundredths of a per cent and such grant for all other  
88 towns shall be further reduced by fifty-six-hundredths of a per cent. (I)  
89 For the fiscal year ending June 30, 1998, and each fiscal year thereafter,  
90 no town whose school district is a priority school district shall receive a  
91 grant pursuant to this subdivision in an amount that is less than the  
92 amount received under such grant for the prior fiscal year. (J) For the  
93 fiscal year ending June 30, 2000, and each fiscal year [thereafter]  
94 through the fiscal year ending June 30, 2003, no town whose school  
95 district is a priority school district shall receive a grant pursuant to this  
96 subdivision that provides an amount of aid per resident student that is  
97 less than the amount of aid per resident student provided under the  
98 grant received for the prior fiscal year. (K) For the fiscal year ending  
99 June 30, 1998, and each fiscal year thereafter, no town whose school  
100 district is a priority school district shall receive a grant pursuant to this  
101 subdivision in an amount that is less than seventy per cent of the sum  
102 of (i) the product of a town's base aid ratio, the foundation level and  
103 the town's total need students for the fiscal year prior to the year in  
104 which the grant is to be paid, (ii) the product of a town's supplemental  
105 aid ratio, the foundation level and the sum of the portion of its total  
106 need students count described in subparagraphs (B) and (C) of  
107 subdivision (25) of section 10-262f for the fiscal year prior to the fiscal  
108 year in which the grant is to be paid, and the adjustments to its  
109 resident student count described in subdivision (22) of said section 10-  
110 262f relative to length of school year and summer school sessions, and  
111 (iii) the town's regional bonus. (L) For the fiscal year ending June 30,  
112 2000, and each fiscal year thereafter, no town whose school district is a  
113 transitional school district shall receive a grant pursuant to this

114 subdivision in an amount that is less than forty per cent of the sum of  
115 (i) the product of a town's base aid ratio, the foundation level and the  
116 town's total need students for the fiscal year prior to the fiscal year in  
117 which the grant is to be paid, (ii) the product of a town's supplemental  
118 aid ratio, the foundation level and the sum of the portion of its total  
119 need students count described in subparagraphs (B) and (C) of  
120 subdivision (25) of section 10-262f for the fiscal year prior to the fiscal  
121 year in which the grant is to be paid, and the adjustments to its  
122 resident student count described in subdivision (22) of said section  
123 10-262f relative to length of school year and summer school sessions,  
124 and (iii) the town's regional bonus. (M) For the fiscal year ending June  
125 30, 2002, (i) each town whose target aid is capped pursuant to this  
126 subdivision shall receive a grant that includes a pro rata share of  
127 twenty-five million dollars based on the difference between its target  
128 aid and the amount of the grant determined with the cap, and (ii) all  
129 towns shall receive a grant that is at least 1.68 per cent greater than the  
130 grant they received for the fiscal year ending June 30, 2001. (N) For the  
131 fiscal year ending June 30, 2003, (i) each town whose target aid is  
132 capped pursuant to this subdivision shall receive a pro rata share of  
133 fifty million dollars based on the difference between its target aid and  
134 the amount of the grant determined with the cap, and (ii) each town  
135 shall receive a grant that is at least 1.2 per cent more than its base  
136 revenue, as defined in subdivision (28) of section 10-262f, as amended  
137 by this act. (O) For the fiscal year ending June 30, 2003, each town shall  
138 receive a grant that is at least equal to the grant it received for the prior  
139 fiscal year. (P) For the fiscal year ending June 30, 2004, (i) each town  
140 whose target aid is capped pursuant to this subdivision shall receive a  
141 grant that includes a pro rata share of fifty million dollars based on the  
142 difference between its target aid and the amount of the grant  
143 determined with the cap, (ii) each town's grant including the cap  
144 supplement shall be reduced by three per cent, (iii) the towns of  
145 Bridgeport, Hartford and New Haven shall each receive a grant that is  
146 equal to the grant such towns received for the prior fiscal year plus one  
147 million dollars, (iv) those towns described in clause (i) of this  
148 subparagraph shall receive a grant that includes a pro rata share of

149 three million dollars based on the same pro rata basis as used in said  
150 clause (i), (v) towns whose school districts are priority school districts  
151 pursuant to subsection (a) of section 10-266p or transitional school  
152 districts pursuant to section 10-263c or who are eligible for grants  
153 under section 10-276a or 10-263d for the fiscal years ending June 30,  
154 2002, to June 30, 2004, inclusive shall receive grants that are at least  
155 equal to the grants they received for the prior fiscal year, (vi) towns not  
156 receiving funds under clause (iii) of this subparagraph shall receive a  
157 pro rata share of any remaining funds based on their grant determined  
158 under this subparagraph. (Q) For the fiscal year ending June 30, 2005,  
159 each town shall receive a grant equal to the grant it received for the  
160 prior fiscal year."

161 In line 7680, strike "Six hundred twenty-five thousand" and insert  
162 "Sixty-two thousand five hundred" in lieu thereof

163 In line 7681, strike "six hundred twenty-five thousand" and insert  
164 "sixty-two thousand five hundred" in lieu thereof

165 After the last section, add the following and renumber sections and  
166 internal references accordingly:

167 "Sec. 501. Subdivision (2) of subsection (e) of section 10-76d of the  
168 general statutes is repealed and the following is substituted in lieu  
169 thereof (*Effective from passage*):

170 (2) Notwithstanding any other provisions of the general statutes, for  
171 the fiscal year ending June 30, 1987, and each fiscal year thereafter,  
172 whenever a public agency, other than a local or regional board of  
173 education, the State Board of Education or the Superior Court acting  
174 pursuant to section 10-76h, places a child in a foster home, group  
175 home, hospital, state institution, receiving home, custodial institution  
176 or any other residential or day treatment facility, and such child  
177 requires special education, the local or regional board of education  
178 under whose jurisdiction the child would otherwise be attending  
179 school or, if no such board can be identified, the local or regional board  
180 of education of the town where the child is placed, shall provide the

181 requisite special education and related services to such child in  
182 accordance with the provisions of this section. Within one business day  
183 of such a placement by the Department of Children and Families, said  
184 department shall orally notify the local or regional board of education  
185 responsible for providing special education and related services to  
186 such child of such placement. The department shall provide written  
187 notification to such board of such placement within two business days  
188 of the placement. Such local or regional board of education shall  
189 convene a planning and placement team meeting for such child within  
190 thirty days of the placement and shall invite a representative of the  
191 Department of Children and Families to participate in such meeting.  
192 (A) The local or regional board of education under whose jurisdiction  
193 such child would otherwise be attending school shall be financially  
194 responsible for the reasonable costs of such special education and  
195 related services in an amount equal to the lesser of one hundred per  
196 cent of the costs of such education or the average per pupil educational  
197 costs of such board of education for the prior fiscal year, determined in  
198 accordance with the provisions of subsection (a) of section 10-76f. The  
199 State Board of Education shall pay on a current basis, except as  
200 provided in subdivision (3) of this subsection, any costs in excess of  
201 such local or regional board's basic contributions paid by such board of  
202 education in accordance with the provisions of this subdivision. (B)  
203 Whenever a child is placed pursuant to this subdivision, on or after  
204 July 1, 1995, by the Department of Children and Families and the local  
205 or regional board of education under whose jurisdiction such child  
206 would otherwise be attending school cannot be identified, the local or  
207 regional board of education under whose jurisdiction the child  
208 attended school or in whose district the child resided at the time of  
209 removal from the home by said department shall be responsible for the  
210 reasonable costs of special education and related services provided to  
211 such child, for one calendar year or until the child is committed to the  
212 state pursuant to section 46b-129 or 46b-140 or is returned to [his] the  
213 child's parent or guardian, whichever is earlier. If the child remains in  
214 such placement beyond one calendar year the Department of Children  
215 and Families shall be responsible for such costs. During the period the

216 local or regional board of education is responsible for the reasonable  
217 cost of special education and related services pursuant to this  
218 subparagraph, the board shall be responsible for such costs in an  
219 amount equal to the lesser of one hundred per cent of the costs of such  
220 education and related services or the average per pupil educational  
221 costs of such board of education for the prior fiscal year, determined in  
222 accordance with the provisions of subsection (a) of section 10-76f. The  
223 State Board of Education shall pay on a current basis, except as  
224 provided in subdivision (3) of this subsection, any costs in excess of  
225 such local or regional board's basic contributions paid by such board of  
226 education in accordance with the provisions of this subdivision. The  
227 costs for services other than educational shall be paid by the state  
228 agency which placed the child. The provisions of this subdivision shall  
229 not apply to the school districts established within the Department of  
230 Children and Families, pursuant to section 17a-37, the Department of  
231 Correction, pursuant to section 18-99a, or the Department of Mental  
232 Retardation, pursuant to section 17a-240, provided in any case in  
233 which special education is being provided at a private residential  
234 institution, including the residential components of regional  
235 educational service centers, to a child for whom no local or regional  
236 board of education can be found responsible under subsection (b) of  
237 this section, Unified School District #2 shall provide the special  
238 education and related services and be financially responsible for the  
239 reasonable costs of such special education instruction for such  
240 children. Notwithstanding the provisions of this subdivision, for the  
241 fiscal years ending June 30, 2004, and June 30, 2005, the amount of the  
242 grants payable to local or regional boards of education in accordance  
243 with this subdivision shall be reduced proportionately if the total of  
244 such grants in such year exceeds the amount appropriated for the  
245 purposes of this subdivision for such year.

246 Sec. 502. Subdivision (3) of subsection (e) of section 10-76d of the  
247 general statutes is repealed and the following is substituted in lieu  
248 thereof (*Effective from passage*):

249 (3) Payment for children who require special education and who

250 reside on state-owned or leased property or in permanent family  
251 residences as defined in section 17a-154, and who are not the  
252 educational responsibility of the unified school districts established  
253 pursuant to section 17a-37, section 17a-240 or section 18-99a, shall be  
254 made in the following manner: The State Board of Education shall pay  
255 to the school district which is responsible for providing instruction for  
256 each such child pursuant to the provisions of this subsection one  
257 hundred per cent of the reasonable costs of such instruction. In the  
258 fiscal year following such payment, the State Board of Education shall  
259 deduct from the special education grant due the local or regional board  
260 of education under whose jurisdiction the child would otherwise be  
261 attending school, where such board has been identified, the amount  
262 for which such board would otherwise have been financially  
263 responsible pursuant to the provisions of subdivision (2) of this  
264 subsection. No such deduction shall be made for any school district  
265 which is responsible for providing special education instruction for  
266 children whose parents or legal guardians do not reside within such  
267 district. The amount deducted shall be included as a net cost of special  
268 education by the Department of Education for purposes of the state's  
269 special education grant calculated pursuant to section 10-76g. A school  
270 district otherwise eligible for reimbursement under the provisions of  
271 this subdivision for the costs of education of a child residing in a  
272 permanent family residence shall continue to be so eligible in the event  
273 that a person providing foster care in such residence adopts the child.  
274 Notwithstanding the provisions of this subdivision, for the fiscal years  
275 ending June 30, 2004, and June 30, 2005, the amount of the grants  
276 payable to local or regional boards of education in accordance with  
277 this subdivision shall be reduced proportionately if the total of such  
278 grants in such year exceeds the amount appropriated for the purposes  
279 of this subdivision for such year.

280 Sec. 503. Subsection (b) of section 10-253 of the general statutes is  
281 repealed and the following is substituted in lieu thereof (*Effective from*  
282 *passage*):

283 (b) The board of education of the school district under whose

284 jurisdiction a child would otherwise be attending school shall be  
285 financially responsible for the reasonable costs of education for a child  
286 placed out by the Commissioner of Children and Families or by other  
287 agencies in a private residential facility when such child requires  
288 educational services other than special education services. Such  
289 financial responsibility shall be the lesser of one hundred per cent of  
290 the costs of such education or the average per pupil educational costs  
291 of such board of education for the prior fiscal year, determined in  
292 accordance with subsection (a) of section 10-76f. Any costs in excess of  
293 the boards' basic contribution shall be paid by the State Board of  
294 Education on a current basis. The costs for services other than  
295 educational shall be paid by the state agency which placed the child.  
296 Application for the grant to be paid by the state for costs in excess of  
297 the local or regional board of education's basic contribution shall be  
298 made in accordance with the provisions of subdivision (5) of  
299 subsection (e) of section 10-76d. Notwithstanding the provisions of this  
300 subsection, for the fiscal years ending June 30, 2004, and June 30, 2005,  
301 the amount of the grants payable to local or regional boards of  
302 education in accordance with this subsection shall be reduced  
303 proportionately if the total of such grants in such year exceeds the  
304 amount appropriated for the purposes of this subsection for such year.

305       Sec. 504. (*Effective from passage*) Notwithstanding section 6 of special  
306 act 97-4, as amended by section 4 of special act 01-7, and section 10-  
307 262i of the general statutes, one million dollars of the amount  
308 appropriated to Hartford for the fiscal year ending June 30, 2004, for  
309 equalization aid grant pursuant to section 10-262h of the general  
310 statutes shall be paid by Hartford to the Teachers' Retirement System."