



General Assembly

Amendment

June 30 Special Session, 2003

LCO No. 8090

HB0680608090SD0

Offered by:

SEN. HARP, 10th Dist.

SEN. DAILY, 33rd 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19 is repealed and the following is substituted in lieu thereof (*Effective*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 4126, strike "an overhead" and substitute "a" in lieu thereof

162 In line 4135, strike "overhead"

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

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

167 After the last section, add the following and renumber sections and
168 internal references accordingly:

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170 general statutes is repealed and the following is substituted in lieu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

172 (2) Notwithstanding any other provisions of the general statutes, for
173 the fiscal year ending June 30, 1987, and each fiscal year thereafter,
174 whenever a public agency, other than a local or regional board of
175 education, the State Board of Education or the Superior Court acting
176 pursuant to section 10-76h, places a child in a foster home, group
177 home, hospital, state institution, receiving home, custodial institution
178 or any other residential or day treatment facility, and such child

179 requires special education, the local or regional board of education
180 under whose jurisdiction the child would otherwise be attending
181 school or, if no such board can be identified, the local or regional board
182 of education of the town where the child is placed, shall provide the
183 requisite special education and related services to such child in
184 accordance with the provisions of this section. Within one business day
185 of such a placement by the Department of Children and Families, said
186 department shall orally notify the local or regional board of education
187 responsible for providing special education and related services to
188 such child of such placement. The department shall provide written
189 notification to such board of such placement within two business days
190 of the placement. Such local or regional board of education shall
191 convene a planning and placement team meeting for such child within
192 thirty days of the placement and shall invite a representative of the
193 Department of Children and Families to participate in such meeting.
194 (A) The local or regional board of education under whose jurisdiction
195 such child would otherwise be attending school shall be financially
196 responsible for the reasonable costs of such special education and
197 related services in an amount equal to the lesser of one hundred per
198 cent of the costs of such education or the average per pupil educational
199 costs of such board of education for the prior fiscal year, determined in
200 accordance with the provisions of subsection (a) of section 10-76f. The
201 State Board of Education shall pay on a current basis, except as
202 provided in subdivision (3) of this subsection, any costs in excess of
203 such local or regional board's basic contributions paid by such board of
204 education in accordance with the provisions of this subdivision. (B)
205 Whenever a child is placed pursuant to this subdivision, on or after
206 July 1, 1995, by the Department of Children and Families and the local
207 or regional board of education under whose jurisdiction such child
208 would otherwise be attending school cannot be identified, the local or
209 regional board of education under whose jurisdiction the child
210 attended school or in whose district the child resided at the time of
211 removal from the home by said department shall be responsible for the
212 reasonable costs of special education and related services provided to
213 such child, for one calendar year or until the child is committed to the

214 state pursuant to section 46b-129 or 46b-140 or is returned to [his] the
215 child's parent or guardian, whichever is earlier. If the child remains in
216 such placement beyond one calendar year the Department of Children
217 and Families shall be responsible for such costs. During the period the
218 local or regional board of education is responsible for the reasonable
219 cost of special education and related services pursuant to this
220 subparagraph, the board shall be responsible for such costs in an
221 amount equal to the lesser of one hundred per cent of the costs of such
222 education and related services or the average per pupil educational
223 costs of such board of education for the prior fiscal year, determined in
224 accordance with the provisions of subsection (a) of section 10-76f. The
225 State Board of Education shall pay on a current basis, except as
226 provided in subdivision (3) of this subsection, any costs in excess of
227 such local or regional board's basic contributions paid by such board of
228 education in accordance with the provisions of this subdivision. The
229 costs for services other than educational shall be paid by the state
230 agency which placed the child. The provisions of this subdivision shall
231 not apply to the school districts established within the Department of
232 Children and Families, pursuant to section 17a-37, the Department of
233 Correction, pursuant to section 18-99a, or the Department of Mental
234 Retardation, pursuant to section 17a-240, provided in any case in
235 which special education is being provided at a private residential
236 institution, including the residential components of regional
237 educational service centers, to a child for whom no local or regional
238 board of education can be found responsible under subsection (b) of
239 this section, Unified School District #2 shall provide the special
240 education and related services and be financially responsible for the
241 reasonable costs of such special education instruction for such
242 children. Notwithstanding the provisions of this subdivision, for the
243 fiscal years ending June 30, 2004, and June 30, 2005, the amount of the
244 grants payable to local or regional boards of education in accordance
245 with this subdivision shall be reduced proportionately if the total of
246 such grants in such year exceeds the amount appropriated for the
247 purposes of this subdivision for such year.

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

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

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

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. The costs for services other than
297 educational shall be paid by the state agency which placed the child.
298 Application for the grant to be paid by the state for costs in excess of
299 the local or regional board of education's basic contribution shall be
300 made in accordance with the provisions of subdivision (5) of
301 subsection (e) of section 10-76d. Notwithstanding the provisions of this
302 subsection, for the fiscal years ending June 30, 2004, and June 30, 2005,
303 the amount of the grants payable to local or regional boards of
304 education in accordance with this subsection shall be reduced
305 proportionately if the total of such grants in such year exceeds the
306 amount appropriated for the purposes of this subsection for such year.

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