



General Assembly

February Session, 2004

Raised Bill No. 534

LCO No. 254

00254_____ED_

Referred to Committee on Education

Introduced by:

(ED)

**AN ACT CONCERNING MINOR TECHNICAL REVISIONS TO THE
EDUCATION STATUTES.**

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

1 Section 1. Subdivision (2) of subsection (d) of section 10-16p of the
2 general statutes, as amended by section 32 of public act 03-6 of the June
3 30 special session, is repealed and the following is substituted in lieu
4 thereof (*Effective from passage*):

5 (2) (A) Commencing with the fiscal year ending June 30, 2004, if a
6 town received a grant pursuant to subdivision (1) of this subsection for
7 a priority school and is no longer eligible to receive such a grant for
8 such school, the town may receive a phase-out grant for each of the
9 three fiscal years following the fiscal year such town received its final
10 grant for such school pursuant to subdivision (1) of this subsection.

11 (B) The amount of such phase-out grants shall be determined [in
12 accordance with subparagraph (B) of this subdivision.] as follows:

13 [(B)] (i) For the first fiscal year following the fiscal year such town
14 received its final priority school grant for such school pursuant to

15 subdivision (1) of this subsection, in an amount that does not exceed
16 seventy-five per cent of the grant amount such town received for such
17 school for the school's final year of eligibility pursuant to subdivision
18 (1) of this subsection; [.] (ii) [For] for the second fiscal year following
19 the fiscal year such town received its final priority school grant for
20 such school pursuant to subdivision (1) of this subsection, in an
21 amount that does not exceed fifty per cent of the grant amount such
22 town received for such school for the school's final year of eligibility
23 pursuant to subdivision (1) of this subsection; [.] (iii) [for] for the third
24 fiscal year following the fiscal year such town received its final priority
25 school grant for such school pursuant to subdivision (1) of this
26 subsection, in an amount that does not exceed twenty-five per cent of
27 the grant amount such town received for such school for the school's
28 final year of eligibility pursuant to subdivision (1) of this subsection.

29 Sec. 2. Subsection (f) of section 10-66j of the general statutes, as
30 amended by section 12 of public act 03-6 of the June 30 special session,
31 is repealed and the following is substituted in lieu thereof (*Effective*
32 *from passage*):

33 (f) Notwithstanding the provisions of this section, for the fiscal
34 years ending June 30, 2004, and June 30, 2005, the amount of grants
35 payable to regional educational service centers [.] shall be reduced
36 proportionately if the total of such grants in such year exceeds the
37 amount appropriated for such grants for such year.

38 Sec. 3. Subsection (b) of section 10-155d of the general statutes, as
39 amended by section 45 of public act 03-76, is repealed and the
40 following is substituted in lieu thereof (*Effective from passage*):

41 (b) The Department of Higher Education, with the approval of the
42 Commissioner of Education, shall expand, within available
43 appropriations, participation in its summer alternate route to
44 certification program and its weekend and evening alternate route to
45 certification program. The department shall expand the weekend and
46 evening program for participants seeking certification in a subject

47 shortage area pursuant to section 10-8b. The department, in
48 collaboration with the Department of Education, shall develop (1) a
49 regional alternate route to certification [programs] program targeted to
50 the subject shortage areas, and (2) an alternate route to certification
51 program for former teachers whose certificates have expired and who
52 are interested in resuming their teaching careers.

53 Sec. 4. Subsection (d) of section 10-220 of the general statutes, as
54 amended by section 2 of public act 03-220, is repealed and the
55 following is substituted in lieu thereof (*Effective from passage*):

56 (d) Prior to January 1, 2008, and every five years thereafter, for
57 every school building that is or has been constructed, extended,
58 renovated or replaced on or after January 1, 2003, a local or regional
59 board of education shall provide for a uniform inspection and
60 evaluation program of the indoor air quality within such buildings,
61 such as the Environmental Protection Agency's Indoor Air Quality
62 Tools for Schools Program. The inspection and evaluation program
63 shall include, but not be limited to, a review, inspection or evaluation
64 of the following: (1) The heating, ventilation and air conditioning
65 systems; (2) radon levels in the water and the air; (3) potential for
66 exposure to microbiological airborne particles, including, but not
67 limited to, fungi, mold and bacteria; (4) chemical compounds of
68 concern to indoor air quality including, but not limited to, volatile
69 organic compounds; (5) the degree of pest infestation, including, but
70 not limited to, [insect] insects and rodents; (6) the degree of pesticide
71 usage; (7) the presence of and the plans for removal of any hazardous
72 substances that are contained on the list prepared pursuant to Section
73 302 of the federal Emergency Planning and Community Right-to-
74 Know Act, 42 USC 9601 et seq.; (8) ventilation systems; (9) plumbing,
75 including water distribution systems, drainage systems and fixtures;
76 (10) moisture incursion; (11) the overall cleanliness of the facilities; (12)
77 building structural elements, including, but not limited to, roofing,
78 basements or slabs; (13) the use of space, particularly areas that were
79 designed to be unoccupied; and (14) the provision of indoor air quality

80 maintenance training for building staff. Local and regional boards of
81 education conducting evaluations pursuant to this subsection shall
82 make available for public inspection the results of the inspection and
83 evaluation at a regularly scheduled board of education meeting.

84 Sec. 5. Subsection (h) of section 10-266t of the general statutes, as
85 amended by section 14 of public act 03-174, is repealed and the
86 following is substituted in lieu thereof (*Effective from passage*):

87 (h) Notwithstanding subsections (d) and (e) of this section, a school
88 district may charge fees for participation in after-school academic
89 enrichment, support or recreational programs, provided the fees are
90 calculated on a sliding scale based on ability to pay and [that] no fee
91 exceeds seventy-five per cent of the average cost of participation. No
92 school district may exclude a student from participation in such after-
93 school academic enrichment, support and recreational programs due
94 to inability to pay a fee.

95 Sec. 6. Subsection (e) of section 10-266aa of the general statutes, as
96 amended by section 2 of public act 03-168, is repealed and the
97 following is substituted in lieu thereof (*Effective from passage*):

98 (e) Once the program is in operation in the region served by a
99 regional educational service center pursuant to subsection (c) of this
100 section, the Department of Education shall provide an annual grant to
101 such [a] regional educational service center to assist school districts in
102 its area in administering the program and to provide staff to assist
103 students participating in the program to make the transition to a new
104 school and to act as a liaison between the parents of such students and
105 the new school district. Each regional educational service center shall
106 determine which school districts in its area are located close enough to
107 a priority school district to make participation in the program feasible
108 in terms of student transportation pursuant to subsection (f) of this
109 section, provided any student participating in the program prior to
110 July 1, 1999, shall be allowed to continue to attend the same school
111 such student attended prior to said date in the receiving district until

112 the student completes the highest grade in such school. Each regional
113 educational service center shall convene, annually, a meeting of
114 representatives of such school districts in order for such school
115 districts to report, by March thirty-first, the number of spaces available
116 for the following school year for out-of-district students under the
117 program. Annually, each regional educational service center shall
118 provide a count of such spaces to the Department of Education by
119 April fifteenth. If there are more students who seek to attend school in
120 a receiving district than there are spaces available, the regional
121 educational service center shall assist the school district in determining
122 attendance by the use of a lottery or lotteries designed to preserve or
123 increase racial, ethnic and economic diversity, except that the regional
124 educational service center shall give preference to siblings and to
125 students who would otherwise attend a school that has lost its
126 accreditation by the New England Association of Schools and Colleges
127 or has been identified as in need of improvement pursuant to the No
128 Child Left Behind Act, P.L. 107-110. The admission policies shall be
129 consistent with section 10-15c and this section. No receiving district
130 shall recruit students under the program for athletic or extracurricular
131 purposes. Each receiving district shall allow out-of-district students it
132 accepts to attend school in the district until they graduate from high
133 school.

134 Sec. 7. Subsection (b) of section 10-281 of the general statutes, as
135 amended by section 203 of public act 03-6 of the June 30 special
136 session, is repealed and the following is substituted in lieu thereof
137 (*Effective from passage*):

138 (b) Notwithstanding the provisions of this section, for the fiscal
139 years ending June 30, 2004, and June 30, 2005, the amount of the grants
140 payable to local or regional boards of education in accordance with
141 this section shall be reduced proportionately if the total of such grants
142 in such year exceeds the amount appropriated for purposes of this
143 section.

144 Sec. 8. Subdivision (4) of subsection (b) of section 10-291 of the
145 general statutes, as amended by section 30 of public act 03-76 and
146 section 6 of public act 03-220, is repealed and the following is
147 substituted in lieu thereof (*Effective from passage*):

148 (4) In the case of a new construction, extension, renovation or
149 replacement, the plans do not [include a plan] provide that the
150 building maintenance staff responsible for such facility are trained in
151 or are receiving training in, or that the applicant plans to provide
152 training in, the appropriate areas of plant operations including, but not
153 limited to, heating, ventilation and air conditioning systems pursuant
154 to section 10-231e, with specific training relative to indoor air quality.

155 Sec. 9. Subsection (d) of section 10-292o of the general statutes, as
156 amended by section 11 of public act 03-6 of the June 30 special session,
157 is repealed and the following is substituted in lieu thereof (*Effective*
158 *from passage*):

159 (d) The amount of the regional educational service center lease grant
160 approved by the Commissioner of Education under the provisions of
161 this section shall be the eligible percentage, as determined in
162 subsection (c) of section 10-285a, as amended, times the eligible lease
163 costs as determined by the Commissioner of Education. Grants
164 pursuant to this section shall be paid on a current year basis if the
165 regional educational service center files an application to lease a
166 facility with the [state] Department of Education on or before August
167 first of each year. No such facility or portion thereof shall be eligible
168 for a grant under this section unless the local fire marshal has declared
169 the facility suitable for occupancy as a facility for use in furnishing
170 educational programs and services. Eligible costs pursuant to this
171 section shall be limited to the lease cost of the building, net of any
172 other costs. Grant payments shall be made as follows: Twenty-five per
173 cent of the estimated cost in October, twenty-five per cent of the
174 estimated cost in January, and the balance of the estimated cost in
175 April. The actual cost will be reported on or before September first

176 following the year of application on the end of school year report filed
 177 by each regional educational service center. If the Commissioner of
 178 Education determines that there has been an underpayment or
 179 overpayment in a grant made pursuant to this section, the
 180 commissioner shall calculate the amount of the underpayment or
 181 overpayment and shall adjust the amount of the grant payment for the
 182 fiscal year next following the fiscal year in which such underpayment
 183 or overpayment was made. The amount of the adjustment shall be
 184 equal to the amount of the underpayment or overpayment. If the
 185 amount of the overpayment exceeds the grant payment for the fiscal
 186 year next following the fiscal year in which such overpayment was
 187 made, the regional educational service center shall, upon the request of
 188 the commissioner, pay the department the difference. Any lease
 189 pursuant to this section shall be for a period not to exceed twenty
 190 years. In no event shall the reimbursement pursuant to this section be
 191 based upon a cost per square foot which exceeds the cost determined
 192 to be reasonable by the Commissioner of Education. In the case of any
 193 grants computed under this section, any federal funds or other state
 194 funds received for such costs covered by the grant shall be deducted
 195 from cost estimates prior to computation of the grant.
 196 Notwithstanding the provisions of this section, for the fiscal years
 197 ending June 30, 2004, and June 30, 2005, the amount of the grants
 198 payable to regional educational service centers in accordance with this
 199 section [,] shall be reduced proportionately if the total of such grants in
 200 such year exceeds the amount appropriated for the purposes of this
 201 section for such year.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>from passage</i>
Sec. 7	<i>from passage</i>

Sec. 8	<i>from passage</i>
Sec. 9	<i>from passage</i>

Statement of Purpose:

To make minor technical revisions to the education statutes.

[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.]