



Substitute Senate Bill No. 636

Public Act No. 06-158

AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND OTHER SCHOOL CONSTRUCTION PROVISIONS.

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

Section 1. (*Effective from passage*) The Commissioner of Education having reviewed applications for state grants for public school building projects in accordance with section 10-283 of the general statutes on the basis of priorities for such projects and standards for school construction established by the State Board of Education, and having prepared a listing of all such eligible projects ranked in order of priority, including a separate schedule of previously authorized projects which have changed substantially in scope or cost, as determined by said commissioner together with the amount of estimated grant with respect to each eligible project, and having submitted such listing of eligible projects, prior to December 15, 2005, to a committee of the General Assembly established under section 10-283a of the general statutes for the purpose of reviewing such listing, is hereby authorized to enter into grant commitments on behalf of the state in accordance with said section 10-283 with respect to the priority listing of such projects and in such estimated amounts as approved by said committee prior to February 1, 2006, as follows:

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(1) Estimated Grant Commitments.

School District School Project Number	Estimated Project Costs	Estimated Grant
BLOOMFIELD The Big Picture High School 0073 MAG/PF	\$ 5,517,500	\$ 5,241,625
BLOOMFIELD Bloomfield Early Childhood Magnet 0074 MAG/N	18,305,291	17,390,026
BRIDGEPORT Multi-Magnet High School 0159 MAG/N	125,838,876	119,546,932
BRIDGEPORT Science PK-8 Magnet School 0160 MAG/N	31,201,246	29,641,184
HARTFORD Fisher Magnet School 0291 MAG/EA	38,438,000	36,516,100
HARTFORD Kinsella Magnet School 0292 MAG/EA	36,815,000	34,974,250
AVON Avon High School 0062 EA/RR	25,998,000	6,405,907

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DERBY		
Irving School		
0056 CV	25,000	17,323
DERBY		
Derby High School		
0057 CV	200,000	138,580
MANCHESTER		
New Bentley Head Start		
0207 N	6,804,456	4,277,281
NORWALK		
Jefferson Elementary School		
0237 EA	4,500,000	1,639,350
STAMFORD		
Westhill High School		
0260 E	16,751,938	5,025,581
TRUMBULL		
Trumbull High School		
0099 EA	11,575,000	3,927,398
VERNON		
Rockville High School		
0127 EA	34,657,000	23,889,070
BRIDGEPORT		
Skane Center		
0157 EA	2,500,000	2,000,000

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BROOKLYN

Brooklyn Elementary/Preschool

0026 EA 5,086,000 3,832,810

DANBURY

Danbury Head Start Center

0133 PF/EA 7,500,000 4,017,750

DARIEN

New Tokeneke Elementary School

0109 N 23,170,000 4,798,507

GREENWICH

Hamilton Avenue School

0109 EA/CV 24,410,000 4,882,000

LEBANON

Lyman Memorial H.S. (Vo-Ag)

0052 VE 77,600 73,720

MANCHESTER

Illing Middle School

0208 EA 6,776,694 4,259,830

MANCHESTER

Bennet Middle School

0209 PS/EA 37,077,410 23,306,860

NAUGATUCK

Naugatuck High School

0054 A 500,000 355,350

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NEW HAVEN New Hill Central School 0353 N	40,262,056	31,488,954
NEW HAVEN Davis Street Magnet School 0354 MAG/EA	30,400,000	28,880,000
NORWALK Cranbury Elementary School 0236 EA	3,950,000	1,438,985
NORWALK Ponus Ridge Middle School 0238 A/EC	6,803,658	2,478,573
NORWALK Naramake Elementary School 0239 A/EC	2,000,000	728,600
NORWALK Nathan Hale Middle School 0240 A/EC	8,200,000	2,987,260
NORWICH Teachers' Memorial Middle 0103 A	600,000	454,260
NORWICH Kelly Middle School 0104 A	285,000	215,774

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OLD SAYBROOK Old Saybrook Middle School 0038 A	285,000	84,474
PLAINVILLE Louis Toffolon School 0059 EA/RR	16,000,000	10,513,600
PLAINVILLE Plainville High School 0060 EA/RR	44,000,000	28,912,400
THOMPSON Fisher/Thompson/ Tourtellotte Schools 0019 EA/RR	35,000,000	26,001,500
VERNON Northeast School 0125 A	3,556,000	2,451,151
VERNON Vernon Center Middle School 0126 A/EC	11,519,000	7,940,047
VERNON Center Road School 0128 A/EC	4,420,600	3,047,120
VERNON Maple Street School		

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0129 A/EC	3,743,200	2,580,188
VERNON		
Lake Street School		
0130 EA/RR	5,828,800	4,017,792
VERNON		
Skinner Road School		
0131 A	4,597,400	3,168,988
VOLUNTOWN		
Voluntown Elementary School		
0017 A/EC	250,000	167,850
WATERFORD		
Quaker Hill Elementary School		
0099 EA/RR	27,940,275	7,485,200
WEST HAVEN		
Anna V. Molloy School		
0135 EA	9,450,000	7,020,405
WOLCOTT		
Wolcott High School		
0074 A	149,000	92,589
WOODBIDGE		
Beecher Road School		
0022 A	142,400	40,171
REGIONAL SCHOOL DISTRICT 1		
Housatonic Valley Reg. H.S. (Vo-Ag)		

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0040 VE	164,625	156,394
CREC		
River Street School Annex		
0093 PF/EA	3,398,163	2,002,537
DERBY		
Derby High School		
0053 EC	175,000	121,258
DERBY		
Central Administration		
0055 BE/A	500,000	178,575
EAST LYME		
Lillie B. Haynes School		
0057 EC	500,000	244,650
KENT		
Kent Center School		
0007 EC	210,000	57,750
MILFORD		
Pumpkin Delight School		
0168 EC	550,000	251,405
NAUGATUCK		
Naugatuck High School		
0055 EC	200,000	142,140
NORFOLK		
Botelle Elementary School		

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0007 A/EC	1,500,000	466,050
WEST HARTFORD		
Wolcott School		
0210 EC	648,000	273,067
WEST HAVEN		
Washington School		
0134 EC	500,000	371,450
ACES		
Central Administration (Access)		
0036 PF/A/RR	3,600,000	2,301,480

(2) Previously Authorized Projects Which Have Changed Substantially in Scope or Cost.

School District	Authorized	Requested
School		
Project Number		

BRIDGEPORT
New North End Elementary
015-0130 N

Estimated...		
Total Project Costs	\$ 39,000,000	\$ 56,333,208
Total Grant	31,200,000	45,066,566

EAST HARTFORD
Central Administration
(Main Street Relocation)
043-0226 BE/PF

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Estimated...		
Total Project Costs	6,617,705	8,360,695
Total Grant	2,292,704	2,896,562

EAST HARTFORD
East Hartford/Glastonbury Magnet
043-0228 MAG/N

Estimated...		
Total Project Costs	24,932,539	29,724,250
Total Grant	24,932,539	29,724,250

HAMDEN
Hamden High School
062-0091 A

Estimated...		
Total Project Costs	1,500,000	1,884,240
Total Grant	958,950	1,204,595

HARTFORD
Sport Sciences Academy
064-0279 MAG/N

Estimated...		
Total Project Costs	67,648,775	71,961,925
Total Grant	67,648,775	71,961,925

HARTFORD
Pathways to Technology
064-0286 MAG/N

Estimated...		
Total Project Costs	36,940,500	38,830,000
Total Grant	36,940,500	38,830,000

HARTFORD
University of Hartford Science
& Engineering

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064-0287 MAG/N

Estimated...

Total Project Costs	33,950,000	36,627,000
Total Grant	32,252,500	34,795,650

NEW BRITAIN
Northend School
089-0155 RNV/E

Estimated...

Total Project Costs	8,400,000	10,850,000
Total Grant	6,660,360	8,602,965

NEW CANAAN
New Canaan High School
090-0044 RNV/E

Estimated...

Total Project Costs	61,170,560	72,694,980
Total Grant	12,234,112	14,538,996

NEW HARTFORD
New Hartford Elementary
092-0031 EA

Estimated...

Total Project Costs	1,980,000	2,822,552
Total Grant	1,060,686	1,512,041

NEW HAVEN
Daniels School (Formerly
Prince/Welch Schools)
093-0306 N

Estimated...

Total Project Costs	38,373,031	44,000,000
Total Grant	30,149,690	34,570,800

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NEW HAVEN
New Jackie Robinson Magnet School
093-0329 MAG/N

Estimated...		
Total Project Costs	35,000,000	36,000,000
Total Grant	33,250,000	34,200,000

NEW HAVEN
Barnard Magnet School
093-0339 MAG/E

Estimated...		
Total Project Costs	34,000,000	43,000,000
Total Grant	32,300,000	40,850,000

NEW HAVEN
Troup Middle School
093-0343 A

Estimated...		
Total Project Costs	36,570,369	44,000,000
Total Grant	29,124,642	35,041,600

NEW HAVEN
Beecher School
093-0345 EA

Estimated...		
Total Project Costs	30,216,606	40,000,000
Total Grant	24,064,505	31,856,000

NEW HAVEN
Christopher Columbus School
093-0348 EA/RR

Estimated...		
Total Project Costs	28,179,886	35,000,000
Total Grant	22,442,461	27,874,000

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NEW HAVEN
Sheridan Magnet School
093-0349 MAG/A

Estimated...		
Total Project Costs	23,793,602	39,000,000
Total Grant	23,793,602	39,000,000

NEW HAVEN
New Bishop Woods School
093-0352 N

Estimated...		
Total Project Costs	28,179,886	37,000,000
Total Grant	22,543,909	29,600,000

NEW LONDON
Science & Technology Magnet
095-0078 MAG/EA

Estimated...		
Total Project Costs	18,750,000	20,625,000
Total Grant	18,750,000	20,625,000

STAMFORD
Stamford High School
135-0223 EA

Estimated...		
Total Project Costs	28,032,528	52,583,000
Total Grant	8,210,727	15,401,561

STAMFORD
Academy of Information
& Technology
135-0248 MAG/N

Estimated...

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Total Project Costs	41,799,106	44,399,106
Total Grant	41,799,106	44,399,106

WATERFORD

Waterford/New London
Early Childhood Magnet
152-0079 MAG/PS

Estimated...

Total Project Costs	22,114,276	23,248,892
Total Grant	22,114,276	23,248,892

WINCHESTER

Hinsdale School
162-0036 EA

Estimated...

Total Project Costs	575,940	751,853
Total Grant	396,995	518,252

REGIONAL DISTRICT #1

Central Administration
201-0039 BE/E

Estimated...

Total Project Costs	200,000	377,501
Total Grant	44,290	83,598

REGIONAL DISTRICT #5

Central Administration
205-0041 BE/PF

Estimated...

Total Project Costs	877,361	299,325
Total Grant	153,538	52,382

REGIONAL DISTRICT #10

Lewis Mills/Har-Bur Complex
210-0036 EA

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Estimated...		
Total Project Costs	45,691,500	50,305,000
Total Grant	24,925,840	27,848,848

CES
Regional Center for the Arts
243-0032 MAG/N

Estimated...		
Total Project Costs	13,373,040	21,625,520
Total Grant	13,373,040	21,625,520

CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM
Henry Abbott THS
900-0002 VT/EA

Estimated...		
Total Project Costs	51,426,943	54,659,389
Total Grant	51,426,943	54,659,389

CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM
Cheney THS
900-0003 VT/EA

Estimated...		
Total Project Costs	46,272,279	48,048,048
Total Project Grant	46,272,279	48,048,048

CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM
Goodwin THS
900-0005 VT/EA

Estimated...		
Total Project Costs	54,548,000	61,597,621
Total Project Grant	54,548,000	61,597,621

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CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM
Eli Whitney THS
900-0007 VT/EA

Estimated...		
Total Project Costs	59,156,000	74,286,000
Total Project Grant	59,156,000	74,286,000

CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM
Norwich THS
900-0008 VT/EA

Estimated...		
Total Project Costs	58,149,000	65,718,760
Total Project Grant	58,149,000	65,718,760

CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM
Ellis THS
900-0009 VT/EA

Estimated...		
Total Projects Costs	39,750,000	59,747,000
Total Project Grant	39,750,000	59,747,000

CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM
Wright THS
900-0010 VT/EA

Estimated...		
Total Project Costs	31,194,000	40,023,991
Total Project Grant	31,194,000	40,023,991

CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM

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Wilcox THS
900-0011 VT/EA

Estimated...

Total Project Costs	47,563,000	60,265,000
Total Project Grant	47,563,000	60,265,000

CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM
Emmett O'Brien THS
900-0012 VT/EA

Estimated...

Total Project Costs	41,025,000	52,367,000
Total Project Grant	41,025,000	52,367,000

CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM
Platt THS
900-0013 VT/EA

Estimated...

Total Project Costs	45,364,000	57,886,000
Total Project Grant	45,364,000	57,886,000

CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM
Grasso THS
900-0014 VT/EA

Estimated...

Total Project Costs	48,170,000	61,479,000
Total Project Grant	48,170,000	61,479,000

CONNECTICUT TECHNICAL
HIGH SCHOOL SYSTEM
W.F. Kaynor THS
900-0006 VT/EA

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Estimated...		
Total Project Costs	54,522,000	60,070,645
Total Project Grant	54,522,000	60,070,645

MIDDLETOWN
Middletown High School
083-0109N

Estimated...		
Total Project Costs	84,328,500	97,093,947
Total Project Grant	54,214,793	62,424,270

MIDDLETOWN
Middletown Vo-Ag Center
083-0110 VA/V

Estimated...		
Total Project Costs	13,496,907	9,556,053
Total Project Grant	13,496,907	9,556,053

MONTVILLE
Montville Alternative School
086-0083 A

Estimated...		
Total Project Costs	2,618,733	3,667,569
Total Grant	1,711,604	2,397,123

MONTVILLE
Montville High School
086-0085 EA

Estimated...		
Total Project Costs	16,947,640	21,482,527
Total Grant	11,076,978	14,040,980

MONTVILLE
Murphy Elementary School
086-0087 EA

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Estimated...		
Total Project Costs	7,532,268	9,563,101
Total Grant	4,923,090	6,250,443

MONTVILLE
Oakdale Elementary School
086-0088 EA

Estimated...		
Total Project Costs	7,518,322	11,423,475
Total Grant	4,913,975	7,466,383

MONTVILLE
Leonard J. Tyl Middle School
086-0086 E/CV

Estimated...		
Total Project Costs	795,920	1,035,720
Total Grant	520,213	676,947

Sec. 2. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of West Hartford may let out for bid on and commence a project for extension and alteration (Project Number 155-0197 EA) at Bugbee Elementary School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 3. (*Effective from passage*) Notwithstanding the provisions of section 10-286 of the 2006 supplement to the general statutes, as amended by this act, or any regulation adopted by the State Board of Education setting square footage specifications for purposes of

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calculating eligible costs for a school building project grant, such square footage specifications shall not apply to the parking garage at Bristow Middle School (Project Number 155-0201 EA/PF) in West Hartford.

Sec. 4. Section 10-282 of the general statutes is amended by adding subdivision (20) as follows (*Effective July 1, 2006*):

(NEW) (20) "Turn-key purchase" means the purchase of a facility that a party has agreed to construct or renovate and deliver as fully completed in accordance with an agreement between that party and a purchasing school district.

Sec. 5. Subsection (a) of section 10-220 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) Each local or regional board of education shall maintain good public elementary and secondary schools, implement the educational interests of the state as defined in section 10-4a and provide such other educational activities as in its judgment will best serve the interests of the school district; provided any board of education may secure such opportunities in another school district in accordance with provisions of the general statutes and shall give all the children of the school district as nearly equal advantages as may be practicable; shall provide an appropriate learning environment for its students which includes (1) adequate instructional books, supplies, materials, equipment, staffing, facilities and technology, (2) equitable allocation of resources among its schools, (3) proper maintenance of facilities, and (4) a safe school setting; shall have charge of the schools of its respective school district; shall make a continuing study of the need for school facilities and of a long-term school building program and from time to time make recommendations based on such study to the town; shall adopt and implement an indoor air quality program that provides for

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ongoing maintenance and facility reviews necessary for the maintenance and improvement of the indoor air quality of its facilities; shall report [annually] biennially to the Commissioner of Education on the condition of its facilities and the action taken to implement its long-term school building program and indoor air quality program, which report the Commissioner of Education shall use to prepare [an annual] a biennial report that said commissioner shall submit in accordance with section 11-4a to the joint standing committee of the General Assembly having cognizance of matters relating to education; shall advise the Commissioner of Education of the relationship between any individual school building project pursuant to chapter 173 and such long-term school building program; shall have the care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes and at all times shall insure all such buildings and all capital equipment contained therein against loss in an amount not less than eighty per cent of replacement cost; shall determine the number, age and qualifications of the pupils to be admitted into each school; shall develop and implement a written plan for minority staff recruitment for purposes of subdivision (3) of section 10-4a; shall employ and dismiss the teachers of the schools of such district subject to the provisions of sections 10-151 and 10-158a; shall designate the schools which shall be attended by the various children within the school district; shall make such provisions as will enable each child of school age, residing in the district to attend some public day school for the period required by law and provide for the transportation of children wherever transportation is reasonable and desirable, and for such purpose may make contracts covering periods of not more than five years; may place in an alternative school program or other suitable educational program a pupil enrolling in school who is nineteen years of age or older and cannot acquire a sufficient number of credits for graduation by age twenty-one; may arrange with the board of education of an adjacent town for the instruction therein of such children as can attend school in such adjacent town more conveniently;

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shall cause each child five years of age and over and under eighteen years of age who is not a high school graduate and is living in the school district to attend school in accordance with the provisions of section 10-184, and shall perform all acts required of it by the town or necessary to carry into effect the powers and duties imposed by law.

Sec. 6. Section 10-283b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) On and after July 1, 1999, the Commissioner of Education shall include school building projects for the regional vocational-technical schools on the list developed pursuant to section 10-283. Prior to inclusion on the list, such projects shall be reviewed by the Department of Public Works. The adoption of the list by the General Assembly and authorization by the State Bond Commission of the issuance of bonds pursuant to section 10-287d, as amended, shall fund the full cost of the projects. Funds for the projects shall be transferred to the Department of Public Works and, upon such transfer, the projects shall be subject to the requirements of chapters 59 and 60.

(b) The Department of Public Works shall ensure that an architect and a construction manager or construction administrator hired to work on a project pursuant to subsection (a) of this section are not related persons as defined in subdivision (18) of subsection (a) of section 12-218b.

Sec. 7. Subsection (a) of section 10-4h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) The Department of Education, in consultation with the Commission for Educational Technology, shall establish a competitive grant program, within the limit of the bond authorization for purposes of this section, to assist (1) local and regional school districts, (2)

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regional educational service centers, (3) cooperative arrangements among one or more boards of education, and (4) endowed academies approved pursuant to section 10-34 that are eligible for school building project grants pursuant to chapter 173, to upgrade or install wiring, including electrical wiring, cable or other distribution systems and infrastructure improvements to support telecommunications and other information transmission equipment to be used for educational purposes, provided the department may expend up to two per cent of such bond authorization for such purposes for the regional vocational-technical school system.

Sec. 8. Section 10-286 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) The amount of the grant approved by the Commissioner of Education under the provisions of this chapter for any completed school building project shall be computed as follows:

(1) For the fiscal year ending June 30, 1984, and each fiscal year thereafter, in the case of a new school plant, an extension of an existing school building or projects involving the major alteration of any existing building to be used for school purposes, the eligible percentage, as determined in section 10-285a, as amended, of the result of multiplying together the number representing the highest projected enrollment, based on data acceptable to the Commissioner of Education, for such building during the eight-year period from the date a local or regional board of education files a notification of a proposed school building project with the Department of Education, the number of gross square feet per pupil determined by the Commissioner of Education to be adequate for the kind of educational program or programs intended, and the eligible cost of such project, divided by the gross square feet of such building, or the eligible percentage, as determined in section 10-285a, as amended, of the

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eligible cost of such project, whichever is less, provided, (A) any such project on which construction was started prior to July 1, 1975, shall be reimbursed under the formula in effect prior to said date, (B) any such project on which construction or payments under this chapter were started after June 30, 1975, but prior to July 31, 1983, shall be reimbursed based upon the data, submitted for each such project and accepted by the Department of Education during said period, representing the number of pupils the plant was designed to accommodate, (C) any project for which final grant calculation has been made after June 30, 1975, but prior to July 31, 1983, shall be reimbursed based upon such final calculation, and (D) any such project for which estimated grant payments were begun prior to July 31, 1983, shall be reimbursed based upon the calculation formula used in making such estimated grant payments;

(2) In case of projects involving the purchase of an existing building to be used for school purposes, the eligible percentage, as determined in section 10-285a, as amended, of the eligible cost as determined by the Commissioner of Education, provided any project for which an application is made on or after July 1, 1995, involving the purchase and renovation of an existing facility, may be exempt from the standard space specifications, and otherwise ineligible repairs and replacements may be considered eligible for reimbursement as part of such a project, if information is provided acceptable to the commissioner documenting the need for such work and the cost savings to the state and the school district of such purchase and renovation project in comparison to alternative construction options;

(3) If any school building project described in subdivisions (1) and (2) of this subsection includes the construction, extension or major alteration of outdoor athletic facilities, tennis courts or a natatorium, gymnasium or auditorium, the grant for the construction of such outdoor athletic facilities, tennis courts and natatorium shall be limited

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to one-half of the eligible percentage for subdivisions (1) and (2) of the net eligible cost of construction thereof; the grant for the construction of an area of spectator seating in a gymnasium shall be one-half of the eligible percentage for subdivisions (1) and (2) of the net eligible cost of construction thereof; and the grant for the construction of the seating area in an auditorium shall be limited to one-half of the eligible percentage for subdivisions (1) and (2) of the net eligible cost of construction of the portion of such area that seats one-half of the projected enrollment of the building, as defined in subdivision (1) of this subsection, which it serves;

(4) In the case of a regional vocational agriculture center or the purchase of equipment pursuant to subsection (a) of section 10-65 or a regional special education facility pursuant to section 10-76e, an amount equal to the eligible cost of such project, as determined by the Commissioner of Education;

(5) In the case of a public school administrative or service facility, one-half of the eligible percentage for subdivisions (1) and (2) of this subsection of the eligible project cost as determined by the Commissioner of Education, or in the case of a regional educational service center administrative or service facility, the eligible percentage, as determined pursuant to subsection (c) of section 10-285a, as amended, of the eligible project cost as determined by the commissioner;

(6) In the case of the total replacement of a roof or the total replacement of a portion of a roof which has existed for at least twenty years, or in the case of the total replacement of a roof or the total replacement of a portion of a roof which has existed for fewer than twenty years when it is determined by a registered architect or registered engineer that such roof was improperly designed or improperly constructed and the town is prohibited from recovery of damages or has no other recourse at law or in equity, the eligible

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percentage for subdivisions (1) and (2) of this subsection, of the eligible cost as determined by the Commissioner of Education. In the case of the total replacement of a roof or the total replacement of a portion of a roof which has existed for fewer than twenty years (A) when it is determined by a registered architect or registered engineer that such roof was improperly designed or improperly constructed and the town has recourse at law or in equity and recovers less than such eligible cost, the eligible percentage for subdivisions (1) and (2) of this subsection of the difference between such recovery and such eligible cost, and (B) when the roof is at least fifteen years old but less than twenty years old and it cannot be determined by a registered architect or registered engineer that such roof was improperly designed or improperly constructed, the eligible percentage for subdivisions (1) and (2) of this subsection of the eligible project costs provided such costs are multiplied by the ratio of the age of the roof to twenty years. For purposes of this subparagraph, the age of the roof shall be determined in whole years to the nearest year based on the time between the completed installation of the old roof and the date of the grant application for the school construction project for the new roof;

(7) For the fiscal year ending June 30, 1984, and for each fiscal year thereafter, in the case of projects to correct code violations, the eligible percentage, as determined in section 10-285a, as amended, of the eligible cost as determined by the Commissioner of Education;

(8) In the case of a renovation project for which an application is made on or after July 1, 1995, the eligible percentage as determined in subsection (b) of section 10-285a, as amended, multiplied by the eligible costs as determined by the commissioner, provided the project may be exempt from the standard space specifications, and otherwise ineligible repairs and replacements may be considered eligible for reimbursement as part of such a project, if information is provided acceptable to the commissioner documenting the need for such work

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and the cost savings to the state and the school district of such renovation project in comparison to alternative construction options;

(9) In the case of projects approved to remedy certified school indoor air quality emergencies, the eligible percentage, as determined in section 10-285a, as amended, of the eligible cost as determined by the Commissioner of Education.

(10) In the case of a project involving a turn-key purchase for a facility to be used for school purposes, the eligible percentage, as determined in section 10-285a of the 2006 supplement to the general statutes, of the net eligible cost as determined by the Commissioner of Education, except that for any project involving such a purchase for which an application is made on or after July 1, 2006, (A) final plans for all construction work included in the turn-key purchase agreement shall be approved by the Commissioner of Education in accordance with section 10-292, and (B) such project may be exempt from the standard space specifications, and otherwise ineligible repairs and replacements may be considered eligible for reimbursement as part of such project, if information acceptable to the commissioner documents the need for such work and that such a purchase will cost less than constructing the facility in a different manner and will result in a facility taking on a useful life comparable to that of a new facility.

(b) (1) In the case of all grants computed under this section for a project which constitutes a replacement, extension or major alteration of a damaged or destroyed facility, no grant may be paid if a local or regional board of education has failed to insure its facilities and capital equipment in accordance with the provisions of section 10-220, as amended by this act. The amount of financial loss due to any damage or destruction to any such facility, as determined by ascertaining the replacement value of such damage or destruction, shall be deducted from project cost estimates prior to computation of the grant.

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(2) In the case of any grants computed under this section for a school building project authorized pursuant to section 10-283, as amended by this act, after July 1, 1979, any federal funds or other state funds received for such school building project shall be deducted from project costs prior to computation of the grant.

(3) The limitation on grants for new outdoor athletic facilities, tennis courts, natatorium, gymnasium and auditorium shall not apply to school building projects for which applications for review of preliminary plans and specifications on Form 2A were submitted prior to October 1, 1975, in the case of towns and prior to October 15, 1975, in the case of regional school districts.

(4) Commencing with the school construction projects authorized by the General Assembly during the fiscal year ending June 30, 1985, and for all such projects so authorized thereafter, the calculation of grants pursuant to this section shall be made in accordance with the state standard space specifications in effect at the time of the final grant calculation, except that on and after July 1, 2005, in the case of a school district with an enrollment of less than one hundred fifty students in grades kindergarten to grade eight, inclusive, state standard space specifications shall not apply in the calculation of grants pursuant to this section and the Commissioner of Education may modify the standard space specifications for a project in such district.

(c) In the computation of grants pursuant to this section for any school building project authorized by the General Assembly pursuant to section 10-283, as amended by this act, (1) after January 1, 1993, any maximum square footage per pupil limit established pursuant to this chapter or any regulation adopted by the State Board of Education pursuant to this chapter shall be increased by twenty-five per cent for a building constructed prior to 1950; [, except that a board of education may apply to the department by June 30, 2002, for use of such increased percentage for a building constructed prior to July 1, 1951.]

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[(d) In the computation of grants pursuant to this section for any school building project authorized by the General Assembly pursuant to section 10-283] (2) after January 1, 2004, any maximum square footage per pupil limit established pursuant to this chapter or any regulation adopted by the State Board of Education pursuant to this chapter shall be increased by up to one per cent to accommodate a heating, ventilation or air conditioning system, if needed; and (3) after July 1, 2006, for projects with total authorized project costs greater than ten million dollars, if total construction change orders or other change directives otherwise eligible for grant assistance under this chapter exceed five per cent of the authorized total project cost, only fifty per cent of the amount of such change order or other change directives in excess of five per cent shall be eligible for grant assistance.

Sec. 9. Subdivisions (2) and (3) of subsection (a) of section 10-283 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(2) Each school building project shall be assigned to a category on the basis of whether such project is primarily required to: (A) Create new facilities or alter existing facilities to provide for mandatory instructional programs pursuant to this chapter, for physical education facilities in compliance with Title IX of the Elementary and Secondary Education Act of 1972 where such programs or such compliance cannot be provided within existing facilities or for the correction of code violations which cannot be reasonably addressed within existing program space; (B) create new facilities or alter existing facilities to enhance mandatory instructional programs pursuant to this chapter or provide comparable facilities among schools to all students at the same grade level or levels within the school district unless such project is otherwise explicitly included in another category pursuant to this section; and (C) create new facilities or alter existing facilities to provide supportive services, provided in no event shall such

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supportive services include swimming pools, auditoriums, outdoor athletic facilities, tennis courts, elementary school playgrounds, site improvement or garages or storage, parking or general recreation areas. All applications submitted prior to the first day of July in any year shall be reviewed promptly by the commissioner and the amount of the grant for which such project is eligible shall be estimated. The commissioner shall annually prepare a listing of all such eligible school building projects listed by category together with the amount of the estimated grants therefor and shall submit the same to the Governor and the General Assembly on or before the fifteenth day of December, except as provided in section 10-283a, with a request for authorization to enter into grant commitments. Each such listing submitted after December 1995 shall include a separate schedule of authorized projects which have changed in scope or cost to a degree determined by the commissioner. Notwithstanding any provision of this chapter, no such project that has changed in scope or cost to the degree determined by the commissioner, shall be eligible for reimbursement under this chapter unless it appears on such list. Each such listing submitted after December 2005 shall include a separate schedule of authorized projects which have changed in scope or cost to a degree determined by the commissioner once, and a separate schedule of authorized projects which have changed in scope or cost to a degree determined by the commissioner twice. On and after July 1, 2006, no project may appear on the separate schedule of authorized projects which have changed in cost more than twice. The percentage determined pursuant to section 10-285a, as amended, at the time a school building project on such schedule was originally authorized shall be used for purposes of the grant for such project. On and after July 1, 2006, a project that was not previously authorized as an interdistrict magnet school shall not receive a higher percentage for reimbursement than that determined pursuant to section 10-285a, as amended, at the time a school building project on such schedule was originally authorized. The General Assembly shall annually authorize the commissioner to enter into

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grant commitments on behalf of the state in accordance with the commissioner's categorized listing for such projects as the General Assembly shall determine. The commissioner may not enter into any such grant commitments except pursuant to such legislative authorization. Any regional school district which assumes the responsibility for completion of a public school building project shall be eligible for a grant pursuant to subdivision (5) or (6), as the case may be, of subsection (a) of section 10-286, as amended by this act, when such project is completed and accepted by such regional school district.

(3) (A) All final calculations completed by the Department of Education for school building projects authorized on or after July 1, 1996, shall include a computation of the state grant for the school building project amortized on a straight line basis over a twenty-year period for school building projects with costs equal to or greater than two million dollars and over a ten-year period for school building projects with costs less than two million dollars. Any town or regional school district which abandons, sells, leases, demolishes or otherwise redirects the use of such a school building project to other than a public school use during such amortization period shall refund to the state the unamortized balance of the state grant remaining as of the date the abandonment, sale, lease, demolition or redirection occurs. The amortization period for a project shall begin on the date the project was accepted as complete by the local or regional board of education. A town or regional school district required to make a refund to the state pursuant to this subdivision may request forgiveness of such refund if the building is redirected for public use. The department shall include as an addendum to the annual school construction priority list all those towns requesting forgiveness. General Assembly approval of the priority list containing such request shall constitute approval of such request. This subdivision shall not apply to projects to correct safety, health and other code violations or to remedy

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certified school indoor air quality emergencies approved pursuant to subsection (b) of this section or projects subject to the provisions of section 10-285c.

(B) Any moneys refunded to the state pursuant to subparagraph (A) of this subdivision shall be deposited in the state's tax-exempt proceeds fund and used [within] not later than sixty days [of] after repayment to pay debt service on, including redemption, defeasance or purchase of, outstanding bonds of the state the interest on which is not included in gross income pursuant to Section 103 of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended.

Sec. 10. (NEW) (*Effective July 1, 2006*) (a) Any town or regional school district that enters into a services agreement with a consultant to render independent architectural services for a project receiving state assistance pursuant to chapter 173 of the general statutes, may, where necessary or desired, provide the consultant with instructions, guidance and directions in connection with the consultant's performance of such services. The consultant shall provide all labor, materials, supplies, tools, equipment and other facilities and necessary appurtenances or property for or incidental to such services requested by the town or regional school district to complete the school building project. As part of the services agreement, the consultant shall agree to perform such services as an independent contractor and in a good and workmanlike manner, consistent with: (1) Instructions, guidance and directions provided by the town or regional school district to the consultant; (2) the terms and conditions of the services agreement; (3) the highest prevailing applicable professional or industry standards; (4) sound architectural practices; and (5) any applicable laws, rules, regulations, ordinances, codes, orders and permits of all federal, state and local governmental bodies, agencies, authorities and courts having jurisdiction. Such services agreement shall not limit the liability of the

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consultant for errors and omissions related to the performance of the services.

(b) The consultant shall not use, publish, distribute, sell or divulge any information obtained from any town or regional school district through a services agreement for the consultant's own purposes or for the benefit of any person, firm, corporation or other entity without the prior, written consent of the town or regional school district that contracted for the services. Any reports or other work product prepared by the consultant while performing services under the services agreement shall be owned solely and exclusively by the town or regional school district that contracted for such services and the Department of Education and cannot be used by the consultant for any purpose beyond the scope of the service agreement without the prior written consent of the town or regional school district. Any information designated by the town or regional school district in accordance with applicable law as confidential shall not be disclosed to any third parties without the prior written consent of the town or regional school district that contracted for such services.

(c) For the purposes of subsections (a) and (b) of this section, "services agreement" means a written agreement between a consultant and a town or regional school district for the provision of independent architectural services for the purpose of a school building project for which the town or district is receiving state assistance pursuant to chapter 173 of the general statutes.

(d) Any town or regional school district that fails to adhere to the provisions of this section for a project for which the town or district receives state assistance pursuant to chapter 173 of the general statutes shall be assessed a ten per cent reduction in the amount of its grant approved pursuant to said chapter 173 upon completion of an audit pursuant to section 10-287 of the general statutes.

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Sec. 11. Section 10-285f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding any provision of this chapter or any regulation adopted by the State Board of Education pursuant to this chapter, the State Board of Education may establish a pilot program for a period of [three] five years that authorizes up to two school construction projects per year using a design-build contract and with the approval of the State Board of Education a town or regional school district may enter into a design-build contract for new school construction or renovation and shall be eligible to be considered for a grant commitment and progress payments from the state provided each design phase shall be reviewed and approved for compliance with all applicable codes by local authorities having jurisdiction over such codes. The provisions of section 10-287 relative to bidding all orders and contracts for school building construction shall not apply to any such project.

(b) Notwithstanding any provision of this chapter or any regulation adopted by the State Board of Education pursuant to this chapter, a town or regional school district choosing to use the design-build option pursuant to subsection (a) of this section shall attend a meeting with Department of Education staff prior to executing a design-build contract. The department shall provide the town or regional school district with all of its code checklists and review materials which the town or regional school district shall use as a basis for obtaining plan approval by local officials having jurisdiction over such matters or other qualified code reviewers. It shall be the sole responsibility of the town or regional school district to ensure compliance with all applicable codes.

(c) The State Board of Education shall report in accordance with the provisions of section 11-4a to the joint standing committees of the General Assembly having cognizance of matters relating to education and finance on or before January 15, [2006] 2008, on the efficiency and

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efficacy of using the design-build approach to school construction projects.

Sec. 12. (NEW) (*Effective July 1, 2006*) (a) The Department of Education shall develop a series of standard school construction contracts that, upon completion of such series of contracts, towns and regional boards of education may use when contracting for any school building project receiving state assistance pursuant to chapter 173 of the general statutes. In the development of such contracts, the department shall ensure such contracts adhere to the provisions of section 10 of this act, and any other standards as determined by the department. The town or regional board of education may modify the contract to meet their needs for the project, provided the contract conforms with the provisions of section 10 of this act.

(b) The Department of Education shall provide leadership and guidance to recipients of grants pursuant to chapter 173 of the general statutes concerning the efficient and effective means for constructing and renovating school buildings. Such leadership and guidance shall include: (1) Identification and publication of exemplary plans and specifications for new school buildings and other school projects; (2) publication of pamphlets and materials describing the school construction process; (3) information about economical, safe and efficient buildings; (4) incorporation of technology in building designs to promote student learning; and (5) information about the proper maintenance of buildings.

(c) The Department of Education may use the services of the state education resource center pursuant to section 10-4q of the 2006 supplement to the general statutes to carry out the provisions of this section.

(d) The Department of Education may use up to one hundred thousand dollars of the proceeds of the bonds issued pursuant to

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section 10-287d of the 2006 supplement to the general statutes to carry out the provisions of this section.

Sec. 13. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the general statutes, or any regulation adopted by the State Board of Education requiring a completed grant application be submitted prior to June 30, 2005, and the provisions of section 10-66bb of the general statutes concerning limitations on enrollment, a purchase and renovations project for Amistad Academy Charter School in New Haven with costs not to exceed thirty-one million five hundred thousand dollars shall be included in subdivision (1) of section 1 of this act, provided a complete grant application is submitted prior to June 30, 2007. Such building project shall be eligible for a reimbursement rate of seventy-eight and fifty-seven hundredths per cent. All final calculations completed by the Department of Education for such school building project shall include a computation of the state grant for the school building project amortized on a straight line basis over a twenty-five year period. If such building ceases to be used as Amistad Academy Charter School during such amortization period, the governing authority of Amistad Academy Charter School shall refund to the state the unamortized balance of the state grant remaining as of the date the alternate use for the building project initially occurs. The amortization period for a project shall begin on the date the project was accepted as complete by the governing authority.

Sec. 14. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of Killingly may let out for bid on and commence a project for asbestos removal (Project Number 069-0061) at Killingly High School and shall be eligible to subsequently

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be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 15. (*Effective from passage*) (a) Notwithstanding the provisions of section 10-283 of the general statutes, or any regulation adopted by the State Board of Education pursuant to said section concerning ineligible costs, the town of Mansfield shall be eligible to receive a grant for the costs of replacing an electrical heating system, with a fossil-fuel heating system at Mansfield Middle School, provided the school district files an application for such project no later than June 30, 2006, and meets all other provisions of chapter 173 of the general statutes and any regulation adopted by the State Board of Education pursuant to said chapter 173.

(b) Notwithstanding the provisions of section 10-286 of the 2006 supplement to the general statutes, or any regulation adopted by the State Board of Education setting square footage specifications for purposes of calculating eligible costs for a school building project grant, such square footage specifications shall not apply to a project eligible for school construction reimbursement pursuant to subsection (a) of this section.

Sec. 16. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of New Hartford may let out for bid on and commence a project to remedy a water well code violation (Project Number 092-0033 CV) at Bakersville Consolidated School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

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Sec. 17. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of Waterbury may let out for bid on and commence a project to remedy code violation (Project Number 151-0262 CV) at Wilson Elementary School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 18. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of Waterbury may let out for bid on and commence a project to remedy code violation (Project Number 151-0261 CV) at Barnard Elementary School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 19. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of Waterbury may let out for bid on and commence a project to remedy code violation (Project Number 151-0258 CV) at West Side Middle School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 20. (*Effective from passage*) Notwithstanding the provisions of

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section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of Waterbury may let out for bid on and commence a project to remedy code violation (Project Number 151-0260 CV) at Crosby High/Wallace Middle Schools and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 21. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of Waterbury may let out for bid on and commence a project to remedy code violation (Project Number 151-0259 CV) at Wilby High/North End Middle Schools and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 22. Section 29 of public act 05-6 of the June special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding any provision of chapter 173 of the general statutes or any regulation adopted under said chapter, and the provisions of subdivision (2) of subsection (b) of section 10-286 of the 2006 supplement to the general statutes, the town of Manchester may use loan funds provided under section 10a-194c of the general statutes toward the required local share of project costs for the construction of the Manchester Head Start/Preschool Center for the purpose of offering a full-day town-wide preschool program [provided, notwithstanding the provisions of chapter 187 of the general statutes

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and section 17b-749i of the general statutes, the town of Manchester shall pay the debt service costs on such funds] and may pledge in accordance with the terms and conditions of subsection (d) of said section 10a-194c payments made pursuant to section 17b-749i to secure such loans.

Sec. 23. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of East Hampton may let out for bid on and commence a project for installation of a water main on school property to provide town water (Project Number TMP-042-TFML) at Memorial Elementary School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 24. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the general statutes, or any regulation adopted by the State Board of Education requiring a completed grant application be submitted prior to June 30, 2005, or subsection (d) of said section 10-283, or any regulation adopted by the State Board of Education requiring local funding authorization for the local share of project costs prior to application, a project for new construction for Regional School District #11 and the town of Brooklyn for a high school under a cooperative arrangement pursuant to section 10-158a of the general statutes, with costs not to exceed eighty million dollars shall be included in subsection (1) of section 1 of this act, provided a complete grant application is submitted prior to June 30, 2007. Such project shall also be eligible for the reimbursement bonus pursuant to subsection (d) of section 10-285a of the general statutes, provided a cooperative arrangement is established as required in said subsection (d) prior to

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the completion of the project.

Sec. 25. (*Effective from passage*) Notwithstanding the provisions of section 10-286 of the 2006 supplement to the general statutes, as amended by this act, or any regulation adopted by the State Board of Education setting square footage specifications for purposes of calculating eligible costs for a school building project grant, the extension and alteration project (Project Number 051-0107 EA) at Fairfield Warde High School in Fairfield may qualify to have up to two hundred ninety-six thousand square feet eligible for the purposes of calculating the grant for the project.

Sec. 26. (*Effective from passage*) Notwithstanding the provisions of subparagraph (B) of subdivision (2) of subsection (a) of section 10-291 of the general statutes, or any regulation adopted by the State Board of Education concerning the guarantee required pursuant to said subparagraph (B), the guarantee shall not be required for a roof replacement project (Project Number 100-0012 RR) at North Canaan Elementary School, in North Canaan.

Sec. 27. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the general statutes, or any regulation adopted by the State Board of Education requiring a completed grant application be submitted prior to June 30, 2005, subsection (d) of said section 10-283, or any regulation adopted by the State Board of Education requiring local funding authorization for the local share of project costs prior to application, or section 10-285e of the general statutes or any regulation adopted by the State Board of Education concerning lease costs, a Hartford project for portable classrooms at the magnet school at the University of Hartford, with costs not to exceed one million dollars shall be included in subsection (1) of section 1 of this act, provided a complete grant application is submitted prior to June 30, 2007.

Sec. 28. (*Effective from passage*) Notwithstanding the provisions of

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subdivision (6) of subsection (a) of section 10-286 of the 2006 supplement to the general statutes, as amended by this act, requiring that a roof be at least fifteen years old to qualify for a grant for a replacement of such roof without a determination (1) by a registered architect or registered engineer that such roof was improperly designed or improperly constructed, and (2) that the town is prohibited from recovery of damages or has no other recourse at law or in equity, the town of Middletown may replace the roof at Moody Elementary School and be eligible to receive a grant based on the eligible percentages determined pursuant to subdivisions (1) and (2) of subsection (a) of said section 10-286 of the eligible project costs, provided the costs of replacement eligible for grant assistance are multiplied by the ratio of the age of the roof to twenty years, pursuant to said subdivision (6).

Sec. 29. (*Effective from passage*) Notwithstanding the provisions of section 10-286 of the 2006 supplement to the general statutes, as amended by this act, or any regulation adopted by the State Board of Education setting square footage specifications for purposes of calculating eligible costs for a school building project grant, such square footage specifications shall not apply to the science and technical center, with costs not to exceed five hundred thousand dollars, at the New Oxford High School in Oxford, provided students from other nearby schools and school districts may use the center.

Sec. 30. Section 93 of special act 01-2 of the June special session, as amended by section 109 of special act 02-1 of the May 9 special session, is amended to read as follows (*Effective July 1, 2006*):

Notwithstanding the provisions of chapter 173 of the general statutes, the Commissioner of Education shall provide financing for projects from either bonds authorized for school construction or available appropriations for the following projects or purposes: (1) [For the relocation of the Ellis Vocational Technical School project, not

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exceeding \$ 2,000,000; (2)] for a grant-in-aid to the Town of Plainfield for various improvements and renovations, not exceeding \$ 241,000; and [(3)] (2) for development of facilities at Brainard Airport for educational purposes for the Aviation Satellite Technical program, not exceeding [\$8,000,000] \$10,000,000.

Sec. 31. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of Ellington may let out for bid on and commence a renovation project for (Project Number 048-0050 RNV/E) at Ellington High School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 32. (*Effective from passage*) (a) LEARN, a regional educational service center, in order to better provide for the security of its bonds, notes or other obligations issued from time to time for the Marine Science Magnet High School for South Eastern Connecticut State Project 245-0087N, and Learn New London Multicultural Magnet School State Project 245-0084 MAG/E, and in addition to the powers conferred by sections 10-66a to 10-66z, inclusive, of the general statutes is authorized to provide for the state to pay school building project grants to an account of the tax exempt proceeds fund established pursuant to section 3-24a of the general statutes held by a bank or trust company as determined by LEARN, to pay the project costs and to secure the payment of the bonds, notes or other obligations of LEARN. The bank or trust company may serve as a paying agent pursuant to section 7-373 of the general statutes, escrow agent, trustee, letter of credit provider, remarking agent, or other credit enhancement facilitator. The funds deposited to said account shall be expended in

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accordance with the provisions of the agreement between LEARN and such bank or trust company providing for the account to be held by the bank or trust company to pay school building project costs or LEARN debt obligations issued therefore. The state shall not be required to make payment pursuant to this section unless the Secretary of the Office of Policy and Management, Comptroller, Treasurer and Commissioner of Education have been requested to do so by LEARN in a written communication which identifies the grant by school building project number, the bank or trust company to whom payment is to be sent, and wiring or other payment instructions the state may require. Payment of grants pursuant to this section shall constitute satisfaction of the state's grant payment obligation to LEARN in the amount paid.

(b) Except as provided in subsection (d) of this section, this section shall not affect the amount, timing, qualifications or requirements for LEARN to receive school building grant payments.

(c) The state of Connecticut hereby covenants with the purchasers, holders and owners from time to time of bonds, notes or other obligations issued by LEARN that it will not repeal the provisions of this act or amend or modify the same so as to limit or impair the rights and remedies granted by this act, provided nothing in this section shall be deemed or construed as requiring the state to continue the payment of state aid or assistance to LEARN or as limiting or prohibiting the state from repealing or amending any law relating to state aid or assistance, the manner and time of payment or apportionment thereof or the amount thereof.

(d) Notwithstanding any other provisions of law, the five per cent withholding provisions of section 10-287i of the general statutes shall not apply to the Learn New London Multicultural Magnet School, State Project 245-0084 MAG/E and said payment shall be made in accordance with subsection (a) of this section. In the event pre-final

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audit grants paid are in excess of the grant determined by final audit to be owed LEARN, the state may reduce any state General Fund grant funds due LEARN in the amount of the excess paid with respect to State Project 245-0084 MAG/E.

Approved June 6, 2006