



# Senate

General Assembly

**File No. 424**

February Session, 2006

Substitute Senate Bill No. 633

*Senate, April 6, 2006*

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING TECHNICAL REVISIONS TO CERTAIN EDUCATION STATUTES.**

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

1 Section 1. Subsection (d) of section 10-16p of the 2006 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective from passage*):

4 (d) (1) The Commissioner of Education, in consultation with the  
5 Commissioner of Social Services, shall establish a competitive grant  
6 program to provide spaces in accredited school readiness programs for  
7 eligible children who reside (A) in an area served by a priority school  
8 or a former priority school as provided for in subdivision (2) of this  
9 subsection, (B) in a town ranked one to fifty when all towns are ranked  
10 in ascending order according to town wealth, as defined in subdivision  
11 (26) of section 10-262f, as amended, whose school district is not a  
12 priority school district pursuant to section 10-266p, as amended, or (C)  
13 in a town formerly a town described in subparagraph (B) of this  
14 subdivision, as provided for in said subdivision (2). A town in which a

15 priority school is located, a regional school readiness council, pursuant  
16 to subsection (c) of section 10-16r, as amended, for a region in which  
17 such a school is located or a town described in subparagraph (B) of this  
18 subdivision may apply for such a grant in an amount not to exceed one  
19 hundred seven thousand dollars per priority school or town. Eligibility  
20 shall be determined for a five-year period based on an applicant's  
21 designation as having a priority school or being a town described in  
22 subparagraph (B) of this subdivision for the initial year of application.  
23 Grant awards shall be made annually contingent upon available  
24 funding and a satisfactory annual evaluation. The chief elected official  
25 of such town and the superintendent of schools of the school district or  
26 the regional school readiness council shall submit a plan, as described  
27 in subsection (c) of this section, for the expenditure of such grant funds  
28 to the Department of Education. In awarding grants pursuant to this  
29 subsection, the commissioner shall give preference to applications  
30 submitted by regional school readiness councils and may, within  
31 available appropriations, provide a grant in excess of one hundred  
32 seven thousand dollars to towns with two or more priority schools in  
33 such district. A town or regional school readiness council awarded a  
34 grant pursuant to this subsection shall use the funds to purchase  
35 spaces for such children from providers of accredited school readiness  
36 programs.

37 (2) (A) Commencing with the fiscal year ending June 30, 2005, if a  
38 town received a grant pursuant to subdivision (1) of this subsection  
39 and is no longer eligible to receive such a grant, the town may receive  
40 a phase-out grant for each of the three fiscal years following the fiscal  
41 year such town received its final grant pursuant to subdivision (1) of  
42 this subsection.

43 (B) The amount of such phase-out grants shall be determined as  
44 follows: (i) For the first fiscal year following the fiscal year such town  
45 received its final grant pursuant to subdivision (1) of this subsection, in  
46 an amount that does not exceed seventy-five per cent of the grant  
47 amount such town received for the town or school's final year of  
48 eligibility pursuant to subdivision (1) of this subsection; (ii) for the

49 second fiscal year following the fiscal year such town received its final  
50 grant pursuant to subdivision (1) of this subsection, in an amount that  
51 does not exceed fifty per cent of the grant amount such town received  
52 for the [town] town's or school's final year of eligibility pursuant to  
53 subdivision (1) of this subsection; (iii) for the third fiscal year following  
54 the fiscal year such town received its final grant pursuant to  
55 subdivision (1) of this subsection, in an amount that does not exceed  
56 twenty-five per cent of the grant amount such town received for the  
57 [town] town's or school's final year of eligibility pursuant to  
58 subdivision (1) of this subsection.

59 Sec. 2. Subdivision (3) of subsection (e) of section 10-16p of the 2006  
60 supplement to the general statutes is repealed and the following is  
61 substituted in lieu thereof (*Effective from passage*):

62 (3) If a town that is eligible for a grant pursuant to subsection (c) of  
63 this section does not submit, by October first, a plan which is  
64 subsequently approved for the expenditure of the entire amount of  
65 funds for which such town is eligible, the department may use up to  
66 seventy per cent of any amounts such town has not earmarked for  
67 expenditure, to provide supplemental grants to other towns that are  
68 eligible for grants pursuant to subsection (c) of this section, and the  
69 remaining thirty per cent of any amounts such town has not  
70 earmarked for expenditure [,] for school readiness professional  
71 development, including, but not limited to, scholarship assistance for  
72 school readiness staff to attain early childhood education certification  
73 and staff training to enhance literacy teaching skills.

74 Sec. 3. Section 10-16x of the 2006 supplement to the general statutes  
75 is repealed and the following is substituted in lieu thereof (*Effective*  
76 *from passage*):

77 (a) The Department of Education, in consultation with the after  
78 school committee established pursuant to section 10-16v, may, within  
79 available appropriations, administer a grant program to provide grants  
80 for after school programs to local and regional boards of education,  
81 municipalities and not-for-profit organizations that are exempt from

82 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,  
83 or any subsequent corresponding internal revenue code of the United  
84 States, as from time to time amended. For purposes of this subsection,  
85 "after school program" means a program that takes place when school  
86 is not in session and [is for the] provides educational, enrichment and  
87 recreational activities for [of] children in grades kindergarten to  
88 twelve, inclusive.

89 (b) Applications for grants pursuant to subsection (a) of this section  
90 shall be filed annually with the Commissioner of Education at such  
91 time and in such manner as the commissioner prescribes.

92 (c) For purposes of carrying out the provisions of subsections (a)  
93 and (b) of this section, the Department of Education may accept funds  
94 from private sources and from any state agency that is a member of the  
95 after school committee.

96 Sec. 4. Subdivision (1) of subsection (e) of section 10-76d of the 2006  
97 supplement to the general statutes is repealed and the following is  
98 substituted in lieu thereof (*Effective from passage*):

99 (e) (1) Any local or regional board of education which provides  
100 special education pursuant to any mandates in this section shall  
101 provide transportation, to and from, but not beyond the curb of, the  
102 residence of the child, unless otherwise agreed upon by the board and  
103 the parent or guardian of the child, tuition, room and board and other  
104 items [as are] necessary to the provision of such special education  
105 except for children who are placed in a residential facility because [of  
106 the] they need [for] services other than educational services, in which  
107 case the financial responsibility of the school district and payment to  
108 such district shall be limited to the reasonable costs of special  
109 education instruction as defined in the regulations of the State Board of  
110 Education. If a hearing board, pursuant to subsection (d) of section 10-  
111 76h, rejects the educational program prescribed by the local or regional  
112 board of education and determines that a placement by a parent or  
113 guardian was appropriate, the local or regional board of education  
114 shall reimburse the parent or guardian for the reasonable costs

115 incurred for the provision of special education pursuant to this section  
116 from the initiation of review procedures as provided by said section  
117 10-76h.

118 Sec. 5. Subdivision (1) of subsection (d) of section 10-145h of the  
119 2006 supplement to the general statutes is repealed and the following  
120 is substituted in lieu thereof (*Effective from passage*):

121 (d) (1) Notwithstanding subsection (a) of this section, for the period  
122 from July 1, 2005, to July 1, 2008, the State Board of Education shall  
123 require an applicant for certification as a bilingual education teacher to  
124 demonstrate competency in English and the other language of  
125 instruction as a condition of certification. Competency in English shall  
126 be demonstrated by successful passage of the oral proficiency test in  
127 English and an essential skills test approved by the State Board of  
128 Education. Oral and written competency in the other language shall be  
129 demonstrated [on] by passage of an examination, if available, of  
130 comparable difficulty as specified by the Department of Education. If  
131 such an examination is not available, competency shall be  
132 demonstrated by an appropriate alternative method as specified by the  
133 department.

134 Sec. 6. Subsection (b) of section 10-262i of the 2006 supplement to  
135 the general statutes is repealed and the following is substituted in lieu  
136 thereof (*Effective from passage*):

137 (b) The amount due each town pursuant to the provisions of  
138 subsection (a) of this section shall be paid by the Comptroller, upon  
139 certification of the Commissioner of Education, to the treasurer of each  
140 town entitled to such aid in installments during the fiscal year as  
141 follows: Twenty-five per cent of the grant in October, twenty-five per  
142 cent of the grant in January and the balance of the grant in April. The  
143 balance of the grant due towns under the [provision] provisions of this  
144 subsection shall be paid in March rather than April to any town which  
145 has not adopted the uniform fiscal year and which would not  
146 otherwise receive such final payment within the fiscal year of such  
147 town.

148 Sec. 7. Subsection (d) of section 10-292o of the general statutes is  
149 repealed and the following is substituted in lieu thereof (*Effective from*  
150 *passage*):

151 (d) The amount of the regional educational service center lease grant  
152 approved by the Commissioner of Education under the provisions of  
153 this section shall be the eligible percentage, as determined in  
154 subsection (c) of section 10-285a, as amended, times the eligible lease  
155 costs as determined by the Commissioner of Education. Grants  
156 pursuant to this section shall be paid on a current year basis if the  
157 regional educational service center files an application to lease a  
158 facility with the Department of Education on or before August first of  
159 each year. No such facility or portion thereof shall be eligible for a  
160 grant under this section unless the local fire marshal has declared the  
161 facility suitable for occupancy as a facility for use in furnishing  
162 educational programs and services. Eligible costs pursuant to this  
163 section shall be limited to the lease cost of the building, net of any  
164 other costs. Grant payments shall be made as follows: Twenty-five per  
165 cent of the estimated cost in October, twenty-five per cent of the  
166 estimated cost in January, and the balance of the estimated cost in  
167 April. The actual cost will be reported on or before September first  
168 following the year of application [on] in the end of school year report  
169 filed by each regional educational service center. If the Commissioner  
170 of Education determines that there has been an underpayment or  
171 overpayment in a grant made pursuant to this section, the  
172 commissioner shall calculate the amount of the underpayment or  
173 overpayment and shall adjust the amount of the grant payment for the  
174 fiscal year next following the fiscal year in which such underpayment  
175 or overpayment was made. The amount of the adjustment shall be  
176 equal to the amount of the underpayment or overpayment. If the  
177 amount of the overpayment exceeds the grant payment for the fiscal  
178 year next following the fiscal year in which such overpayment was  
179 made, the regional educational service center shall, upon the request of  
180 the commissioner, pay the department the difference. Any lease  
181 pursuant to this section shall be for a period not to exceed twenty  
182 years. In no event shall the reimbursement pursuant to this section be

183 based upon a cost per square foot which exceeds the cost determined  
 184 to be reasonable by the Commissioner of Education. In the case of any  
 185 grants computed under this section, any federal funds or other state  
 186 funds received for such costs covered by the grant shall be deducted  
 187 from cost estimates prior to computation of the grant.  
 188 Notwithstanding the provisions of this section, for the fiscal years  
 189 ending June 30, 2004, to June 30, 2007, the amount of the grants  
 190 payable to regional educational service centers in accordance with this  
 191 section shall be reduced proportionately if the total of such grants in  
 192 such year exceeds the amount appropriated for the purposes of this  
 193 section for such year.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-16p(d)
Sec. 2	<i>from passage</i>	10-16p(e)(3)
Sec. 3	<i>from passage</i>	10-16x
Sec. 4	<i>from passage</i>	10-76d(e)(1)
Sec. 5	<i>from passage</i>	10-145h(d)(1)
Sec. 6	<i>from passage</i>	10-262i(b)
Sec. 7	<i>from passage</i>	10-292o(d)

**ED**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***The Out Years***

None

**OLR Bill Analysis**

**sSB 633**

***AN ACT CONCERNING TECHNICAL REVISIONS TO CERTAIN  
EDUCATION STATUTES.***

**SUMMARY:**

This bill makes technical changes in the education statutes.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/20/2006)