



House Bill No. 8003

June Special Session, Public Act No. 07-3

**AN ACT IMPLEMENTING THE PROVISIONS OF THE BUDGET
CONCERNING EDUCATION.**

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

Section 1. Section 10-217a of the general statutes is amended by adding subsection (i) as follows (*Effective July 1, 2007*):

(NEW) (i) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2008, and June 30, 2009, the amount of the grants payable to local or regional boards of education in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for purposes of this section.

Sec. 2. Subsection (b) of section 10-281 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(b) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, [2007] 2009, inclusive, the amount of the grants payable to local or regional boards of education in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for purposes of this section.

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Sec. 3. Subsection (d) of section 10-71 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(d) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, [2007] 2009, inclusive, the amount of the grants payable to towns, regional boards of education or regional educational service centers in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this section for such year.

Sec. 4. Subdivision (4) of subsection (a) of section 10-266m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(4) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, [2007] 2009, inclusive, the amount of transportation grants payable to local or regional boards of education shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Sec. 5. Section 10-17g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

Annually, the board of education for each local and regional school district that is required to provide a program of bilingual education, pursuant to section 10-17f, may make application to the State Board of Education and shall thereafter receive a grant in an amount equal to the product obtained by multiplying the total appropriation available for such purpose by the ratio which the number of eligible children in the school district bears to the total number of such eligible children state-wide. The board of education for each local and regional school

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district receiving funds pursuant to this section shall annually, on or before September first, submit to the State Board of Education a progress report which shall include (1) measures of increased educational opportunities for eligible students, including language support services and language transition support services provided to such students, (2) program evaluation and measures of the effectiveness of its bilingual education and English as a second language programs, including data on students in bilingual education programs and students educated exclusively in English as a second language programs, and (3) certification by the board of education submitting the report that any funds received pursuant to this section have been used for the purposes specified. The State Board of Education shall annually evaluate programs conducted pursuant to section 10-17f. For purposes of this section, measures of the effectiveness of bilingual education and English as a second language programs include state-wide mastery examination results and graduation and school dropout rates. Notwithstanding the provisions of this section, for the fiscal year ending June 30, 2009, the amount of grants payable to local or regional boards of education under this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Sec. 6. Subsection (d) of section 10-292o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(d) The amount of the regional educational service center lease grant approved by the Commissioner of Education under the provisions of this section shall be the eligible percentage, as determined in subsection (c) of section 10-285a, times the eligible lease costs as determined by the Commissioner of Education. Grants pursuant to this section shall be paid on a current year basis if the regional educational

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service center files an application to lease a facility with the Department of Education on or before August first of each year. No such facility or portion thereof shall be eligible for a grant under this section unless the local fire marshal has declared the facility suitable for occupancy as a facility for use in furnishing educational programs and services. Eligible costs pursuant to this section shall be limited to the lease cost of the building, net of any other costs. Grant payments shall be made as follows: Twenty-five per cent of the estimated cost in October, twenty-five per cent of the estimated cost in January, and the balance of the estimated cost in April. The actual cost will be reported on or before September first following the year of application in the end of school year report filed by each regional educational service center. If the Commissioner of Education determines that there has been an underpayment or overpayment in a grant made pursuant to this section, the commissioner shall calculate the amount of the underpayment or overpayment and shall adjust the amount of the grant payment for the fiscal year next following the fiscal year in which such underpayment or overpayment was made. The amount of the adjustment shall be equal to the amount of the underpayment or overpayment. If the amount of the overpayment exceeds the grant payment for the fiscal year next following the fiscal year in which such overpayment was made, the regional educational service center shall, upon the request of the commissioner, pay the department the difference. Any lease pursuant to this section shall be for a period not to exceed twenty years. In no event shall the reimbursement pursuant to this section be based upon a cost per square foot which exceeds the cost determined to be reasonable by the Commissioner of Education. In the case of any grants computed under this section, any federal funds or other state funds received for such costs covered by the grant shall be deducted from cost estimates prior to computation of the grant. Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, [2007] 2009, inclusive, the amount of the grants payable to regional educational service centers in

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accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this section for such year.

Sec. 7. Section 10-266p of the general statutes is amended by adding subsections (h) and (i) as follows (*Effective July 1, 2007*):

(NEW) (h) Notwithstanding the provisions of this section, for the fiscal year ending June 30, 2008, and for each fiscal year thereafter, no town receiving a grant pursuant to this section shall receive a grant that is in an amount that is less than one hundred fifty dollars per pupil. For the purposes of this subsection, the amount of the grant on a per pupil basis shall be determined by dividing the total amount that a town receives for a grant under this section by the number of resident students, as defined in subdivision (22) of section 10-262f, as amended by this act, of the local or regional school district for which the town receives a grant under this section.

(NEW) (i) In addition to the amounts allocated in subsection (a) and subsections (c) to (h), inclusive, of this section, for the fiscal year ending June 30, 2008, and each fiscal year thereafter, the State Board of Education shall allocate six hundred fifty thousand dollars to the town ranked sixth when all towns are ranked from highest to lowest in population, based on the most recent federal decennial census.

Sec. 8. Subsection (f) of section 10-66j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(f) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, [2007] 2009, inclusive, the amount of grants payable to regional educational service centers shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

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Sec. 9. Subsections (f) and (g) of section 10-266aa of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(f) The Department of Education shall provide grants to regional educational service centers or local or regional boards of education for the reasonable cost of transportation for students participating in the program. For the fiscal year ending June 30, 2003, and each fiscal year thereafter, the department shall provide such grants within available appropriations, provided the state-wide average of such grants does not exceed an amount equal to [two thousand one hundred] three thousand two hundred fifty dollars for each student transported, except that the Commissioner of Education may grant to regional educational service centers additional sums from funds remaining in the appropriation for such transportation services if needed to offset transportation costs that exceed such maximum amount. The regional educational service centers shall provide reasonable transportation services to high school students who wish to participate in supervised extracurricular activities. For purposes of this section, the number of students transported shall be determined on September first of each fiscal year.

(g) The Department of Education shall provide, within available appropriations, an annual grant to the local or regional board of education for each receiving district in an amount not to exceed two thousand five hundred dollars for each out-of-district student who attends school in the receiving district under the program. Each town which receives funds pursuant to this subsection shall make such funds available to its local or regional board of education in supplement to any other local appropriation, other state or federal grant or other revenue to which the local or regional board of education is entitled.

Sec. 10. Subsection (k) of section 10-266aa of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(k) On or before October fifteenth of each year, the Commissioner of Education shall determine if the enrollment in the program pursuant to subsection (c) of this section for the fiscal year is below the number of students for which funds were appropriated. If the commissioner determines that the enrollment is below such number, the additional funds shall not lapse but shall be used by the commissioner in accordance with this subsection. (1) Any amount up to [three] five hundred [fifty] thousand dollars of such nonlapsing funds shall be used for supplemental grants to receiving districts on a pro rata basis for each out-of-district student in the program pursuant to subsection (c) of this section who attends the same school in the receiving district as at least nine other such out-of-district students, not to exceed one thousand dollars per student. (2) Any remaining nonlapsing funds shall be used for interdistrict cooperative grants pursuant to section 10-74d.

Sec. 11. Subsection (c) of section 10-66ee of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(c) (1) The state shall pay in accordance with this subsection, to the fiscal authority for a state charter school for each student enrolled in such school, for the fiscal year ending June 30, 2006, seven thousand six hundred twenty-five dollars, [for each student enrolled in such school, and] for the fiscal year ending June 30, 2007, [and for each fiscal year thereafter,] eight thousand dollars, [for each student enrolled in such school] for the fiscal year ending June 30, 2008, eight thousand six hundred fifty dollars, for the fiscal year ending June 30, 2009, nine thousand three hundred dollars. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July fifteenth and September fifteenth based on estimated student

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enrollment on May first, and twenty-five per cent of the amount not later than January fifteenth and the remaining amount not later than April fifteenth, each based on student enrollment on October first. If [, for any fiscal year,] the total amount appropriated for grants pursuant to this subdivision exceeds eight thousand six hundred fifty dollars per student for the fiscal year ending June 30, 2008, and exceeds nine thousand three hundred dollars for the fiscal year ending June 30, 2009, the amount of such grants payable per student shall be increased proportionately, except that such per student increase shall not exceed seventy dollars. Any amount of such appropriation remaining after such per student increase [shall] may be used by the Department of Education for supplemental grants to interdistrict magnet schools pursuant to subdivision (2) of subsection (c) of section 10-264l, as amended by this act, or to pay for a portion of the audit required pursuant to section 15 of this act. For the fiscal year ending June 30, 2005, such increase shall be limited to one hundred ten dollars per student. (2) In the case of a student identified as requiring special education, the school district in which the student resides shall: (A) Hold the planning and placement team meeting for such student and shall invite representatives from the charter school to participate in such meeting; and (B) pay the state charter school, on a quarterly basis, an amount equal to the difference between the reasonable cost of educating such student and the sum of the amount received by the state charter school for such student pursuant to subdivision (1) of this subsection and amounts received from other state, federal, local or private sources calculated on a per pupil basis. Such school district shall be eligible for reimbursement pursuant to section 10-76g. The charter school a student requiring special education attends shall be responsible for ensuring that such student receives the services mandated by the student's individualized education program whether such services are provided by the charter school or by the school district in which the student resides.

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Sec. 12. Subsection (d) of section 10-66bb of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(d) Applications pursuant to this section shall include a description of: (1) The mission, purpose and any specialized focus of the proposed charter school; (2) the interest in the community for the establishment of the charter school; (3) the school governance and procedures for the establishment of a governing council that (A) includes (i) teachers and parents and guardians of students enrolled in the school, and (ii) the chairperson of the local or regional board of education of the town in which the charter school is located and which has jurisdiction over a school that resembles the approximate grade configuration of the charter school, or the designee of such chairperson, provided such designee is a member of the board of education or the superintendent of schools for the school district, and (B) is responsible for the oversight of charter school operations, provided no member or employee of the governing council may have a personal or financial interest in the assets, real or personal, of the school; (4) the financial plan for operation of the school, provided no application fees or other fees for attendance, except as provided in this section, [10-66ee,] may be charged; (5) the educational program, instructional methodology and services to be offered to students; (6) the number and qualifications of teachers and administrators to be employed in the school; (7) the organization of the school in terms of the ages or grades to be taught and the total estimated enrollment of the school; (8) the student admission criteria and procedures to (A) ensure effective public information, (B) ensure open access on a space available basis, (C) promote a diverse student body, and (D) ensure that the school complies with the provisions of section 10-15c and that it does not discriminate on the basis of disability, athletic performance or proficiency in the English language, provided the school may limit enrollment to a particular grade level or specialized educational focus

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and, if there is not space available for all students seeking enrollment, the school may give preference to siblings but shall otherwise determine enrollment by a lottery; (9) a means to assess student performance that includes participation in state-wide mastery examinations pursuant to chapter 163c; (10) procedures for teacher evaluation and professional development for teachers and administrators; (11) the provision of school facilities, pupil transportation and student health and welfare services; (12) procedures to encourage involvement by parents and guardians of enrolled students in student learning, school activities and school decision-making; (13) document efforts to increase the racial and ethnic diversity of staff; and (14) a five-year plan to sustain the maintenance and operation of the school. Subject to the provisions of subsection (b) of section 10-66dd, an application may include, or a charter school may file, requests to waive provisions of the general statutes and regulations not required by sections 10-66aa to 10-66ff, inclusive, and which are within the jurisdiction of the State Board of Education.

Sec. 13. Subsection (b) of section 10-66cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(b) The governing council of each charter school shall submit annually, to the Commissioner of Education, at such time and in such manner as the commissioner prescribes, and, in the case of a local charter school, to the local or regional board of education for the school district in which the school is located, a report on the condition of the school, including (1) the educational progress of students in the school, (2) the financial condition of the school, including a certified audit statement of all revenues from public and private sources and expenditures, (3) accomplishment of the mission, purpose and any specialized focus of the charter school, (4) the racial and ethnic

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composition of the student body and efforts taken to increase the racial and ethnic diversity of the student body, and (5) best practices employed by the school that contribute significantly to the academic success of students.

Sec. 14. (NEW) (*Effective July 1, 2007*) The governing council of each state charter school, as defined in subdivision (3) of section 10-66aa of the general statutes, shall post on any Internet web site that the council operates the (1) schedule, (2) agenda, and (3) minutes of each meeting, including any meeting of subcommittees of the governing council.

Sec. 15. (NEW) (*Effective July 1, 2007*) Annually, the commissioner shall randomly select one state charter school, as defined in subdivision (3) of section 10-66aa of the general statutes, to be subject to a comprehensive financial audit conducted by an auditor selected by the Commissioner of Education. Except as provided for in subsection (c) of section 10-66ee of the general statutes, as amended by this act, the charter school shall be responsible for all costs associated with the audit conducted pursuant to the provisions of this section.

Sec. 16. Section 10-66ee of the general statutes is amended by adding subsection (k) as follows (*Effective July 1, 2007*):

(NEW) (k) If in any fiscal year, more than one new state charter school is approved pursuant to section 10-66bb and is awaiting funding pursuant to the provisions of this section, the State Board of Education shall determine which school is funded first based on a consideration of the following factors in order of importance as follows: (1) Whether the applicant has a demonstrated record of academic success by students, (2) whether the school is located in a school district with a demonstrated need for student improvement, and (3) whether the applicant has plans concerning the preparedness of facilities, staffing and outreach to students.

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Sec. 17. Subdivision (3) of subsection (e) of section 10-16p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(3) [If a town that is eligible for a grant pursuant to subsection (c) of this section does not submit, by October first, a plan which is subsequently approved for the expenditure of the entire amount of funds for which such town is eligible, the department may use funds that such town has not earmarked for expenditure, to provide supplemental grants to other towns that are eligible for grants pursuant to subsection (c) of this section, for school readiness professional development, including, but not limited to, scholarship assistance for school readiness staff to attain early childhood education certification and staff training to enhance literacy teaching skills, and to conduct activities related to preschool and kindergarten student developmental evaluations or assessments] If funds appropriated for the purposes of subsection (c) of this section are not expended, the Commissioner of Education may use such unexpended funds to support local school readiness programs. The commissioner may use such funds for purposes including, but not limited to, (A) assisting local school readiness programs in meeting and maintaining accreditation requirements, (B) providing training in implementing the preschool assessment and curriculum frameworks, including training to enhance literacy teaching skills, (C) developing a state-wide preschool curriculum, (D) developing student assessments for students in grades kindergarten to two, inclusive, (E) developing and implementing best practices for parents in supporting preschool and kindergarten student learning, (F) developing and implementing strategies for children to transition from preschool to kindergarten, and (G) providing for professional development, including assisting in career ladder advancement, for school readiness staff.

Sec. 18. Subsection (h) of section 10-14n of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(h) Within available appropriations, the Commissioner of Education shall, not later than October 1, [2009] 2007, develop and implement a state-wide developmentally appropriate kindergarten assessment tool that measures a child's level of preparedness for kindergarten, but shall not be used as a measurement tool for program accountability pursuant to section 10-16s, as amended by this act.

Sec. 19. Section 10-16s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) The Commissioners of Education and Social Services shall develop an agreement to define the duties and responsibilities of their departments concerning school readiness programs. The commissioners shall consult with other affected state agencies and with the Early Childhood Education Cabinet. The agreement shall include, but not be limited to, a multiyear interagency agreement to establish and implement an integrated school readiness plan. Functions to be described and responsibilities to be undertaken by the two departments shall be delineated in the agreement.

(b) (1) There shall be an Early Childhood Education Cabinet. The cochairpersons of the cabinet shall be the Governor, or the Governor's designee, and the Commissioner of Education, or the commissioner's designee. The cabinet shall consist of the Secretary of the Office of Policy and Management or the secretary's designee, the Commissioners of Social Services, Higher Education, Public Health, Children and Families and Mental Retardation or the commissioners' designees, the cochairpersons of each of the joint standing committees of the General Assembly having cognizance of matters relating to education and human services or the cochairpersons' designees, the executive director of the Commission on Children, or the director's

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designee, and one person representing a local or regional school readiness council appointed by the president pro tempore of the Senate, and a representative of the Connecticut Head Start Association appointed by the speaker of the House of Representatives. The Department of Education shall provide administrative services to the Early Childhood Education Cabinet and the Governor's Early Childhood Research and Policy Council established pursuant to Executive Order No. 13, issued by Governor M. Jodi Rell, on February 7, 2006.

(2) Within available appropriations, the Early Childhood Education Cabinet shall (A) advise the Commissioner of Education on policies and initiatives to meet the goals established in section 10-16o, (B) [conduct] no later than July 1, 2008, begin a state-wide longitudinal evaluation of the school readiness program, in consultation with the Department of Social Services and the Department of Education, that examines the educational progress of children from prekindergarten programs to grade three, inclusive, (C) develop budget requests for the early childhood program, and (D) promote consistency of quality and comprehensiveness of early childhood services.

(c) On or before January 1, [2000] 2008, the commissioners shall adopt assessment measures of school readiness programs for use by [school readiness] such programs in conducting their annual evaluations pursuant to section 10-16q. The commissioners may adopt the assessment measures used for Head Start programs.

(d) (1) Not later than December 1, 2008, and annually thereafter, the Early Childhood Education Cabinet shall develop and implement an accountability plan for early child education services. The plan shall identify and define appropriate population indicators and program and system measures of the readiness of children to enter kindergarten. Not later than December 31, 2008, and annually thereafter, the cabinet shall report, in accordance with the provisions of

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section 11-4a, on the measures implemented in accordance with this subdivision to the Office of Policy and Management and to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, education, human services and higher education and employment advancement.

(2) As part of the plan implemented pursuant to subdivision (1) of this subsection, the Early Childhood Education Cabinet, in consultation with the Department of Education and the Office of Policy and Management, shall consider the development of data sharing agreements between state agencies and shall analyze whether the data can be combined to assess the progress of children toward school readiness.

(3) Providers of early childhood education that receive state funding shall employ the program measures developed pursuant to subdivision (1) of this subsection to evaluate the effectiveness of their services. Not later than June 30, 2009, and annually thereafter, each such provider shall report, in accordance with the provisions of section 11-4a, the results of such evaluation to the Early Childhood Education Cabinet.

Sec. 20. (*Effective from passage*) The Early Childhood Education Cabinet established under section 10-16s of the general statutes, as amended by this act, shall develop minimum standards and a range of higher standards of quality for all early care and education programs receiving state funding. Not later than December 31, 2008, and annually thereafter, the cabinet shall report, in accordance with the provisions of section 11-4a of the general statutes, on the plan developed in accordance with this section to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, education, human services and higher education and employment advancement.

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Sec. 21. (*Effective from passage*) The Early Childhood Education Cabinet established under section 10-16s of the general statutes, as amended by this act, shall, in consultation with the Office of Workforce Competitiveness, develop a quality workforce development plan for school readiness. Such plan shall explicitly address how to meet the requirements of subsection (b) of section 10-16p of the general statutes through a dual approach of: (1) Supporting the workforce in obtaining required degrees and credentials; and (2) encouraging students in institutions of higher education to pursue degrees in early childhood education. Not later than December 31, 2008, and annually thereafter, the cabinet shall report, in accordance with the provisions of section 11-4a of the general statutes, on the plan developed in accordance with this section to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, education, human services and higher education and employment advancement.

Sec. 22. (*Effective from passage*) Notwithstanding the acreage limitations pursuant to the provisions of chapter 173 of the general statutes and the regulations adopted by the State Board of Education pursuant to said chapter, the Suffield Regional Agriscience Center project (Project Number 139-0048) be allowed to purchase approximately ten acres in addition to the current site acreage and subsequently be eligible for grant reimbursement.

Sec. 23. Subsection (b) of section 30 of public act 07-249 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) The Commissioner of Education may designate as many as two schools under the jurisdiction of such district as interdistrict magnet schools for the purposes of section 10-264h of the general statutes, provided the district submits a plan to the commissioner detailing how the district will meet the enrollment requirements provided for in subdivision (2) of this subsection and the

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commissioner deems such plan reasonable. The total [project costs for both schools shall not exceed ten million dollars] grant amount for projects for both schools shall not be more than ten million dollars more than the grant amount such district would have otherwise received for such projects pursuant to the provisions of section 10-286 of the general statutes. No school in such district shall be eligible to receive a grant pursuant to subsection (c) of section 10-264l of the general statutes, unless such school operates as an "interdistrict magnet school program", as defined in subsection (a) of said section 10-264l, and meets the enrollment requirements pursuant to said subsection (a).

(2) Not later than three years after the reopening of the schools of the interdistrict magnet school district following school construction projects for such schools, reimbursed at the rate provided for in section 10-264h of the general statutes, the local or regional board of education of such district shall, in accordance with the provisions of section 11-4a of the general statutes, report to the joint standing committee of the General Assembly having cognizance of matters relating to education on the progress of such district in enrolling students from other school districts. If such district does not, on or before June 30, 2012, enroll students from other districts at a rate that is at least fifteen per cent of its total district-wide enrollment, such district shall be liable to the state for repayment of the amount representing the difference between the school building project grant received pursuant to this section and section 10-264h of the general statutes, and the grant such district would have otherwise received for such projects pursuant to the provisions of section 10-286 of the general statutes.

Sec. 24. Subsections (a) and (b) of section 10-65 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) Each local or regional school district operating a vocational

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agriculture center approved by the State Board of Education for program, educational need, location and area to be served shall be eligible for the following grants: (1) In accordance with the provisions of chapter 173, through progress payments in accordance with the provisions of section 10-287i, ninety-five per cent of the net eligible costs of constructing, acquiring, renovating and equipping approved facilities to be used for such vocational agriculture center, for the expansion or improvement of existing facilities or for the replacement or improvement of equipment therein, and (2) subject to the provisions of section 10-65b, in an amount equal to [seven hundred] one thousand three hundred fifty-five dollars per student for every secondary school student who was enrolled in such center on October first of the previous year.

(b) Each local or regional board of education not maintaining a vocational agricultural center shall provide opportunities for its students to enroll in such a center in a number that is at least equal to the number specified in any written agreement with a vocational agricultural center, or in the absence of such an agreement, a number that is at least equal to the average number of its students that the board of education enrolled in a vocational agricultural center during the previous three school years. The board of education operating a vocational agriculture center may charge, subject to the provisions of section 10-65b, tuition for a school year in an amount not to exceed [one hundred twenty] eighty-two and five tenths per cent of the foundation level pursuant to subdivision (9) of section 10-262f, per student for the fiscal year in which the tuition is paid, except that such board may charge tuition for (1) students enrolled under shared-time arrangements on a pro rata basis, and (2) special education students which shall not exceed the actual costs of educating such students minus the amounts received pursuant to subdivision (2) of subsection (a) of this section and subsection (c) of this section. Any tuition paid by such board for special education students in excess of the tuition paid

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for non-special-education students shall be reimbursed pursuant to section 10-76g.

Sec. 25. (*Effective July 1, 2007*) For the fiscal years ending June 30, 2008, and June 30, 2009, the Connecticut Distance Learning Consortium shall deliver on-line courses developed in conjunction with or approved by the Departments of Education and Higher Education, the Regional Educational Service Centers or other agencies interested in the delivery of on-line courses to public schools, provided the Department of Education approves the content of any course that is offered for academic credit in a public school.

Sec. 26. Section 10-16x of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) The Department of Education, in consultation with the after school committee established pursuant to section 10-16v, may, within available appropriations, administer a grant program to provide grants [for after school programs] to local and regional boards of education, municipalities and not-for-profit organizations that are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, for after school programs that provide direct services and for entities that provide support to after school programs. For purposes of this subsection, "after school program" means a program that takes place when school is not in session, [and] provides educational, enrichment and recreational activities for children in grades kindergarten to twelve, inclusive, and has a parent involvement component.

(b) (1) Applications for grants pursuant to subsection (a) of this section shall be filed [annually] biennially with the Commissioner of Education at such time and in such manner as the commissioner prescribes. As part of the application, an applicant shall submit a plan

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for the expenditure of grant funds.

(2) Eligibility for grants pursuant to this section shall be determined for a two-year period and shall be based on the plan for expenditure of grant funds. Prior to the payment of funds to the grant recipient for the second year of the grant, the grant recipient shall report to the Department of Education on performance outcomes of the program and file expenditure reports pursuant to subsection (f) of this section. The report concerning performance outcomes shall include, but not be limited to, measurements of the impact on student achievement, school attendance and the in-school behavior of student participants.

(c) The Department of Education and the after school committee established pursuant to section 10-16v shall develop and apply appropriate evaluation procedures to measure the effectiveness of the grant program established pursuant to this section.

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

(e) The Department of Education shall provide grant recipients with technical assistance, evaluation, program monitoring, professional development and accreditation support. The department may retain up to four per cent of the amount appropriated for the grant program for purposes of this subsection.

(f) Grant recipients shall file expenditure reports with the Commissioner of Education in accordance with subdivision (2) of subsection (b) of this section and at such time and in such manner as the commissioner prescribes. Grant recipients shall refund (1) any unexpended amounts at the close of the program for which the grant was awarded, and (2) any amounts not expended in accordance with the approved grant application.

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(g) Not later than October 1, 2008, and biennially thereafter, the Department of Education shall report, in accordance with the provisions of section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to education on performance outcomes of recipients of grants under this section. The report shall include, but not be limited to, measurements of the impact on student achievement, school attendance and the in-school behavior of student participants.

Sec. 27. (NEW) (*Effective July 1, 2007*) The Department of Education, through the State Education Resource Center and within available appropriations for such purposes, shall promote and encourage professional development activities for school paraprofessionals with instructional responsibilities. Such activities may include, but shall not be limited to, providing local and regional boards of education with training modules and curricula for professional development for paraprofessionals and assisting boards of education in the effective use of paraprofessionals and the development of strategies to improve communications between teachers and paraprofessionals in the provision of effective student instruction.

Sec. 28. (*Effective July 1, 2007*) Not later than December 1, 2008, the department shall report and make recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to education concerning professional development for paraprofessionals and the status and future of school paraprofessionals with instructional responsibilities.

Sec. 29. (*Effective July 1, 2007*) The Commissioner of Education shall establish a School Paraprofessional Advisory Council consisting of one representative from each state-wide bargaining representative organization that represents school paraprofessionals with instructional responsibilities. The council shall advise, at least quarterly, the Commissioner of Education, or the commissioner's

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designee, of the needs for the training of such paraprofessionals and the effectiveness of the content and the delivery of existing training for such paraprofessionals. The council shall report, at least quarterly, in accordance with the provisions of section 11-4a of the general statutes, on the recommendations given to the commissioner, or the commissioner's designee, pursuant to the provisions of this section, to the joint standing committee of the General Assembly having cognizance of matters relating to education.

Sec. 30. (NEW) (*Effective July 1, 2007*) The Department of Education shall develop and administer a grant program to match available federal and private funds that promote the development of early childhood literacy and make early literacy a standard part of pediatric primary care through childhood literacy programs in health care settings. Grant funds provided pursuant to this section shall be used by pediatric care providers for: (1) The promotion of early literacy during well-child visits for children six months to five years of age in the health care clinic or office setting; (2) the purchase of new, developmentally appropriate books to be distributed at well-child visits; (3) training for new pediatric care providers in early childhood literacy and to keep pediatric care providers proficient in strategies to promote early literacy in all children; and (4) transforming health care clinics and office waiting rooms into an environment that encourages literacy through volunteer readers and other opportunities for children to be surrounded by oral language, books or print. A pediatric care provider may apply for a grant pursuant to this section at such time and in such manner as the Commissioner of Education prescribes. For purposes of this section, "pediatric care provider" means a physician licensed under chapter 370 of the general statutes, who provides pediatric care and registered nurses, practical nurses and advanced practice registered nurses licensed under chapter 378 of the general statutes, who provide pediatric care.

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Sec. 31. (NEW) (*Effective July 1, 2007*) (a) For purposes of this section, "minority" means individuals whose race is defined as other than white, or whose ethnicity is defined as Hispanic or Latino by the federal Office of Management and Budget for use by the Bureau of Census of the United States Department of Commerce.

(b) The Regional Educational Service Center Minority Recruiting Alliance, in consultation with the Departments of Education and Higher Education, the constituent units of the state system of higher education and the Connecticut Conference of Independent Colleges, shall study methods to (1) encourage minority middle and secondary school students to attend institutions of higher education and enter teacher preparation programs, (2) recruit minority students attending institutions of higher education to enroll in teacher preparation programs and pursue teaching careers, and (3) recruit and maintain minority teachers in Connecticut schools.

(c) Not later than October 1, 2007, the Regional Educational Service Center Minority Recruiting Alliance, in consultation with the Departments of Education and Higher Education, the constituent units of the state system of higher education and the Connecticut Conference of Independent Colleges, shall propose guidelines to the Commissioners of Education and Higher Education for pilot programs to recruit and retain minority teachers and may consider, but such consideration need not be limited to, the establishment and operation of the following pilot programs:

(1) A fellows program leading to the eligibility for an educator certificate for minority individuals who have (A) completed an intensive summer session focusing on classroom management and methodology, (B) received a bachelor's degree from an institution of higher education accredited by the Board of Governors of Higher Education or regionally accredited, (C) achieved a satisfactory score on the examination required pursuant to section 10-145f of the general

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statutes or have had such requirement waived pursuant to said section, and (D) have such other qualifications for the issuance of an educator certificate as are required for individuals participating in the alternate route to certification program under section 10-155d of the general statutes;

(2) A competitive grant program to assist local and regional boards of education to form and operate future teachers' clubs as part of the extracurricular activities at middle and high schools under their jurisdiction; and

(3) A program to allow minority college seniors who are majoring in subject shortage areas pursuant to section 10-8b of the general statutes but who are not enrolled in a teacher preparation program to receive up to three credits for working as cadet teachers in a public school and, upon graduation and recommendation by school officials, to allow such cadet teachers to enter a fellows program pursuant to subdivision (1) of this subsection if such a program is in operation.

(d) Not later than January 1, 2008, the Regional Educational Service Center Minority Recruiting Alliance shall report, in accordance with section 11-4a of the general statutes, on (1) the results of the study pursuant to subsection (b) of this section, (2) the guidelines for pilot programs developed pursuant to subsection (c) of this section, and (3) the establishment and operation of any pilot program pursuant to subsection (c) of this section to the Departments of Education and Higher Education and the joint standing committees of the General Assembly having cognizance of matters relating to education and higher education.

Sec. 32. Section 10-223e of the general statutes is amended by adding subsections (c) to (f), inclusive, as follows (*Effective July 1, 2007*):

(NEW) (c) (1) Any school or school district identified as in need of

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improvement pursuant to subsection (a) of this section and requiring corrective action pursuant to the requirements of the No Child Left Behind Act, P.L. 107-110, shall be designated and listed as a low achieving school or school district and shall be subject to intensified supervision and direction by the State Board of Education.

(2) Notwithstanding any provision of title 10 or any regulation adopted pursuant to said statutes, in carrying out the provisions of subdivision (1) of this subsection, the State Board of Education shall take any of the following actions to improve student performance and remove the school or district from the list of schools or districts designated and listed as a low achieving school or district pursuant to said subdivision (1), and to address other needs of the school or district: (A) Require an operations audit to identify possible programmatic savings and an instructional audit to identify any deficits in curriculum and instruction or in the learning environment of the school or district; (B) require the local or regional board of education for such school or district to use state and federal funds for critical needs, as directed by the State Board of Education; (C) provide incentives to attract highly qualified teachers and principals; (D) direct the transfer and assignment of teachers and principals; (E) require additional training and technical assistance for teachers, principals and central office staff members hired by the district; (F) require the local or regional board of education for the school or district to implement model curriculum, including, but not limited to, recommended textbooks, materials and supplies approved by the Department of Education; (G) identify schools for reconstitution, as may be phased-in by the commissioner, as state or local charter schools, schools established pursuant to section 37 of this act, or schools based on other models for school improvement, or for management by an entity other than the local or regional board of education for the district in which the school is located; (H) direct the local or regional board of education for the school or district to develop and implement a plan addressing

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deficits in achievement and in the learning environment as recommended in the instructional audit; (I) assign a technical assistance team to the school or district to guide school or district initiatives and report progress to the Commissioner of Education; (J) establish instructional and learning environment benchmarks for the school or district to meet as it progresses toward removal from the list of low achieving schools or districts; (K) provide funding to any proximate district to a district designated as a low achieving school district so that students in a low achieving district may attend public school in a neighboring district; (L) direct the establishment of learning academies within schools that require continuous monitoring of student performance by teacher groups; or (M) any combination of the above actions or similar, closely related actions.

(3) The Comptroller shall, pursuant to the provisions of section 10-262i, as amended by this act, withhold any grant funds that a town is otherwise required to appropriate to a local or regional board of education due to low academic achievement in the school district pursuant to section 10-262h, as amended by this act. Said funds shall be transferred to the Department of Education and shall be expended by the department on behalf of the identified school district. Said funds shall be used to implement the provisions of subdivision (2) of this subsection and to offset such other local education costs that the Commissioner of Education deems appropriate to achieve school improvements. These funds shall be awarded by the commissioner to the local or regional board of education for such identified school district upon condition that said funds shall be spent in accordance with the directives of the commissioner.

(NEW) (d) The State Board of Education shall monitor the progress of each school or district designated as a low achieving school or district pursuant to subdivision (1) of subsection (c) of this section and provide notice to the local or regional board of education for each such

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school or district of the school or district's progress toward meeting the benchmarks established by the State Board of Education pursuant to subsection (c) of this section. If a district fails to make acceptable progress toward meeting such benchmarks established by the State Board of Education and fails to make adequate yearly progress pursuant to the requirements of the No Child Left Behind Act, P.L. 107-110, for two consecutive years while designated as a low achieving school district, the State Board of Education, after consultation with the Governor and chief elected official or officials of the district, may request that the General Assembly enact legislation authorizing that control of the district be reassigned to the State Board of Education or other authorized entity.

(NEW) (e) Any school district or elementary school after two successive years of failing to make adequate yearly progress shall be designated as a low achieving school district or school and shall be evaluated by the Commissioner of Education. After such evaluation, the commissioner may require that such school district or school provide full-day kindergarten classes, summer school, extended school day, weekend classes, tutorial assistance to its students or professional development to its administrators, principals, teachers and paraprofessional teacher aides if (1) on any subpart of the third grade state-wide mastery examination, thirty per cent or more of the students in any subgroup, as defined by the No Child Left Behind Act, P.L. 107-110, do not achieve the level of proficiency or higher, or (2) the commissioner determines that it would be in the best educational interests of the school or the school district to have any of these programs. In ordering any educational program authorized by this subsection, the commissioner may limit the offering of the program to the subgroup of students that have failed to achieve proficiency as determined by this subsection, those in particular grades or those who are otherwise at substantial risk of educational failure. The costs of instituting the ordered educational programs shall be borne by the

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identified low achieving school district or the school district in which an identified low achieving school is located. The commissioner shall not order an educational program that costs more to implement than the total increase in the amount of the grant that a town receives pursuant to section 10-262i, as amended by this act, in any fiscal year above the prior fiscal year.

(NEW) (f) The Commissioner of Education shall conduct a study, within the limits of the capacity of the Department of Education to perform such study, of academic achievement of individual students over time as measured by performance on the state-wide mastery examination in grades three to eight, inclusive. If this study evidences a pattern of continuous and substantial growth in educational performance on said examinations for individual students, then the commissioner may determine that the school district or elementary school shall not be subject to the requirements of subsection (e) of this section, but shall still comply with the requirements of the No Child Left Behind Act, P.L. 107-110, if applicable.

Sec. 33. (*Effective July 1, 2007*) Each local or regional board of education with jurisdiction over an elementary or middle school that fails to make adequate yearly progress based on whole school academic achievement in mathematics, reading, or both, as determined under the state-wide accountability plan adopted under section 10-223e of the general statutes, for two consecutive years, may reorganize such school to provide that:

(1) (A) The school be organized in academies, each containing a maximum of one hundred seventy-five students divided into different classes based on grade. (B) Each academy include all grade levels at the school. (C) Students be randomly assigned to academies. (D) The academies have different themes but the curriculum be the same in all.

(2) (A) The school principal appoint a teacher as team leader for

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each academy based on evaluations pursuant to section 10-151b of the general statutes. (B) Team leaders not be teacher supervisors, but be literacy, mathematics or science specialists. (C) Team leaders work with the school's regular classroom teachers to: (i) Plan lessons; (ii) look at student data; (iii) work with small groups of students; (iv) provide model lessons; and (v) plan school and academy-wide activities.

(3) Each class in each academy have a ninety-minute mathematics block and a two-hour literacy block every day.

(4) Each student in the school have an individual education plan that incorporates the student's personal reading plan if the student is required to have a reading plan pursuant to section 10-265g or 10-265l of the general statutes, provided any child with an individual educational program developed pursuant to section 10-76d of the general statutes, follows such program.

(5) All teachers in the school of the same grade level meet weekly to plan lessons.

(6) Teachers meet daily in teams based on grade level to plan lessons.

(7) Teachers meet once a week with the team leader and the school principal to look at student work and data, evaluate instruction and make adjustments and changes in instruction.

(8) Students receive regular assessments, including short assessment tests every two weeks, that evaluate short-term progress and district-wide assessment tests every six weeks that evaluate a student's progress toward long-term objectives.

(9) Any child who is falling behind based on assessments conducted under subdivision (8) of this section be the subject of a meeting with

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teachers, school principal and parents.

Sec. 34. (*Effective July 1, 2007*) The Commissioner of Education, chairperson of the State Board of Education, Secretary of the Office of Policy and Management, and the cochairpersons and ranking members or their designees, of the joint standing committee of the General Assembly having cognizance of matters relating to education shall form a committee to study high school graduation requirements, including, but not limited to, the total number of credits required for graduation, the number of credits required in each discipline, the means of acquiring credits and the use of an appropriate examination or other assessments measuring the competencies needed to earn a high school diploma. Not later than January 15, 2008, the committee shall report, in accordance with the provisions of section 11-4a of the general statutes, on such study to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to education.

Sec. 35. Subsection (a) of section 10-19o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) The Commissioner of Education shall establish a program to provide grants to youth service bureaus in accordance with this section. Only youth service bureaus which were eligible to receive grants pursuant to this section for the fiscal year ending June 30, [2006] 2007, or which applied for a grant by June 30, [2006] 2007, with prior approval of the town's contribution pursuant to subsection (b) of this section, shall be eligible for a grant pursuant to this section for any fiscal year commencing on or after July 1, [2006] 2007. Each such youth service bureau shall receive a grant of fourteen thousand dollars. The Department of Education may expend an amount not to exceed two per cent of the amount appropriated for purposes of this section for administrative expenses. If there are any remaining funds, each such

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youth service bureau that was awarded a grant in excess of fifteen thousand dollars in the fiscal year ending June 30, 1995, shall receive a percentage of such funds. The percentage shall be determined as follows: For each such grant in excess of fifteen thousand dollars, the difference between the amount of the grant awarded to the youth service bureau for the fiscal year ending June 30, 1995, and fifteen thousand dollars shall be divided by the difference between the total amount of the grants awarded to all youth service bureaus that were awarded grants in excess of fifteen thousand dollars for said fiscal year and the product of fifteen thousand dollars and the number of such grants for said fiscal year.

Sec. 36. (NEW) (*Effective July 1, 2007*) The Department of Education shall administer an enhancement grant program for youth service bureaus. The department shall annually award grants in the amounts of: (1) Three thousand three hundred dollars to youth service bureaus that serve a town with a population of not more than eight thousand or towns with a total combined population of not more than eight thousand; (2) five thousand dollars to youth service bureaus that serve a town with a population greater than eight thousand, but not more than seventeen thousand or towns with a total combined population greater than eight thousand, but not more than seventeen thousand; (3) six thousand two hundred fifty dollars to youth service bureaus that serve a town with population greater than seventeen thousand, but not more than thirty thousand or towns with a total combined population greater than seventeen thousand, but not more than thirty thousand; (4) seven thousand five hundred fifty dollars to youth service bureaus that serve a town with a population greater than thirty thousand, but not more than one hundred thousand or towns with a total combined population greater than thirty thousand, but not more than one hundred thousand; and (5) ten thousand dollars to youth service bureaus that serve a town with a population greater than one hundred thousand or towns with a total combined population greater than one

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hundred thousand.

Sec. 37. (NEW) (*Effective July 1, 2007*) A local or regional board of education may, through agreement with the organizations designated or elected as the exclusive representatives of the teachers' and administrators' units, as defined in section 10-153b of the general statutes, for the teachers and administrators employed by such board, create a CommPACT school. The board shall permit the school autonomy in governance, budgeting and curriculum. The school shall be managed collaboratively by the superintendent of the school district and a governing board comprised of representatives of the school and of the teachers' and administrators' units, community leaders and parents and guardians of students who attend the school.

Sec. 38. (*Effective from passage*) (a) For the fiscal year ending June 30, 2009, five hundred thousand dollars of the funds appropriated to the Department of Education for CommPACT schools, established pursuant to section 37 of this act, shall be transferred to the Department of Higher Education for purposes of this section.

(b) The Department of Higher Education shall, not later than March 1, 2008, contract with the Neag School of Education located at The University of Connecticut to administer a field-based support program for up to twelve CommPACT schools. The Neag School of Education, in consultation with the Departments of Education and Higher Education, shall develop a plan for implementing such program and submit such plan to the Commissioners of Education and Higher Education. Such plan shall describe the services and types of assistance to be provided to CommPACT schools for ongoing, and where applicable, operations related to the planning and start-up of such schools. Upon receipt of such plan, the Commissioner of Higher Education shall release all funds, described in subsection (a) of this section, to the Neag School of Education for implementation of such plan.

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(c) On or before January 1, 2009, the Neag School of Education shall submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to education and higher education and to the Commissioners of Education and Higher Education on the progress of the plan and an analysis of the services and assistance provided to CommPACT schools.

Sec. 39. (*Effective from passage*) (a) For the fiscal year ending June 30, 2009, two hundred fifty thousand dollars of the funds appropriated to the Department of Education for CommPACT schools, established pursuant to section 37 of this act, shall be transferred to the Department of Higher Education for purposes of this section.

(b) The Department of Higher Education shall, not later than March 1, 2008, contract with the Board of Trustees for the Connecticut State University system to develop a college readiness grant program to address core subject-matter deficiencies among high school students who will transition to institutions of higher education and to improve such students' performance on Connecticut mastery examinations and college placement examinations. The Board of Trustees for the Connecticut State University system, in consultation with the Departments of Higher Education and Education, shall develop a plan for implementation of college readiness programs at state universities within the Connecticut State University system and submit such plan to the Commissioners of Higher Education and Education. Upon receipt of the plan, the commissioner shall release all funds, described in subsection (a) of this section, to the Board of Trustees for the Connecticut State University system for implementation of such plan.

(c) The plan, developed pursuant to subsection (b) of this section, shall include strategies to decrease the number of high school students that may require remedial education by: (A) Providing opportunities for high school faculty to participate in mutual learning exchanges

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with college faculty; (B) providing opportunities for high school students to discuss college readiness and college expectations with such high school and college faculty members; (C) instituting software or other instruments for assessing high school students' college readiness skills and for identifying areas requiring remediation before entering college; (D) engaging high school and college faculty in workshops to plan eleventh and twelfth grade curricular changes to address areas in need of such remediation; and (E) developing and instituting shared decision making structures that increase faculty and parental involvement in promoting a school culture and environment that fosters positive student development in physical, social-interactive, psycho-emotional, moral-ethical, linguistic and intellectual-cognitive behavioral areas.

(d) On or before January 1, 2010, the Board of Trustees for the Connecticut State University system shall complete an assessment of the college readiness grant program and submit a report with such assessment, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to higher education and education and to the Commissioners of Higher Education and Education. Such assessment shall include a summary of the strategies used by each of the state universities receiving funding pursuant to this section, the methods used to assess the outcomes of such strategies, and, where applicable, recommendations for making programmatic changes and incorporating positive findings to improve college readiness programs.

Sec. 40. Subsection (c) of section 10-264*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(c) (1) The maximum amount each interdistrict magnet school program, except those described in [subparagraph] subparagraphs (A) and (B) of subdivision (3) of this subsection, shall be eligible to receive

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per enrolled student who is not a resident of the town operating the magnet school shall be determined as follows: [(A)] For each participating district whose magnet school program enrollment is [equal to or less than thirty] greater than fifty-five per cent of the magnet school program total enrollment, [ninety per cent of the foundation as defined in subdivision (9) of section 10-262f; (B) for each participating district whose magnet school program enrollment is greater than thirty per cent but less than or equal to sixty per cent of the magnet school program total enrollment, a percentage between sixty and ninety per cent of said foundation that is inversely proportional to the percentage of magnet school program students from such district; and (C) for each participating district whose magnet school program enrollment is greater than sixty per cent but less than or equal to ninety per cent of the magnet school program total enrollment, a percentage between zero and sixty per cent of said foundation that is inversely proportional to the percentage of magnet school program students from such district. The amounts so determined shall be proportionately adjusted, if necessary, within the limit of the available appropriation, and in no case shall any grant pursuant to this section exceed the reasonable operating budget of the magnet school program, less revenues from other sources. Any magnet school program operating less than full-time but at least half-time shall be eligible to receive a grant equal to sixty-five per cent of the grant amount determined pursuant to this subsection.] (A) six thousand sixteen dollars for the fiscal year ending June 30, 2008, (B) six thousand seven hundred thirty dollars for the fiscal year ending June 30, 2009, (C) seven thousand four hundred forty dollars for the fiscal year ending June 30, 2010, and (D) eight thousand one hundred fifty-eight dollars for the fiscal year ending June 30, 2011. The per pupil grant for each enrolled student who is a resident of the town operating the magnet school program shall be three thousand dollars for the fiscal year ending June 30, 2008, and each fiscal year thereafter.

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(2) For the fiscal year ending June 30, 2003, and each fiscal year thereafter, the commissioner may, within available appropriations, provide supplemental grants for the purposes of enhancing educational programs in such interdistrict magnet schools, as the commissioner determines. Such grants shall be made after the commissioner has reviewed and approved the total operating budget for such schools, including all revenue and expenditure estimates.

(3) (A) Each interdistrict magnet school operated by a regional educational service center that enrolls less than fifty-five per cent of the school's students from a single town shall receive a per pupil grant in the amount of (i) six thousand two hundred fifty dollars for the fiscal year ending June 30, 2006, [and in the amount of] (ii) six thousand five hundred dollars for the fiscal year ending June 30, 2007, [and for each fiscal year thereafter.] (iii) seven thousand sixty dollars for the fiscal year ending June 30, 2008, (iv) seven thousand six hundred twenty dollars for the fiscal year ending June 30, 2009, (v) eight thousand one hundred eighty dollars for the fiscal year ending June 30, 2010, and (vi) eight thousand seven hundred forty-one dollars for the fiscal year ending June 30, 2011.

(B) Each interdistrict magnet school operated by a regional educational service center that enrolls at least fifty-five per cent of the school's students from a single town shall receive a per pupil grant for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent of the school's students in the amount of (i) six thousand sixteen dollars for the fiscal year ending June 30, 2008, (ii) six thousand seven hundred thirty dollars for the fiscal year ending June 30, 2009, (iii) seven thousand four hundred forty dollars for the fiscal year ending June 30, 2010, and (iv) eight thousand one hundred fifty-eight dollars for the fiscal year ending June 30, 2011. The per pupil grant for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent of the school's students shall be three

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thousand dollars.

[(B)] (C) Each interdistrict magnet school operated by a regional educational service center that enrolls at least fifty-five per cent of the school's students from a single town shall receive a per pupil grant in an amount that is at least three thousand dollars for the fiscal year ending June 30, 2006, and for each fiscal year thereafter.

(4) Within available appropriations, the commissioner may make grants to regional educational service centers that provide summer school educational programs approved by the commissioner to students participating in the interdistrict magnet school program.

Sec. 41. (NEW) (*Effective July 1, 2007*) (a) There is established a Blue Ribbon Commission to develop and implement a strategic master plan for higher education in Connecticut.

(1) The commission shall consist of the following voting members: (A) Two members appointed by the speaker of the House of Representatives, who shall have experience as former administrators or faculty members in independent institutions of higher education in this state; (B) two members appointed by the president pro tempore of the Senate, one of whom shall be a former administrator or faculty member of a regional community-technical college and one of whom shall be a former administrator or faculty member of The University of Connecticut; (C) two members appointed by the majority leader of the House of Representatives, one of whom shall be a former administrator or faculty member of a state university in the Connecticut State University System and one of whom shall be a former administrator or faculty member of Charter Oak State College; (D) two members appointed by the majority leader of the Senate, one of whom shall have experience in the field of arts and culture and one of whom shall have experience in the field of health care; (E) two members appointed by the minority leader of the House of

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Representatives who shall have knowledge and expertise in science and technology; (F) two members appointed by the minority leader of the Senate who shall represent state-wide business organizations; and (G) four members appointed by the Governor, one of whom shall represent a nonprofit education foundation, one of whom shall have experience in university research and its commercial application and one of whom shall have experience in the field of education from prekindergarten to grade twelve, inclusive. The commission membership shall reflect the state's geographic, racial and ethnic diversity.

(2) The following persons shall serve as ex-officio nonvoting members on the commission: (A) The Commissioners of Higher Education, Education, Economic and Community Development, and the Labor Commissioner, or their designees; (B) the chairpersons of the boards of trustees and the chief executive officers of each constituent unit of the state system of higher education, or their designees; (C) the chairperson of the board and president of the Connecticut Conference of Independent Colleges, or their designees; (D) the director of the Office of Workforce Competitiveness, or the director's designee; (E) the chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to higher education and employment advancement; and (F) the Secretary of the Office of Policy and Management, or the secretary's designee.

(3) The commission shall elect a chairperson at its first meeting. Any vacancies shall be filled by the appointing authority. The term of each appointed member of the commission shall be three years from the date of appointment. The commission members shall serve without compensation except for necessary expenses incurred in the performance of their duties. The commission may seek the advice and participation of any person, organization or state or federal agency it deems necessary to carry out the provisions of this section. The

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commission may, within available appropriations, retain consultants to assist in carrying out its duties. The commission may receive funds from any public or private sources to carry out its activities.

(b) The commission shall develop a strategic master plan that promotes the following overall goals for higher education in this state: (1) Ensure equal access and opportunity to post-secondary education for all state residents, (2) promote student achievement, including student performance, retention and graduation, (3) promote economic competitiveness in the state, (4) improve access to higher education for minorities and nontraditional students, including, but not limited to, part-time students, incumbent workers, adult learners, former inmates and immigrants, and (5) ensure the state's obligation to provide adequate funding for higher education.

(c) The commission shall:

(1) Examine the impact of demographics and workforce trends on higher education in the state;

(2) Address the challenges related to increasing the number of young people in the state earning a bachelor's degree, increasing the number of young people entering the state's workforce and the disparity in the achievement gap between minority students and the general student population;

(3) Develop and implement a strategic master plan for higher education that identifies specific short-term and long-term goals for the state that reflect the unique missions of each constituent unit of the state system of higher education and each independent institution of higher education in the state and includes benchmarks for achieving those goals by 2010, 2015 and 2020;

(4) Examine funding policies for higher education including coordination of appropriation, tuition and financial aid and seek ways

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to maximize funding through federal and private grants;

(5) Recommend ways in which each constituent unit of the state system of higher education and independent institution of higher education in the state can, in a manner consistent with such institution's mission, expand such institution's role in advancing the state's economic growth; and

(6) Submit a biennium report prepared by the Department of Higher Education to the Governor and the General Assembly on the progress made toward achieving the benchmarks established in the strategic plan.

(d) In developing the strategic master plan, the commission shall review the plans pursuant to sections 10a-6 and 10a-11 of the general statutes and the report titled "New England 2020: A Forecast of Educational Attainment and its Implications for the Workforce of New England States" prepared by the Nellie Mae Education Foundation. In addition, the commission may consider the following: (1) Establishing incentives for institutional performance and productivity; (2) increasing financial aid incentive programs, especially in workforce shortage areas and for minority students; (3) implementing mandatory college preparatory curricula in high schools and aligning such curricula with curricula in institutions of higher education; (4) seeking partnerships with the business community and public institutions of higher education to serve the needs of workforce retraining that may include bridge programs in which businesses work directly with higher education institutions to move students into identified workforce shortage areas; (5) establishing collaborative partnerships between public high schools and institutions of higher education; (6) implementing programs in high school to assist high school students seeking a college track or alternative pathways for post-secondary educations, such as vocational and technical opportunities; (7) developing policies to promote and measure retention and graduation

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rates of students; (8) addressing the educational needs of minority students and nontraditional students, including, but not limited to, part-time students, incumbent workers, adult learners, former inmates and immigrants, in order to increase enrollment and retention in institutions of higher education; and (9) addressing the affordability of tuition at institutions of higher education and the issue of increased student indebtedness.

(e) Not later than October 1, 2008, the commission shall submit the strategic master plan, including specific goals and benchmarks for the years ending 2010, 2015 and 2020, together with any recommendations for appropriate legislation and funding to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to higher education and employment advancement, education, commerce, labor and appropriations, in accordance with section 11-4a of the general statutes.

(f) On or before January 1, 2009, and biennially thereafter, until January 1, 2021, the commission shall submit a report, prepared by the Department of Higher Education, to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to higher education and employment advancement, education, commerce, labor and appropriations, in accordance with section 11-4a of the general statutes, on the implementation of the plan and progress made toward achieving the goals specified in the plan.

(g) The commission shall terminate on January 1, 2021.

Sec. 42. Section 10-264l of the general statutes is amended by adding subsections (j) and (k) as follows (*Effective July 1, 2007*):

(NEW) (j) After accommodating students from participating districts in accordance with the approved enrollment agreement, an interdistrict magnet school that has unused student capacity may

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enroll directly into its program any interested student. A student from a district that is not participating in the interdistrict magnet school shall be given preference. The local or regional board of education otherwise responsible for educating such student shall contribute funds to support the operation of the interdistrict magnet school in an amount equal to the per student tuition, if any, charged to participating districts. For the fiscal year ending June 30, 2009, such tuition shall be in an amount that is equal to seventy-five per cent of the difference between the average per pupil expenditure of the magnet school for the prior fiscal year and the amount of any per pupil state subsidy calculated under subsection (c) of this section. If any such board of education fails to pay such tuition, the commissioner may withhold from such school district a sum payable under section 10-262h in an amount not to exceed the amount of the unpaid tuition to the magnet school and transfer such money to the fiscal agent for the interdistrict magnet school as a supplementary grant for the operation of the interdistrict magnet school program. For purposes of calculating grants pursuant to subsection (c) of this section, "participating district" includes districts whose students enroll directly in interdistrict magnet schools pursuant to this subsection.

(NEW) (k) (1) Each interdistrict magnet school operated by a regional educational service center shall annually file with the Commissioner of Education a financial audit in such form as prescribed by the commissioner.

(2) Annually, the commissioner shall randomly select one interdistrict magnet school operated by a regional educational service center to be subject to a comprehensive financial audit conducted by an auditor selected by the commissioner. The regional educational service center shall be responsible for all costs associated with the audit conducted pursuant to the provisions of this subdivision.

Sec. 43. Subsection (d) of section 10-265f of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(d) In the case of proposals for intensive early intervention reading programs including after-school and summer programs, the plan shall: (1) Incorporate the competencies required for early reading success, critical indicators for teacher intervention and the components of a high quality early reading success curriculum in accordance with the findings of the Early Reading Success Panel delineated in section 10-221l; (2) provide for a period of time each day of individualized or small group instruction for each student; (3) provide for monitoring of programs and students and follow-up in subsequent grades, documentation of continuous classroom observation of students' reading behaviors and establishment of performance indicators aligned with the state-wide mastery examinations under chapter 163c, measures of efficacy of programs developed by the department pursuant to subsection (i) of this section, as amended by this act, the findings of the Early Reading Success Panel pursuant to section 10-221j and other methodologies for assessing reading competencies established by the department pursuant to section 10-221i; (4) include a professional development component for teachers in grades kindergarten to three, inclusive, that emphasizes the teaching of reading and reading readiness and assessment of reading competency based on the findings of the Early Reading Success Panel pursuant to section 10-221j; (5) provide for on-site teacher training and coaching in the implementation of research-based reading instruction delineated in section 10-221l; (6) provide for parental involvement and ensure that parents have access to information on strategies that may be used at home to improve prereading or reading skills; (7) provide for data collection and program evaluation; and (8) include any additional information the commissioner deems relevant. Each school district that receives grant funds under this section shall annually report to the Department of Education on the district's progress toward reducing

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the achievement gap in reading, including data on student progress in reading and how such data have been used to guide professional development and the coaching process.

Sec. 44. Section 10-265f of the general statutes is amended by adding subsection (i) as follows (*Effective July 1, 2007*):

(NEW) (i) (1) The Department of Education shall develop measures of efficacy of the early reading intervention programs employed by grant recipients under this section and the department shall list programs that are efficacious and make such list available to grant recipients. Not later than January 1, 2008, the department shall report the measures of efficacy and the list of efficacious programs to the Governor and the General Assembly, in accordance with the provisions of section 11-4a.

(2) For the fiscal year ending June 30, 2008, and each fiscal year thereafter, using the measures developed pursuant to subdivision (1) of this subsection, the Department of Education shall determine the efficacy of the early reading intervention program employed by each grant recipient pursuant to this section. If any grant recipient is determined to be employing a program that is not shown to be effective, the department shall require the grant recipient to employ a program listed as efficacious by the department pursuant to the provisions of subdivision (1) of this subsection.

Sec. 45. (*Effective July 1, 2007*) The Connecticut Health and Educational Facilities Authority, under chapter 187 of the general statutes, and the Department of Education shall develop a plan to increase capacity in school readiness programs under chapter 164 of the general statutes. Such plan shall include recommendations concerning needs for facility expansions and new facilities, professional development and changes to grant formulas for such programs. Not later than January 1, 2008, the authority and the

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Commissioner of Education shall report such plan, in accordance with the provisions of section 11-4a of the general statutes, to the Governor and the General Assembly.

Sec. 46. Section 10-265j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

The Commissioner of Education shall establish two [pilot] model early childhood learning programs associated with institutions of higher education. [The pilot programs shall be established in priority school districts pursuant to section 10-266p or transitional school districts. One program shall be in a municipality with a population of fifty to one hundred thousand, inclusive, and one program shall be in a municipality with a population over one hundred thousand.] Each [pilot] program may include a laboratory school and a model day care program that serves sixty children ages three to five. Eligibility shall be determined for a five-year period. Grant awards shall be made annually during the five-year eligibility period, contingent upon available funding and a satisfactory annual evaluation. The Department of Education shall issue a request for proposals for the [pilot] programs. The commissioner shall provide grants in the amount of one hundred thousand dollars each for purposes of such [pilot] programs. The grants shall be provided from the amount appropriated for purposes of section 10-265f.

Sec. 47. Subsection (e) of section 10-265f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(e) (1) The [pilot] model programs established pursuant to section 10-265j, as amended by this act, shall be funded from the amount appropriated for purposes of this section. The department shall use ninety per cent of the remaining funds appropriated for purposes of this section for grants to priority school districts. Priority school

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districts shall receive grants based on their proportional share of the sum of the products obtained by multiplying the number of enrolled kindergarten students in each priority school district for the year prior to the year the grant is to be paid, by the ratio of the average percentage of free and reduced price meals for all severe need schools in such district to the minimum percentage requirement for severe need school eligibility. (2) The department shall use nine per cent of such remaining funds for competitive grants to school districts in which a priority elementary school is located. In awarding grants to school districts in which priority elementary schools are located, the department shall consider the town wealth, as defined in subdivision (26) of section 10-262f, of the town in which the school district is located, or in the case of regional school districts, the towns which comprise the regional school district. Grants received by school districts in which priority elementary schools are located shall not exceed one hundred thousand dollars and shall be used for the appropriate purpose at the priority elementary school. (3) The department may retain up to one per cent of such remaining funds for coordination, program evaluation and administration.

Sec. 48. Subsection (a) of section 10-16n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) The Commissioner of Education, in consultation with the Commissioner of Social Services, shall establish a competitive grant program to assist nonprofit agencies and local and regional boards of education, which are federal Head Start grantees, in (1) establishing extended-day and full-day, year-round, Head Start programs or expanding existing Head Start programs to extended-day or full-day, year-round programs, (2) enhancing program quality and (3) increasing the number of children served. The commissioner, after consultation with the committee established pursuant to subsection (c)

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of this section, shall establish criteria for the grants, provided at least twenty-five per cent of the funding for such grants shall be for the purpose of enhancing program quality. Nonprofit agencies or boards of education seeking grants pursuant to this section shall make application to the Commissioner of Education on such forms and at such times as the commissioner shall prescribe. All grants pursuant to this section shall be funded within the limits of available appropriations or otherwise from federal funds and private donations. [At least seventy-five per cent of the funding pursuant to this section shall be allocated to Head Start programs established prior to July 1, 1992.] All full-day, year-round Head Start programs funded pursuant to this section shall be in compliance with federal Head Start performance standards.

Sec. 49. Subsection (a) of section 10-233d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) (1) Any local or regional board of education, at a meeting at which three or more members of such board are present, or the impartial hearing board established pursuant to subsection (b) of this section, may expel, subject to the provisions of this subsection, any pupil whose conduct on school grounds or at a school-sponsored activity is violative of a publicized policy of such board or is seriously disruptive of the educational process or endangers persons or property or whose conduct off school grounds is violative of such policy and is seriously disruptive of the educational process, provided a majority of the board members sitting in the expulsion hearing vote to expel and that at least three affirmative votes for expulsion are cast. In making a determination as to whether conduct is seriously disruptive of the educational process, the board of education or impartial hearing board may consider, but such consideration shall not be limited to: (A) Whether the incident occurred within close proximity of a school; (B)

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whether other students from the school were involved or whether there was any gang involvement; (C) whether the conduct involved violence, threats of violence or the unlawful use of a weapon, as defined in section 29-38, and whether any injuries occurred; and (D) whether the conduct involved the use of alcohol.

(2) Expulsion proceedings pursuant to this section, except as provided in subsection (i) of this section shall be required whenever there is reason to believe that any pupil (A) on school grounds or at a school sponsored activity, was in possession of a firearm, as defined in 18 USC 921, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in section 53a-3, (B) off school grounds, did possess such a firearm in violation of section 29-35 or did possess and use such a firearm, instrument or weapon in the commission of a crime under chapter 952, or (C) on or off school grounds, offered for sale or distribution a controlled substance, as defined in subdivision (9) of section 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering, or administering is subject to criminal penalties under sections 21a-277 and 21a-278. Such a pupil shall be expelled for one calendar year if the local or regional board of education or impartial hearing board finds that the pupil did so possess or so possess and use, as appropriate, such a firearm, instrument or weapon or did so offer for sale or distribution such a controlled substance, provided the board of education or the hearing board may modify the period of expulsion for a pupil on a case by case basis.

(3) Unless an emergency exists, no pupil shall be expelled without a formal hearing held pursuant to sections 4-176e to 4-180a, inclusive, and section 4-181a, provided whenever such pupil is a minor, the notice required by section 4-177 and section 4-180 shall also be given to the parents or guardian of the pupil. If an emergency exists, such

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hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services.

Sec. 50. (*Effective from passage*) Pursuant to the provisions of subsection (b) of section 10a-99 of the general statutes, repairs, alterations or additions to Central Connecticut State University's athletic fields and associated support facilities, not to exceed ten million dollars in total project costs, are hereby approved.

Sec. 51. (*Effective July 1, 2007*) (a) For the fiscal year ending June 30, 2008, the distribution of priority school district grants, pursuant to subsection (a) of section 10-266p of the general statutes, shall be as follows: (1) For priority school districts in the amount of \$42,413,547, (2) for school readiness in the amount of \$61,388,972, (3) for early reading success in the amount of \$19,747,286, (4) for extended school building hours in the amount of \$2,994,752, and (5) for school accountability in the amount of \$3,499,699.

(b) For the fiscal year ending June 30, 2009, the distribution of priority school district grants, pursuant to subsection (a) of section 10-266p of the general statutes, shall be as follows: (1) For priority school districts in the amount of \$41,413,547; (2) for school readiness in the amount of \$76,338,972; (3) for extended school building hours in the amount of \$2,994,752; and (4) for school accountability in the amount of \$3,499,699.

Sec. 52. (*Effective from passage*) Notwithstanding the provisions of chapter 173 of the general statutes, or any regulation adopted by the State Board of Education under said chapter 173 concerning eligible costs or maximum area eligible for reimbursement, state grant payments made as of June 30, 2007, for a project for the new Edison Magnet School in Meriden (Project Number 080-0076 MAG/N) shall

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be deemed payment in fulfillment of the state grant obligation with no further audit adjustments or payments.

Sec. 53. (NEW) (*Effective July 1, 2007*) Notwithstanding any provision of the general statutes, charter, special act or home-rule ordinance, if for any fiscal year, a local or regional school district has unexpended funds that, pursuant to the provisions of section 10-262i of the general statutes, as amended by this act, were paid to the town or towns which such district serves, such district shall carry-forward to the next fiscal year such unexpended funds.

Sec. 54. (NEW) (*Effective July 1, 2007*) (a) For the fiscal years ending June 30, 2008, to June 30, 2013, inclusive, there shall be a pilot program concerning the determination of adequate yearly progress for the school districts for Bridgeport, Hartford and New Haven. Under the program, the Department of Education shall determine the adequate yearly progress, as defined in the state accountability plan prepared in accordance with subsection (a) of section 10-223e of the general statutes, as amended by this act, for each district with data from each school under the jurisdiction of the board of education for such district and data from any state charter school, as defined in subdivision (3) of section 10-66aa of the general statutes, located in such district, provided the local board of education for such district and the charter school reach mutual agreement for the inclusion of the data from the charter schools and the terms of such agreement are approved by the State Board of Education.

(b) Not later than October 1, 2013, the Department of Education shall report, in accordance with the provisions of section 11-4a of the general statutes, the results of the determination of adequate yearly progress for any school district that participates in the pilot program pursuant to subsection (a) of this section to the joint standing committee of the General Assembly having cognizance of matters relating to education.

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Sec. 55. Subdivision (12) of subsection (a) of section 10a-109d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(12) Notwithstanding any provision of the general statutes to the contrary, including without limitation subsection (a) of section 10a-105, to fix and collect fees, tuition, charges, rentals and other charges for enrollment and attendance at the university and for the use of projects or any part thereof, provided that no tuition or student fee revenue shall be used for repairs performed solely to correct code violations that were applicable at the time of project completion and were for named projects pursuant to section 10a-109e completed prior to January 1, 2007; to provide for the promulgation of such reasonable and proper policies and procedures as may be necessary to assure the maximum use of the facilities of any projects at all times.

Sec. 56. Subdivision (29) of section 10a-109c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(29) "Deferred maintenance" means repair of an infrastructure or structure, that was not maintained, repaired or replaced in the usual course of maintenance and repair, [, except for repairs performed solely to correct code violations that were applicable at the time of project completion and were for named projects pursuant to section 10a-109e, (A) which did not meet the threshold limits, as defined in section 29-276b, and (B) were completed prior to July 1, 2006.]

Sec. 57. (*Effective from passage*) Notwithstanding the provisions of section 10-286 of the general statutes, concerning the calculation of grants using the state standard space specifications and ineligible repairs and replacements or any regulation adopted by the State Board of Education concerning said specifications and repairs and replacements, the project for renovation and extension (Project

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Number 204-0013 RNV/E) at Valley Regional High School for Regional School District No. 4, shall not be subject to the state standard space specifications and provisions concerning ineligible repairs and replacements for the purpose of the calculation of the grant for such project.

Sec. 58. (*Effective from passage*) 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 requiring that the description of a project type for a school building project be made at the time of application for a school building project grant or the provisions of subdivision (18) of section 10-282 of the general statutes, requiring a renovation project to cost less than building a new facility, the town of Westbrook may change the description of the extension and alteration project (Project Number 154-0020 EA) at Westbrook Middle/High School in Westbrook to a renovation project and subsequently qualify as a renovation, as defined in subdivision (18) of said section 10-282, provided (1) the amount of the grant shall not exceed the amount that such grant for such project would be if such project was a project for new construction, and (2) Westbrook shall not be eligible for state grant assistance under chapter 173 of the general statutes to correct code violations at this facility for a period of twenty-five years, except to comply with future code modifications.

Sec. 59. (*Effective from passage*) 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 requiring that the description of a project type for a school building project be made at the time of application for a school building project grant or the provisions of subdivision (18) of section 10-282 of the general statutes, requiring a renovation project to cost less than building a new facility, the Regional School District No. 4 may change the description of the extension and alteration and roof replacement project (Project Number

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204-0014 EA/RR) at John Winthrop Junior High School to a renovation project and subsequently qualify as a renovation, as defined in subdivision (18) of said section 10-282, provided (1) the amount of the grant shall not exceed the amount that such grant for such project would be if such project was a project for new construction, and (2) Regional School District No. 4 shall not be eligible for state grant assistance under chapter 173 of the general statutes, to correct code violations at this facility for a period of twenty-five years, except to comply with future code modifications.

Sec. 60. (*Effective July 1, 2007*) Not later than October 1, 2007, the Department of Education shall notify any local or regional board of education that enrolls students in full-time approved interdistrict magnet school programs pursuant to section 10-264l of the general statutes, as amended by this act, that such board should anticipate that for the fiscal year ending June 30, 2010, such students shall be counted at a rate of fifty per cent for the purpose of calculating total need students, as defined in subdivision (25) of section 10-262f of the general statutes, as amended by this act.

Sec. 61. Section 10-262f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

Whenever used in this section and sections 10-262h to 10-262j, inclusive:

(1) "Adjusted equalized net grand list" means the equalized net grand list of a town multiplied by its income adjustment factor.

(2) "Base aid ratio" means one minus the ratio of a town's wealth to the state guaranteed wealth level, provided no town's aid ratio shall be less than [six one-hundredths] nine one-hundredths, except for towns which rank from one to twenty when all towns are ranked in descending order from one to one hundred sixty-nine based on the

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ratio of the number of children below poverty to the number of children age five to seventeen, inclusive, the town's aid ratio shall not be less than thirteen one-hundredths when based on data used to determine the grants pursuant to section 10-262h, as amended by this act, for the fiscal year ending June 30, 2008.

(3) "Income adjustment factor" means the average of a town's per capita income divided by the per capita income of the town with the highest per capita income in the state and a town's median household income divided by the median household income of the town with the highest median household income in the state.

(4) "Median household income" for each town means that enumerated in the most recent federal decennial census of population or that enumerated in the current population report series issued by the United States Department of Commerce, Bureau of the Census, whichever is more recent and available on January first of the fiscal year two years prior to the fiscal year in which payment is to be made pursuant to section 10-262i.

(5) "Supplemental aid factor" means for each town the average of its percentage of children eligible under the temporary family assistance program and its grant mastery percentage.

(6) "Percentage of children eligible under the temporary family assistance program" means the town's number of children under the temporary family assistance program divided by the number of children age five to seventeen, inclusive, in the town.

(7) "Average mastery percentage" means for each school year the average of the three most recent mastery percentages available on December first of the school year.

(8) "Equalized net grand list", for purposes of calculating the amount of grant to which any town is entitled in accordance with

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section 10-262h, means the average of the net grand lists of the town upon which taxes were levied for the general expenses of the town two, three and four years prior to the fiscal year in which such grant is to be paid, provided such net grand lists are equalized in accordance with section 10-261a.

(9) "Foundation" means (A) for the fiscal year ending June 30, 1990, three thousand nine hundred eighteen dollars, (B) for the fiscal year ending June 30, 1991, four thousand one hundred ninety-two dollars, (C) for the fiscal year ending June 30, 1992, four thousand four hundred eighty-six dollars, (D) for the fiscal years ending June 30, 1993, June 30, 1994, and June 30, 1995, four thousand eight hundred dollars, (E) for the fiscal years ending June 30, 1996, June 30, 1997, and June 30, 1998, five thousand seven hundred eleven dollars, (F) for the fiscal year ending June 30, 1999, five thousand seven hundred seventy-five dollars, [and] (G) for the fiscal years ending June 30, 2000, to June 30, 2007, inclusive, five thousand eight hundred ninety-one dollars, and (H) for the fiscal years ending June 30, 2008, to June 30, 2012, inclusive, nine thousand six hundred eighty-seven dollars.

(10) "Number of children age five to seventeen, inclusive" means that enumerated in the most recent federal decennial census of population or enumerated in the current population report series issued by the United States Department of Commerce, Bureau of the Census, whichever is more recent and available on January first of the fiscal year two years prior to the fiscal year in which payment is to be made pursuant to section 10-262i.

(11) "Supplemental aid ratio" means .04 times the supplemental aid factor of a town divided by the highest supplemental aid factor when all towns are ranked from low to high, provided any town whose percentage of children eligible under the temporary family assistance program exceeds twenty-five shall have a supplemental aid ratio of .04.

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(12) "Grant mastery percentage" means (A) for the school year ending June 30, 1989, average mastery percentage, and (B) for the school years ending June 30, 1990, through the school year ending June 30, 1995, the average mastery percentage plus the mastery improvement bonus, and (C) for each school year thereafter, the average mastery percentage.

(13) "Mastery count" of a town means for each school year the grant mastery percentage of the town multiplied by the number of resident students.

(14) "Mastery improvement bonus" means for each school year through the school year ending June 30, 1995, seventy-five per cent of the difference between (A) the grant mastery percentage for the previous school year, and (B) the average mastery percentage for the school year, but not less than zero.

(15) "Mastery percentage" of a town for any examination year means, using the mastery test data of record for the examination year, the number obtained by dividing (A) the total number of valid tests with scores below the state-wide standard for remedial assistance as determined by the Department of Education in each subject of the examinations pursuant to subdivisions (1) and (2) of subsection (a) of section 10-14n taken by resident students, by (B) the total number of such valid tests taken by such students.

(16) "Mastery test data of record" for any examination year means the data of record on the April thirtieth subsequent to the administration of the examinations pursuant to subdivisions (1) and (2) of subsection (a) of section 10-14n, except that school districts may, not later than the March first following the administration of an examination, file a request with the Department of Education for an adjustment of the mastery test data from such examination.

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(17) "Number of children under the temporary family assistance program" means the number obtained by adding together the unduplicated aggregate number of children five to eighteen years of age eligible to receive benefits under the temporary family assistance program or its predecessor federal program, as appropriate, in October and May of each fiscal year, and dividing by two, such number to be certified and submitted annually, no later than the first day of July of the succeeding fiscal year, to the Commissioner of Education by the Commissioner of Social Services.

(18) "Per capita income" for each town means that enumerated in the most recent federal decennial census of population or that enumerated in the current population report series issued by the United States Department of Commerce, Bureau of the Census, whichever is more recent and available on January first of the fiscal year two years prior to the fiscal year in which payment is to be made pursuant to section 10-262i.

(19) "Regional bonus" means, for any town which is a member of a regional school district and has students who attend such regional school district, an amount equal to one hundred dollars for each such student enrolled in the regional school district on October first or the full school day immediately preceding such date for the school year prior to the fiscal year in which the grant is to be paid multiplied by the ratio of the number of grades, kindergarten to grade twelve, inclusive, in the regional school district to thirteen.

(20) "Regular program expenditures" means (A) total current educational expenditures less (B) expenditures for (i) special education programs pursuant to subsection (h) of section 10-76f, (ii) pupil transportation eligible for reimbursement pursuant to section 10-266m, (iii) land and capital building expenditures, and equipment otherwise supported by a state grant pursuant to chapter 173, including debt service, provided, with respect to debt service, the principal amount of

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any debt incurred to pay an expense otherwise includable in regular program expenditures may be included as part of regular program expenditures in annual installments in accordance with a schedule approved by the Department of Education based upon substantially equal principal payments over the life of the debt, (iv) health services for nonpublic school children, (v) adult education, (C) expenditures directly attributable to (i) state grants received by or on behalf of school districts except grants for the categories of expenditures listed in subparagraphs (B)(i) to (B)(v), inclusive, of this subdivision and except grants received pursuant to section 10-262i and section 10-262c of the general statutes, revision of 1958, revised to January 1, 1987, and except grants received pursuant to chapter 173, (ii) federal grants received by or on behalf of school districts except for adult education and federal impact aid, and (iii) receipts from the operation of child nutrition services and student activities services, (D) expenditures of funds from private and other sources, and (E) tuition received on account of nonresident students. The town of Woodstock may include as part of the current expenses of its public schools for each school year the amount expended for current expenses in that year by Woodstock Academy from income from its endowment funds upon receipt from said academy of a certified statement of such current expenses. The town of Winchester may include as part of the current expenses of its public school for each school year the amount expended for current expenses in that year by the Gilbert School from income from its endowment funds upon receipt from said school of a certified statement of such current expenses.

(21) "Regular program expenditures per need student" means, in any year, the regular program expenditures of a town for such year divided by the number of total need students in the town for such school year, provided for towns which are members of a kindergarten to grade twelve, inclusive, regional school district and for such regional school district, "regular program expenditures per need

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student" means, in any year, the regular program expenditures of such regional school district divided by the sum of the number of total need students in all such member towns.

(22) "Resident students" means the number of pupils of the town enrolled in public schools at the expense of the town on October first or the full school day immediately preceding such date, provided the number shall be decreased by the Department of Education for failure to comply with the provisions of section 10-16 and shall be increased by one one-hundred-eightieth for each full-time equivalent school day in the school year immediately preceding such date of at least five hours of actual school work in excess of one hundred eighty days and nine hundred hours of actual school work and be increased by the full-time equivalent number of such pupils attending the summer sessions immediately preceding such date at the expense of the town; "enrolled" shall include pupils who are scheduled for vacation on the above date and who are expected to return to school as scheduled. Pupils participating in the program established pursuant to section 10-266aa shall be counted in accordance with the provisions of subsection (h) of section 10-266aa.

(23) "Schools" means nursery schools, kindergarten and grades one to twelve, inclusive.

(24) "State guaranteed wealth level" means (A) for the fiscal year ending June 30, 1990, 1.8335 times the town wealth of the town with the median wealth as calculated using the data of record on December first of the fiscal year prior to the year in which the grant is to be paid pursuant to section 10-262i, [and] (B) for the fiscal years ending June 30, 1991, and 1992, 1.6651 times the town wealth of the town with such median wealth, [and] (C) for the fiscal years ending June 30, 1993, June 30, 1994, and June 30, 1995, 1.5361 times the town wealth of the town with the median wealth, [and] (D) for the fiscal [year] years ending June 30, 1996, [and each fiscal year thereafter] to June 30, 2007,

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inclusive, 1.55 times the town wealth of the town with the median wealth, and (E) for the fiscal year ending June 30, 2008, and each fiscal year thereafter, 1.75 times the town wealth of the town with the median wealth.

(25) "Total need students" means the sum of (A) the number of resident students of the town for the school year, except that for the fiscal year commencing July 1, 2008, such number shall be reduced by one-quarter of the number resident students of the town for the school year enrolled in full-time approved interdistrict magnet school programs pursuant to section 10-264l, (B) (i) for any school year commencing prior to July 1, 1998, one-quarter the number of children under the temporary family assistance program for the prior fiscal year, and (ii) for the school [year] years commencing July 1, 1998, [and each school year thereafter] to July 1, 2006, inclusive, one-quarter the number of children under the temporary family assistance program for the fiscal year ending June 30, 1997, (C) for school years commencing July 1, 1995, to July 1, 2006, inclusive, one-quarter of the mastery count for the school year, [and] (D) for school years commencing July 1, 1995, to July 1, 2006, inclusive, ten per cent of the number of eligible children, as defined in subdivision (1) of section 10-17e, for whom the board of education is not required to provide a program pursuant to section 10-17f, (E) for the school year commencing July 1, 2007, and each school year thereafter, fifteen per cent of the number of eligible students, as defined in subdivision (1) of section 10-17e, for whom the board of education is not required to provide a program pursuant to section 10-17f, and (F) for the school year commencing July 1, 2007, and each school year thereafter, thirty-three per cent of the number of children below the level of poverty.

(26) "Town wealth" means the average of a town's adjusted equalized net grand list divided by its total need students for the fiscal year prior to the year in which the grant is to be paid and its adjusted

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equalized net grand list divided by its population.

(27) "Population" of a town means that enumerated in the most recent federal decennial census of population or that enumerated in the current population report series issued by the United States Department of Commerce, Bureau of the Census available on January first of the fiscal year two years prior to the fiscal year in which a grant is to be paid, whichever is most recent; except that any town whose enumerated population residing in state and federal institutions within such town and attributed to such town by the census exceeds forty per cent of such "population" shall have its population adjusted as follows: Persons who are incarcerated or in custodial situations, including, but not limited to jails, prisons, hospitals or training schools or persons who reside in dormitory facilities in schools, colleges, universities or on military bases shall not be counted in the "population" of a town.

(28) "Base revenue" for the fiscal year ending June 30, 1995, means the sum of the grant entitlements for the fiscal year ending June 30, 1995, of a town pursuant to section 10-262h and subsection (a) of section 10-76g, including its proportional share, based on enrollment, of the revenue paid pursuant to section 10-76g, to the regional district of which the town is a member, and for each fiscal year thereafter means the amount of each town's entitlement pursuant to section 10-262h minus its density supplement, as determined pursuant to subdivision (6) of subsection (a) of section 10-262h, except that for the fiscal year ending June 30, 2003, each town's entitlement shall be determined without using the adjustments made to the previous year's grant pursuant to subparagraph (M) of subdivision (6) of subsection (a) of section 10-262h, except that for the fiscal year ending June 30, 2004, each town's entitlement shall be determined without using the adjustments made to the previous year's grant pursuant to subparagraph (N) of subdivision (6) of subsection (a) of section 10-262h.

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(29) "Density" means the population of a town divided by the square miles of a town.

(30) "Density aid ratio" means the product of (A) the density of a town divided by the density of the town in the state with the highest density, and (B) .006273.

(31) "Mastery goal improvement count" means the product of (A) the difference between the percentage of state-wide mastery examination scores, pursuant to subdivisions (1) and (2) of subsection (a) of section 10-14n, at or above the mastery goal level for the most recently completed school year and the percentage of such scores for the prior school year, and (B) the resident students of the town, or zero, whichever is greater.

(32) "Target aid" means the sum of (A) the product of a town's base aid ratio, the foundation level and the town's total need students for the fiscal year prior to the year in which the grant is to be paid, (B) the product of a town's supplemental aid ratio, the foundation level and the sum of the portion of its total need students count described in subparagraphs (B) and (C) of subdivision (25) of this section for the fiscal year prior to the fiscal year in which the grant is to be paid, and the adjustments to its resident student count described in subdivision (22) of this section relative to length of school year and summer school sessions, and (C) the town's regional bonus.

(33) "Fully funded grant" means the sum of (A) the product of a town's base aid ratio, the foundation level and the town's total need students for the fiscal year prior to the year in which the grant is to be paid, and (B) the town's regional bonus.

(34) "Number of children below the level of poverty" means the number of children, ages five to seventeen, inclusive, in families in poverty, as determined under Part A of Title I of the No Child Left

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Behind Act, P.L. 107-110. The count for member towns of regional school districts shall be the sum of towns' initial determination under Title I and the proportionate share of the regional districts determination based member enrollment in the regional district.

(35) "Current program expenditures" means (A) total current educational expenditures less (B) expenditures for (i) land and capital building expenditures, and equipment otherwise supported by a state grant pursuant to chapter 173, including debt service, provided, with respect to debt service, the principal amount of any debt incurred to pay an expense otherwise includable in regular program expenditures may be included as part of regular program expenditures in annual installments in accordance with a schedule approved by the Department of Education based upon substantially equal principal payments over the life of the debt, (ii) health services for nonpublic school children, and (iii) adult education, (C) expenditures directly attributable to (i) state grants received by or on behalf of school districts except grants for the categories of expenditures listed in subparagraphs (B)(i) to (B)(iii), inclusive, of this subdivision and except grants received pursuant to section 10-262i and section 10-262c of the general statutes, revision of 1958, revised to January 1, 1987, and except grants received pursuant to chapter 173, (ii) federal grants received by or on behalf of school districts except for adult education and federal impact aid, and (iii) receipts from the operation of child nutrition services and student activities services, (D) expenditures of funds from private and other sources, and (E) tuition received on account of nonresident students. The town of Woodstock may include as part of the current expenses of its public schools for each school year the amount expended for current expenses in that year by Woodstock Academy from income from its endowment funds upon receipt from said academy of a certified statement of such current expenses. The town of Winchester may include as part of the current expenses of its public school for each school year the amount expended for current

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expenses in that year by the Gilbert School from income from its endowment funds upon receipt from said school of a certified statement of such current expenses.

(36) "Current program expenditures per resident student" means, in any year, the current program expenditures of a town for such year divided by the number of resident students in the town for such school year, provided for towns which are members of a kindergarten to grade twelve, inclusive, regional school district, "current program expenditures per resident student" means, in any year, the current program expenditures of such regional school district divided by the sum of the number of total resident students in all such member towns.

(37) "Base aid" means the amount of the grant pursuant to section 10-262h, as amended by this act, that a town was eligible to receive for the fiscal year ending June 30, 2007.

Sec. 62. Subdivision (6) of subsection (a) of section 10-262h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(6) For the fiscal year ending June 30, 1996, and each fiscal year thereafter, a grant in an amount equal to the amount of its target aid as described in subdivision (32) of section 10-262f except that such amount shall be capped in accordance with the following: (A) For the fiscal years ending June 30, 1996, June 30, 1997, June 30, 1998, and June 30, 1999, for each town, the maximum percentage increase over its previous year's base revenue shall be the product of five per cent and the ratio of the wealth of the town ranked one hundred fifty-third when all towns are ranked in descending order to each town's wealth, provided no town shall receive an increase greater than five per cent. (B) For the fiscal years ending June 30, 2000, June 30, 2001, June 30, 2002, June 30, 2003, and June 30, 2004, for each town, the maximum

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percentage increase over its previous year's base revenue shall be the product of six per cent and the ratio of the wealth of the town ranked one hundred fifty-third when all towns are ranked in descending order to each town's wealth, provided no town shall receive an increase greater than six per cent. (C) No such cap shall be used for the fiscal year ending June 30, 2005, or any fiscal year thereafter. (D) For the fiscal year ending June 30, 1996, for each town, the maximum percentage reduction from its previous year's base revenue shall be equal to the product of three per cent and the ratio of each town's wealth to the wealth of the town ranked seventeenth when all towns are ranked in descending order, provided no town's grant shall be reduced by more than three per cent. (E) For the fiscal years ending June 30, 1997, June 30, 1998, and June 30, 1999, for each town, the maximum percentage reduction from its previous year's base revenue shall be equal to the product of five per cent and the ratio of each town's wealth to the wealth of the town ranked seventeenth when all towns are ranked in descending order, provided no town's grant shall be reduced by more than five per cent. (F) For the fiscal year ending June 30, 2000, and each fiscal year thereafter, no town's grant shall be less than the grant it received for the prior fiscal year. (G) For each fiscal year prior to the fiscal year ending June 30, 2008, except for the fiscal year ending June 30, 2004, in addition to the amount determined pursuant to this subdivision, a town shall be eligible for a density supplement if the density of the town is greater than the average density of all towns in the state. The density supplement shall be determined by multiplying the density aid ratio of the town by the foundation level and the town's total need students for the prior fiscal year provided, for the fiscal year ending June 30, 2000, and each fiscal year thereafter, no town's density supplement shall be less than the density supplement such town received for the prior fiscal year. (H) For the fiscal year ending June 30, 1997, the grant determined in accordance with this subdivision for a town ranked one to forty-two when all towns are ranked in descending order according to town

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wealth shall be further reduced by one and two-hundredths of a per cent and such grant for all other towns shall be further reduced by fifty-six-hundredths of a per cent. (I) For the fiscal year ending June 30, 1998, and each fiscal year thereafter, no town whose school district is a priority school district shall receive a grant pursuant to this subdivision in an amount that is less than the amount received under such grant for the prior fiscal year. (J) For the fiscal year ending June 30, 2000, and each fiscal year through the fiscal year ending June 30, 2003, no town whose school district is a priority school district shall receive a grant pursuant to this subdivision that provides an amount of aid per resident student that is less than the amount of aid per resident student provided under the grant received for the prior fiscal year. (K) For the fiscal year ending June 30, 1998, and each fiscal year thereafter, no town whose school district is a priority school district shall receive a grant pursuant to this subdivision in an amount that is less than seventy per cent of the sum of (i) the product of a town's base aid ratio, the foundation level and the town's total need students for the fiscal year prior to the year in which the grant is to be paid, (ii) the product of a town's supplemental aid ratio, the foundation level and the sum of the portion of its total need students count described in subparagraphs (B) and (C) of subdivision (25) of section 10-262f for the fiscal year prior to the fiscal year in which the grant is to be paid, and the adjustments to its resident student count described in subdivision (22) of said section 10-262f relative to length of school year and summer school sessions, and (iii) the town's regional bonus. (L) For the fiscal year ending June 30, 2000, and each fiscal year thereafter, no town whose school district is a transitional school district shall receive a grant pursuant to this subdivision in an amount that is less than forty per cent of the sum of (i) the product of a town's base aid ratio, the foundation level and the town's total need students for the fiscal year prior to the fiscal year in which the grant is to be paid, (ii) the product of a town's supplemental aid ratio, the foundation level and the sum of the portion of its total need students count described in subparagraphs

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(B) and (C) of subdivision (25) of section 10-262f for the fiscal year prior to the fiscal year in which the grant is to be paid, and the adjustments to its resident student count described in subdivision (22) of said section 10-262f relative to length of school year and summer school sessions, and (iii) the town's regional bonus. (M) For the fiscal year ending June 30, 2002, (i) each town whose target aid is capped pursuant to this subdivision shall receive a grant that includes a pro rata share of twenty-five million dollars based on the difference between its target aid and the amount of the grant determined with the cap, and (ii) all towns shall receive a grant that is at least 1.68 per cent greater than the grant they received for the fiscal year ending June 30, 2001. (N) For the fiscal year ending June 30, 2003, (i) each town whose target aid is capped pursuant to this subdivision shall receive a pro rata share of fifty million dollars based on the difference between its target aid and the amount of the grant determined with the cap, and (ii) each town shall receive a grant that is at least 1.2 per cent more than its base revenue, as defined in subdivision (28) of section 10-262f. (O) For the fiscal year ending June 30, 2003, each town shall receive a grant that is at least equal to the grant it received for the prior fiscal year. (P) For the fiscal year ending June 30, 2004, (i) each town whose target aid is capped pursuant to this subdivision shall receive a grant that includes a pro rata share of fifty million dollars based on the difference between its target aid and the amount of the grant determined with the cap, (ii) each town's grant including the cap supplement shall be reduced by three per cent, (iii) the towns of Bridgeport, Hartford and New Haven shall each receive a grant that is equal to the grant such towns received for the prior fiscal year plus one million dollars, (iv) those towns described in clause (i) of this subparagraph shall receive a grant that includes a pro rata share of three million dollars based on the same pro rata basis as used in said clause (i), (v) towns whose school districts are priority school districts pursuant to subsection (a) of section 10-266p or transitional school districts pursuant to section 10-263c or who are eligible for grants

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under section 10-276a or 10-263d for the fiscal years ending June 30, 2002, to June 30, 2004, inclusive, shall receive grants that are at least equal to the grants they received for the prior fiscal year, (vi) towns not receiving funds under clause (iii) of this subparagraph shall receive a pro rata share of any remaining funds based on their grant determined under this subparagraph. (Q) For the fiscal year ending June 30, 2005, (i) no town shall receive a grant pursuant to this subparagraph in an amount that is less than sixty per cent of the amount determined pursuant to the previous subparagraphs of this subdivision, (ii) notwithstanding the provisions of subparagraph (B) of this subdivision, each town shall receive a grant that is equal to the amount the town received for the prior fiscal year increased by twenty-three and twenty-seven hundredths per cent of the difference between the grant amount calculated pursuant to this subdivision and the amount the town received for the prior fiscal year, (iii) no town whose school district is a priority school district pursuant to subsection (a) of section 10-266p shall receive a grant pursuant to this subdivision that is less than three hundred seventy dollars per resident student, and (iv) each town shall receive a grant that is at least the greater of the amount of the grant it received for the fiscal year ending June 30, 2003, or the amount of the grant it received for the fiscal year ending June 30, 2004, increased by seven tenths per cent, except that the town of Winchester shall not receive less than its fixed entitlement for the fiscal year ending June 30, 2003. (R) Notwithstanding the provisions of this subdivision, for the fiscal years ending June 30, 2006, and June 30, 2007, each town shall receive a grant that is equal to the amount of the grant the town received for the fiscal year ending June 30, 2005, increased by two per cent plus the amount specified in section 33 of public act 05-245*, provided for the fiscal year ending June 30, 2007, no town shall receive a grant in an amount that is less than sixty per cent of the amount of its target aid as described in subdivision (32) of section 10-262f. (S) For the fiscal year ending June 30, 2008, [and for each fiscal year thereafter, no town shall receive a grant in an amount

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that is less than (i) the grant it received for the prior fiscal year, or (ii) sixty per cent of the amount of its target aid as described in subdivision (32) of section 10-262f] a grant in an amount equal to the sum of (i) the town's base aid, and (ii) seventeen and thirty-one one hundredths per cent of the difference between the town's fully funded grant as described in subdivision (33) of section 10-262f, as amended by this act, and its base aid, except that no town shall receive a grant that is less than the amount of the grant the town received for the fiscal year ending June 30, 2007, increased by four and four tenths per cent. (T) For the fiscal year ending June 30, 2009, a grant in an amount equal to the sum of (i) the town's base aid, and (ii) twenty-three and three tenths per cent of the difference between the fully funded grant as described in said subdivision (33) of section 10-262f, and its base aid, except that no town shall receive a grant that is less than the amount of the grant the town received for the fiscal year ending June 30, 2008, increased by four and four tenths per cent.

Sec. 63. Section 10-262i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) For the fiscal year ending June 30, 1990, and for each fiscal year thereafter, each town shall be paid a grant equal to the amount the town is entitled to receive under the provisions of section 10-262h, as calculated using the data of record as of the December first prior to the fiscal year such grant is to be paid, adjusted for the difference between the final entitlement for the prior fiscal year and the preliminary entitlement for such fiscal year as calculated using the data of record as of the December first prior to the fiscal year when such grant was paid.

(b) The amount due each town pursuant to the provisions of subsection (a) of this section shall be paid by the Comptroller, upon certification of the Commissioner of Education, to the treasurer of each town entitled to such aid in installments during the fiscal year as follows: Twenty-five per cent of the grant in October, twenty-five per

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cent of the grant in January and the balance of the grant in April. The balance of the grant due towns under the provisions of this subsection shall be paid in March rather than April to any town which has not adopted the uniform fiscal year and which would not otherwise receive such final payment within the fiscal year of such town.

(c) All aid distributed to a town pursuant to the provisions of this section shall be expended for educational purposes only and shall be expended upon the authorization of the local or regional board of education. For the fiscal year ending June 30, 1999, and each fiscal year thereafter, if a town receives an increase in funds pursuant to this section over the amount it received for the prior fiscal year such increase shall not be used to supplant local funding for educational purposes. The budgeted appropriation for education in any town receiving an increase in funds pursuant to this section shall be not less than the amount appropriated for education for the prior year plus such increase in funds.

(d) Notwithstanding the provisions of subsection (c) of this section, for the fiscal years ending June 30, 2008, and June 30, 2009, the budgeted appropriation for education in any town receiving an increase in funds pursuant to this section shall be not less than the amount appropriated for education for the prior year plus the percentage of such increase in funds as determined under subsection (e) of this section.

(e) The percentage of the increase in aid pursuant to this section applicable under subsection (d) shall be the average of the results of (1) (A) a town's current program expenditures per resident student pursuant to subdivision (36) of section 10-262f, as amended by this act, subtracted from the highest current program expenditures per resident student in this state, (B) divided by the difference between the highest current program expenditures per resident student in this state and the lowest current program expenditures per resident student in this state,

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(C) multiplied by fifty per cent, (D) plus fifteen percentage points, (2) (A) a town's wealth pursuant to subdivision (26) of section 10-262f, subtracted from the wealth of the town with the highest wealth of all towns in this state, (B) divided by the difference between the wealth of the town with the highest wealth of all towns in this state and the wealth of the town with the lowest wealth of all towns in this state, (C) multiplied by fifty per cent, (D) plus fifteen percentage points, and (3) (A) a town's grant mastery percentage pursuant to subdivision (12) of section 10-262f, as amended by this act, subtracted from one, subtracted from one minus the grant mastery percentage of the town with the highest grant mastery percentage in this state, (B) divided by the difference between one minus the grant mastery percentage of the town with the highest grant mastery percentage in this state and one minus the grant mastery percentage of the town with the lowest grant mastery percentage in this state, (C) multiplied by fifty per cent, (D) plus fifteen percentage points. For any town whose school district is in its third year or more of being identified as in need of improvement pursuant to section 10-223e, and has failed to make adequate yearly progress in mathematics or reading at the whole district level, the percentage determined pursuant to this subsection for such town shall be increased by an additional twenty percentage points. On or before September 15, 2007, for the fiscal year ending June 30, 2008, a town may request the Commissioner of Education to defer a portion of the town's increase in aid over the prior fiscal year pursuant to this section to be expended in the subsequent fiscal year. If the commissioner approves such request, the deferred amount shall be credited to the increase in aid for the fiscal year ending June 30, 2009, rather than the fiscal year ending June 30, 2008. Such funds shall be expended in the fiscal year ending June 30, 2009, in accordance with the provisions of this section. In no case shall a town be allowed to defer increases in aid required to be spent for education as a result of failure to make adequate yearly progress in accordance with the provisions of this subdivision.

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[(d)] (f) Upon a determination by the State Board of Education that a town or kindergarten to grade twelve, inclusive, regional school district failed in any fiscal year to meet the requirements pursuant to subsection (c) or (d) of this section, the town or kindergarten to grade twelve, inclusive, regional school district shall forfeit an amount equal to two times the amount of the shortfall. The amount so forfeited shall be withheld by the Department of Education from the grant payable to the town in the second fiscal year immediately following such failure by deducting such amount from the town's equalization aid grant payment pursuant to this section, except that in the case of a kindergarten to grade twelve, inclusive, regional school district, the amount so forfeited shall be withheld by the Department of Education from the grants payable pursuant to this section to the towns which are members of such regional school district. The amounts deducted from such grants to each member town shall be proportional to the number of resident students in each member town. Notwithstanding the provisions of this subsection, the State Board of Education may waive such forfeiture upon agreement with the town or kindergarten to grade twelve, inclusive, regional school district that the town or kindergarten to grade twelve, inclusive, regional school district shall increase its budgeted appropriation during the fiscal year in which the forfeiture would occur by an amount not less than the amount of said forfeiture or for other good cause shown. Any additional funds expended pursuant to such an agreement shall not be included in a district's expenditures for the purpose of establishing any future minimum expenditure requirement.

Sec. 64. Section 10-262j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) For the fiscal years ending June 30, 1990, June 30, 1991, June 30, 1992, and June 30, 1993, the regular program expenditures of a town shall be not less than the greater of (1) the product of (A) the target

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foundation multiplied by the number of total need students of the town for the prior school year, and (B) the ratio of the town's grant entitlement for such year pursuant to section 10-262h divided by the town's target grant, or (2) an amount equal to the sum of (A) the regular program expenditures for the town for the prior fiscal year, and (B) the amount of the aid increase paid to the town as calculated pursuant to subsection (b) of this section.

(b) For the purposes of subsection (a) of this section, the amount of the aid increase paid to a town shall be (1) for the fiscal year ending June 30, 1990, the amount of aid to be paid to the town for the fiscal year ending June 30, 1990, pursuant to section 10-262i, less the base aid for the town, (2) for the fiscal year ending June 30, 1991, the amount of aid paid to the town for the fiscal year ending June 30, 1991, pursuant to said section, less the amount of aid paid to the town for the fiscal year ending June 30, 1990, pursuant to said section, (3) for the fiscal year ending June 30, 1992, the amount of aid paid to the town for the fiscal year ending June 30, 1992, pursuant to said section, less the amount of aid paid to the town for the fiscal year ending June 30, 1991, pursuant to said section, (4) for the fiscal year ending June 30, 1993, the amount of aid paid to the town for the fiscal year ending June 30, 1993, less the amount of aid paid to the town for the fiscal year ending June 30, 1992, pursuant to said section, (5) for the fiscal years ending June 30, 1994, and June 30, 1995, the amount of aid paid to the town for the fiscal year pursuant to said section, less the amount of aid paid to the town for the prior fiscal year pursuant to said section, (6) for the fiscal year ending June 30, 1996, the amount paid to the town for the fiscal year ending June 30, 1996, pursuant to said section less base revenue for the fiscal year ending June 30, 1995, (7) for the fiscal year ending June 30, 1997, the amount paid to the town for the fiscal year ending June 30, 1997, less the amount paid to the town for the fiscal year ending June 30, 1996, pursuant to said section, (8) for the fiscal year ending June 30, 1998, the amount paid to the town for the fiscal year

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ending June 30, 1998, less the amount paid to the town for the fiscal year ending June 30, 1997, pursuant to said section, (9) for the fiscal year ending June 30, 1999, the amount paid to the town for the fiscal year ending June 30, 1999, less the amount paid to the town for the fiscal year ending June 30, 1998, pursuant to said section, and (10) for the fiscal year ending June 30, 2000, and each fiscal year thereafter, the amount paid to the town for said fiscal year, less the amount paid to the town for the year prior to said fiscal year, provided any amounts paid pursuant to section 7 of public act 99-217* shall be included in the determination of the aid increase paid to the town.

(c) Notwithstanding the provisions of subsection (a) of this section, for the years ending June 30, 1990, June 30, 1991, June 30, 1992, and June 30, 1993, no town shall be required to spend more on regular program expenditures than an amount equal to the product of the foundation for such year and the total need students of the town for the prior school year.

(d) (1) For the year ending June 30, 1994, the regular program expenditures of a town shall be not less than the greater of the foundation for such year multiplied by the total need students of the town for the prior school year or an amount equal to the sum of (A) the regular program expenditures for the town for the prior fiscal year, and (B) the amount of the aid increase paid to the town as calculated pursuant to subsection (b) of this section, except that no town shall be required to spend more on regular program expenditures than one hundred five per cent of the product of the foundation for such year and the total need students of the town for the prior school year.

(2) For the fiscal year ending June 30, 1995, the regular program expenditures of a town shall be not less than the greater of the foundation for such year multiplied by the total need students of the town for the prior school year or an amount equal to the sum of (A) the regular program expenditures for the town for the prior fiscal year,

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and (B) the amount of the aid increase paid to the town as calculated pursuant to subsection (b) of this section, except that no town shall be required to spend more on regular program expenditures than one hundred ten per cent of the product of the foundation for such year and the total need students of the town for the prior school year.

(3) For the fiscal years ending June 30, 1996, and June 30, 1997, the regular program expenditures of a town shall not be less than the lesser of (A) the sum of the regular program expenditures for the town for the prior fiscal year, and the amount of the aid increase paid to a town pursuant to subsection (b) of this section, or (B) the sum of the town's minimum expenditure requirement cap as determined by the Department of Education for the fiscal year ending June 30, 1995, and the sum of any aid increases paid to a town pursuant to subsection (b) of this section after the fiscal year ending June 30, 1995.

(4) For the fiscal year ending June 30, 1998, the regular program expenditures of a town shall be the lesser of the sum of (A) its minimum expenditure requirement for the fiscal year ending June 30, 1997, (B) its aid increase pursuant to subsection (b) of this section, and (C) the result obtained by multiplying the difference between the town's resident student count for October 1996, using the data of record as of December 1, 1996, and its final audited resident student count for October 1993, by one-half of the foundation, or the sum of (i) its minimum expenditure requirement for the fiscal year ending June 30, 1997, and (ii) its aid increase pursuant to subsection (b) of this section.

(5) For the fiscal year ending June 30, 1999, the regular program expenditures of a town shall be the lesser of the sum of (A) its minimum expenditure requirement for the fiscal year ending June 30, 1998, (B) its aid increase pursuant to subsection (b) of this section, and (C) the result obtained by multiplying the difference between the town's resident student count for October 1997, using the data of

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record as of December 1, 1997, and the town's resident student count for October 1996, using the data of record as of December 1, 1996, by one-half of the foundation, or the sum of (i) its minimum expenditure requirement for the fiscal year ending June 30, 1998, and (ii) its aid increase pursuant to subsection (b) of this section.

(6) For the fiscal year ending June 30, 2000, the regular program expenditures of a town shall be no less than the sum of (A) its minimum expenditure requirement for the fiscal year ending June 30, 1999, (B) its aid increase pursuant to subsection (b) of this section, and (C) the result obtained by multiplying the difference between the town's resident student count for October 1998, using the data of record as of December 1, 1998, and the town's resident student count for October 1997, using the data of record as of December 1, 1997, by one-half of the foundation.

(7) For the fiscal year ending June 30, 2001, the regular program expenditures of a town shall be no less than the sum of (A) its minimum expenditure requirement for the fiscal year ending June 30, 2000, (B) its aid increase pursuant to subsection (b) of this section, and (C) if the resident student count for October 1999, is less than the resident student count for October 1998, the result obtained by multiplying the difference between the town's resident student count for October 1999, using the data of record as of December 1, 1999, and the town's resident student count for October 1998, using the data of record as of December 1, 1998, by one-half of the foundation.

(8) For the fiscal year ending June 30, 2002, the regular program expenditures of a town shall be no less than the sum of (A) its minimum expenditure requirement for the fiscal year ending June 30, 2001, (B) its aid increase pursuant to subsection (b) of this section, and (C) if the resident student count for October 2000, is less than the resident student count for October 1999, the result obtained by multiplying the difference between the town's resident student count

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for October 2000, using the data of record as of December 1, 2000, and the town's resident student count for October 1999, using the data of record as of December 1, 1999, by one-half of the foundation.

(9) For the fiscal year ending June 30, 2003, the regular program expenditures of a town shall be no less than the sum of (A) its minimum expenditure requirement for the fiscal year ending June 30, 2002, (B) its aid increase pursuant to subsection (b) of this section, and (C) if the resident student count for October 2001, is less than the resident student count for October 2000, the result obtained by multiplying the difference between the town's resident student count for October 2001, using the data of record as of December 1, 2001, and the town's resident student count for October 2000, using the data of record as of December 1, 2000, by one-half of the foundation.

(10) For the fiscal year ending June 30, 2004, the regular program expenditures of a town shall be no less than the sum of (A) its minimum expenditure requirement for the fiscal year ending June 30, 2003, (B) its aid increase pursuant to subsection (b) of this section, and (C) if the resident student count for October 2002, is less than the resident student count for October 2001, the result obtained by multiplying the difference between the town's resident student count for October 2002, using the data of record as of December 1, 2002, and the town's resident student count for October 2001, using the data of record as of December 1, 2001, by one-half of the foundation.

(11) For the fiscal year ending June 30, 2005, the regular program expenditures of a town shall be no less than the sum of (A) its minimum expenditure requirement for the fiscal year ending June 30, 2004, (B) its aid increase pursuant to subsection (b) of this section, and (C) if the resident student count for October 2003, is less than the resident student count for October 2002, the result obtained by multiplying the difference between the town's resident student count for October 2003, using the data of record as of December 1, 2003, and

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the town's resident student count for October 2002, using the data of record as of December 1, 2002, by one-half of the foundation.

(12) For the fiscal year ending June 30, 2006, the regular program expenditures of a town shall be no less than the sum of (A) its minimum expenditure requirement for the fiscal year ending June 30, 2005, (B) its aid increase pursuant to subsection (b) of this section, and (C) if the resident student count for October 2004, is less than the resident student count for October 2003, the result obtained by multiplying the difference between the town's resident student count for October 2004, using the data of record as of December 1, 2004, and the town's resident student count for October 2003, using the data of record as of December 1, 2003, by one-half of the foundation.

(13) For the fiscal year ending June 30, 2007, the regular program expenditures of a town shall be no less than the sum of (A) its minimum expenditure requirement for the fiscal year ending June 30, 2006, (B) its aid increase pursuant to subsection (b) of this section, and (C) if the resident student count for October, 2005 is less than the resident student count for October, 2004 the result obtained by multiplying the difference between the town's resident student count for October, 2005 using the data of record as of December 1, 2005, and the town's resident student count for October, 2004 using the data of record as of December 1, 2004, by one-half of the foundation.

[(e) Upon a determination by the State Board of Education that a town or kindergarten to grade twelve, inclusive, regional school district failed in any fiscal year to meet its minimum expenditure requirement pursuant to subsection (a), (c), (d) or (f), as appropriate, of this section, the town or kindergarten to grade twelve, inclusive, regional school district shall forfeit an amount equal to two times the difference between said minimum expenditure requirement and the town's or kindergarten to grade twelve, inclusive, regional school district's actual regular program expenditures. The amount so forfeited

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shall be withheld by the Department of Education from the grant payable to the town in the second fiscal year immediately following such failure by deducting such amount from the town's equalization aid grant payment pursuant to section 10-262i, except that in the case of a kindergarten to grade twelve, inclusive, regional school district, the amount so forfeited shall be withheld by the Department of Education from the grants payable pursuant to said section 10-262i to the towns which are members of such regional school district. The amounts deducted from such grants to each member town shall be proportional to the number of resident students in each member town. Notwithstanding the provisions of this subsection, the State Board of Education may waive such forfeiture upon agreement with the town or kindergarten to grade twelve, inclusive, regional school district that the town or kindergarten to grade twelve, inclusive, regional school district shall exceed its minimum expenditure requirement during the fiscal year in which the forfeiture would occur by an amount not less than the amount of said forfeiture. Any additional funds expended pursuant to such an agreement shall not be included in a district's expenditures for the purpose of establishing any future minimum expenditure requirement.]

[(f)] (e) (1) Notwithstanding the provisions of subsections (a), (b) and (c) of this section: (A) For the fiscal years ending June 30, 1990, June 30, 1991, June 30, 1992, and June 30, 1993, the regular program expenditures of a kindergarten to grade twelve, inclusive, regional school district shall not be less than the greater of (i) the product of (I) the target foundation multiplied by the sum of the number of total need students in the member towns in the regional school district for the prior school year_z and (II) the ratio of the sum of the member towns' grant entitlements for such year pursuant to section 10-262h divided by the sum of the member towns' target grants_z or (ii) an amount equal to the sum of (I) the regular program expenditures for the regional school district for the prior fiscal year_z and (II) the amount

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of the sum of the aid increases paid to the member towns as calculated pursuant to subsection (b) of this section, provided no kindergarten to grade twelve, inclusive, regional school district shall be required to spend more on regular program expenditures than an amount equal to the product of the foundation for such year and the sum of the total need students in the member towns of the regional school district for the prior school year; and (B) for the year ending June 30, 1993, and for each fiscal year thereafter, the regular program expenditures of a kindergarten to grade twelve, inclusive, regional school district shall be not less than the foundation for such year multiplied by the sum of the total need students of all member towns for the prior school year.

(2) Notwithstanding the provisions of subdivision (3) of subsection (d) of this section, for the fiscal years ending June 30, 1996, and June 30, 1997, the regular program expenditures of a kindergarten to twelve, inclusive, regional school district shall not be less than the lesser of (A) the sum of the regular program expenditures for the regional school district for the prior fiscal year, and the sum of the member towns' aid increases pursuant to subsection (b) of this section, or (B) the sum of the member towns' minimum expenditure requirement caps as determined by the Department of Education for the fiscal year ending June 30, 1995, and the sum of the member towns' aid increases paid pursuant to subsection (b) of this section after the fiscal year ending June 30, 1995.

[(g)] (f) For the purposes of this section "total need students" means total need students as calculated using the data of record as of December first of such data year.

Sec. 65. Section 61 of public act 07-242 is repealed. (*Effective July 1, 2007*)