



Substitute Senate Bill No. 1406

Public Act No. 07-249

AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND CHANGES TO THE STATUTES CONCERNING SCHOOL BUILDING PROJECTS.

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

Section 1. (*Effective from passage*) The Commissioner of Education having reviewed applications for state grants for public school building projects in accordance with section 10-283 of the general statutes, as amended by this act, on the basis of priorities for such projects and standards for school construction established by the State Board of Education, and having prepared a listing of all such eligible projects ranked in order of priority, including a separate schedule of previously authorized projects which have changed substantially in scope or cost, as determined by said commissioner together with the amount of estimated grant with respect to each eligible project, and having submitted such listing of eligible projects, prior to December 15, 2006, to a committee of the General Assembly established under section 10-283a of the general statutes for the purpose of reviewing such listing, is hereby authorized to enter into grant commitments on behalf of the state in accordance with said section 10-283 with respect to the priority listing of such projects and in such estimated amounts as approved by said committee prior to February 1, 2007, as follows:

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(1) Estimated Grant Commitments.

School District School Project Number	Estimated Project Costs	Estimated Grant
HARTFORD Hooker Magnet School 0293 MAG/EA	\$ 41,775,200	\$ 39,686,440
NEW HAVEN Mauro Interdistrict PK-8 Magnet 0356 MAG/EA	30,900,000	29,355,000
WINDHAM Windham Interdistrict Magnet 0071 MAG/N	40,000,000	38,000,000
BRIDGEPORT Aquaculture Center 0158 VA/EA	31,500,000	29,925,000
SHELTON Grade 5 & 6 Upper Elementary 0081 EA/PS	41,478,715	17,628,454
CREC Soundbridge 0092 SP/EA	7,129,000	6,772,550
CES CES/Special Education Center 0033 SP/EA	7,900,000	7,505,000

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BLOOMFIELD Carmen Arace Middle School 0075 A/RR	28,818,300	14,305,404
BLOOMFIELD Laurel School 0076 EA	11,027,600	5,474,101
BLOOMFIELD Bloomfield High School 0077 EA/RR	35,711,300	17,727,089
BLOOMFIELD Metacomet School 0078 EA	9,683,300	4,806,790
BLOOMFIELD J.P. Vincent School 0079 EA	9,141,000	4,537,592
BRIDGEPORT Columbus School 0164 EA	8,650,000	6,920,000
GREENWICH Glenville School 0110 EA/RR	22,000,000	4,400,000
MILFORD Jonathan Law High School 0171 EA/EC	2,200,000	887,920

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NEW HAVEN		
East Rock Community School		
0355 N	40,000,000	31,428,000
SCOTLAND		
Scotland Elementary School		
0008 EA	11,538,000	7,788,150
SIMSBURY		
Tariffville School		
0102 EA	6,200,000	2,103,660
STAMFORD		
Cloonan School		
0263 A	357,200	102,052
WATERFORD		
New Oswegatchie Elem. School		
0100 N	27,755,268	9,814,263
WOLCOTT		
Wolcott High School		
0075 A	325,000	212,420
CTHSS - BRISTOL		
Bristol Technical Education Center		
0020 VT/EA	25,844,000	25,844,000
CTHSS - STRATFORD		
Stratford Sch. for Aviation Maint.		
0021 VT/EA	11,175,000	11,175,000

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EAST HARTFORD

East Hartford High School

0232 EC 650,000 466,635

GUILFORD

Calvin Leete School

0093 A/EC 5,170,000 1,587,707

MANSFIELD

Mansfield Middle School

0066 A 3,800,000 2,795,660

MILFORD

Meadowside School

0172 EC 600,000 242,160

MILFORD

Calf Pen Meadow School

0173 EC 600,000 242,160

MONTVILLE

Central Administration

0090 BE/A 387,910 137,844

SOUTH WINDSOR

Wapping Elementary School

0076 EC 519,000 235,418

WOODBIDGE

Beecher Road School

0023 EC 145,600 40,564

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(2) Previously Authorized Projects Which Have Changed Substantially in Scope or Cost that are Seeking First Reauthorization.

School District	Authorized	Requested
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School

Project Number

BLOOMFIELD

Big Picture Magnet High School

011-0073 MAG/PF

Estimated...

Total Project Costs

\$ 5,517,500

\$ 6,087,660

Total Grant

5,241,625

5,783,277

MANCHESTER

Great Path Academy Magnet

578-0001 MAG/N

Estimated...

Total Project Costs

28,000,000

32,456,399

Total Grant

28,000,000

32,456,399

AVON

Avon High School

004-0062 EA/RR

Estimated...

Total Project Costs

25,998,000

30,698,000

Total Grant

6,405,907

7,563,987

BETHEL

Bethel High School

009-0057 EA

Estimated...

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Total Project Costs	25,315,262	32,337,885
Total Grant	10,488,113	13,397,586

DANBURY
New Elementary School
(Roberts Ave. School Replacement)
034-0130 N

Estimated...		
Total Project Costs	16,816,000	20,600,000
Total Grant	8,288,606	10,153,740

NEW BRITAIN
Alternative Behavior Center
089-0156 N

Estimated...		
Total Project Costs	2,255,000	2,255,000
Total Grant	1,787,990	1,787,990

NEW BRITAIN
New Britain High School
089-0157 EA

Estimated...		
Total Project Costs	11,630,000	14,294,000
Total Grant	9,221,427	11,333,713

NEW HAVEN
Worthington Hooker School
093-0340 A/RR

Estimated...		
Total Project Costs	7,976,391	12,950,000
Total Grant	6,352,398	10,313,380

NORWALK
Norwalk High School
103-0233 EA

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Estimated...		
Total Project Costs	32,500,000	39,397,861
Total Grant	11,839,750	14,352,641

NORWALK
Columbus Elementary School
103-0234 A/EC

Estimated...		
Total Project Costs	3,750,000	4,700,000
Total Grant	1,366,125	1,712,210

NORWALK
Tracey School
103-0235 A/EC

Estimated...		
Total Project Costs	4,300,000	4,848,000
Total Grant	1,566,490	1,766,126

PLAINVILLE
Louis Toffolon School
110-0059 EA/RR

Estimated...		
Total Project Costs	16,000,000	23,100,000
Total Grant	10,513,600	15,179,010

STAFFORD
Stafford High School
134-0049 RNV/E

Estimated...		
Total Project Costs	22,100,000	27,200,000
Total Grant	16,022,500	19,720,000

STAMFORD
Springdale School

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135-0257 A/TCH

Estimated...		
Total Project Costs	170,207	260,154
Total Grant	51,062	78,046

WEST HARTFORD
King Philip Middle School
155-0219 A

Estimated...		
Total Project Costs	1,100,000	1,400,000
Total Grant	463,540	589,960

WEST HAVEN
Forest School
156-0128 EA/RR

Estimated...		
Total Project Costs	3,850,000	6,111,878
Total Grant	2,914,835	4,627,303

REGIONAL SCHOOL DISTRICT #19
E.O. Smith High School
at Depot Campus
219-0017 EA/RR

Estimated...		
Total Project Costs	1,998,000	2,725,000
Total Grant	1,669,729	2,277,283

(3) Previously Authorized Projects Which Have Changed Substantially in Scope or Cost that are Seeking Second Reauthorization.

School District	Authorized	Requested
School		
Project Number		

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HARTFORD
University of Hartford Science and
Engineering Magnet
064-0287 MAG/N

Estimated...		
Total Project Costs	\$36,627,000	\$41,605,500
Total Grant	34,795,650	39,525,225

NEW HAVEN
New Jepson Interdistrict Magnet
093-0334 MAG/N

Estimated...		
Total Project Costs	37,000,000	40,000,000
Total Grant	37,000,000	40,000,000

NEW LONDON
Science/Technology High School
Magnet
095-0078 MAG/EA

Estimated...		
Total Project Costs	20,625,000	22,625,000
Total Grant	20,625,000	22,625,000

BRIDGEPORT
New East End Elementary
015-0129 N

Estimated...		
Total Project Costs	40,955,000	48,077,952
Total Grant	32,764,000	38,462,362

HAMDEN
Hamden High School
062-0091 A

Estimated...

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Total Project Costs	1,884,240	2,629,211
Total Grant	1,204,595	1,680,855
WALLINGFORD		
Cook Hill School		
148-0135 EA		
Estimated...		
Total Project Costs	5,068,000	5,963,321
Total Grant	2,733,172	3,216,019
WALLINGFORD		
Highland School		
148-0136 EA		
Estimated...		
Total Project Costs	5,354,000	6,480,017
Total Grant	2,887,412	3,494,673
WALLINGFORD		
Parker Farms School		
148-0137 EA		
Estimated...		
Total Project Costs	3,370,000	5,130,961
Total Grant	1,817,441	2,767,127
WALLINGFORD		
Pond Hill School		
148-0138 EA		
Estimated...		
Total Project Costs	3,876,000	4,796,000
Total Grant	2,090,327	2,586,483
WALLINGFORD		
Evarts C. Stevens School		
148-0140 EA		

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Estimated...		
Total Project Costs	4,784,000	5,718,897
Total Grant	2,580,011	3,084,201

WALLINGFORD
Lyman Hall High School
148-0141 EA

Estimated...		
Total Project Costs	13,249,000	15,123,636
Total Grant	7,145,186	8,156,177

WALLINGFORD
James H. Moran Middle
148-0143 EA

Estimated...		
Total Project Costs	2,111,000	3,016,920
Total Grant	1,138,462	1,627,025

WALLINGFORD
Dag Hammarskjold School
148-0144 A

Estimated...		
Total Project Costs	2,554,000	3,143,270
Total Grant	1,377,372	1,695,166

WATERTOWN
Swift Middle School
153-0048 EA

Estimated...		
Total Project Costs	26,576,685	33,758,130
Total Grant	15,565,964	19,772,137

Sec. 2. Subdivision (18) of section 10-282 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

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(18) "Renovation" means a school building project to totally refurbish an existing building (A) which results in the renovated facility taking on a useful life comparable to that of a new facility and which will cost less than building a new facility as determined by the department, provided the school district may submit a feasibility study and cost analysis of the project prepared by an independent licensed architect to the department prior to final plan approval, (B) which was not renovated in accordance with this subdivision during the twenty-year period ending on the date of application, and (C) of which not less than seventy-five per cent of the facility to be renovated is at least thirty years old.

Sec. 3. Section 10-285a of the general statutes is amended by adding subsection (i) as follows (*Effective July 1, 2007*):

(NEW) (i) For all projects authorized on or after July 1, 2007, all attorneys' fees and court costs related to litigation shall be eligible for state school construction grant assistance only if the grant applicant is the prevailing party in any such litigation.

Sec. 4. Section 10-286d of the general statutes is amended by adding subsection (c) as follows (*Effective July 1, 2007*):

(NEW) (c) For projects authorized, and sites selected for school use, on and after July 1, 2007, remediation costs of the site and site improvements eligible for grant assistance under this chapter shall not exceed twenty-five per cent of the appraised value of the site with improvements unless the purchase price is such that the sum of the purchase price plus remediation costs of the site and site improvements does not exceed one hundred twenty-five per cent of the appraised value of the site and improvements.

Sec. 5. Subdivision (2) of subsection (a) of section 10-283 of the general statutes is repealed and the following is substituted in lieu

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thereof (*Effective July 1, 2007*):

(2) Each school building project shall be assigned to a category on the basis of whether such project is primarily required to: (A) Create new facilities or alter existing facilities to provide for mandatory instructional programs pursuant to this chapter, for physical education facilities in compliance with Title IX of the Elementary and Secondary Education Act of 1972 where such programs or such compliance cannot be provided within existing facilities or for the correction of code violations which cannot be reasonably addressed within existing program space; (B) create new facilities or alter existing facilities to enhance mandatory instructional programs pursuant to this chapter or provide comparable facilities among schools to all students at the same grade level or levels within the school district unless such project is otherwise explicitly included in another category pursuant to this section; and (C) create new facilities or alter existing facilities to provide supportive services, provided in no event shall such supportive services include swimming pools, auditoriums, outdoor athletic facilities, tennis courts, elementary school playgrounds, site improvement or garages or storage, parking or general recreation areas. All applications submitted prior to the first day of July in any year shall be reviewed promptly by the commissioner and the amount of the grant for which such project is eligible shall be estimated. The commissioner shall annually prepare a listing of all such eligible school building projects listed by category together with the amount of the estimated grants therefor and shall submit the same to the Governor and the General Assembly on or before the fifteenth day of December, except as provided in section 10-283a, with a request for authorization to enter into grant commitments. Each such listing submitted after December 1995 shall include a separate schedule of authorized projects which have changed in scope or cost to a degree determined by the commissioner. Notwithstanding any provision of this chapter, no such project that has changed in scope or cost to the degree determined by

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the commissioner, shall be eligible for reimbursement under this chapter unless it appears on such list. Each such listing submitted after December 2005 shall include a separate schedule of authorized projects which have changed in scope or cost to a degree determined by the commissioner once, and a separate schedule of authorized projects which have changed in scope or cost to a degree determined by the commissioner twice. On and after July 1, 2006, no project, other than a project for a regional vocational-technical school, may appear on the separate schedule of authorized projects which have changed in cost more than twice. The percentage determined pursuant to section 10-285a at the time a school building project on such schedule was originally authorized shall be used for purposes of the grant for such project. On and after July 1, 2006, a project that was not previously authorized as an interdistrict magnet school shall not receive a higher percentage for reimbursement than that determined pursuant to section 10-285a at the time a school building project on such schedule was originally authorized. The General Assembly shall annually authorize the commissioner to enter into grant commitments on behalf of the state in accordance with the commissioner's categorized listing for such projects as the General Assembly shall determine. The commissioner may not enter into any such grant commitments except pursuant to such legislative authorization. Any regional school district which assumes the responsibility for completion of a public school building project shall be eligible for a grant pursuant to subdivision (5) or (6), as the case may be, of subsection (a) of section 10-286, when such project is completed and accepted by such regional school district.

Sec. 6. Subsection (a) of section 10-283b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) On and after July 1, 1999, the Commissioner of Education shall

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include school building projects for the regional vocational-technical schools on the list developed pursuant to section 10-283, as amended by this act. Prior to inclusion on the list, such projects shall be reviewed by the Department of Public Works. The adoption of the list by the General Assembly and authorization by the State Bond Commission of the issuance of bonds pursuant to section 10-287d shall fund the full cost of the projects. On or after July 1, 2007, the commissioner may approve applications for grants to assist school building projects for the regional vocational-technical school system to remedy damage from fire and catastrophe, to correct safety, health and other code violations, to replace roofs, to remedy a certified school indoor air quality emergency, or to purchase and install portable classroom buildings at any time within the limit of available grant authorization and to make payments on such a project within the limit of appropriated funds, provided portable classroom building projects do not create a new facility or cause an existing facility to be modified so that the portable buildings comprise a substantial percentage of the total facility area, as determined by the commissioner. Funds for the projects shall be transferred to the Department of Public Works and, upon such transfer, the projects shall be subject to the requirements of chapters 59 and 60.

Sec. 7. Section 10-66hh 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, 2006, and June 30, 2007, the Commissioner of Education shall establish, within available bond authorizations, a grant program to assist state charter schools in financing (1) school building projects, as defined in section 10-282, as amended by this act, (2) general improvements to school buildings, as defined in subsection (a) of section 10-265h, and (3) repayment of debt incurred prior to July 1, 2005, for school building projects. The governing authorities of such state charter schools may apply for such

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grants to the Department of Education at such time and in such manner as the commissioner prescribes. The commissioner shall give preference to applications that provide for matching funds from nonstate sources.

(b) All final calculations for grant awards pursuant to this section in an amount equal to or greater than two hundred fifty thousand dollars shall include a computation of the state grant amount amortized on a straight line basis over a ten-year period. Any state charter school which abandons, sells, leases, demolishes or otherwise redirects the use of a school building which benefited from such a grant award during such amortization period, including repayment of debt for the purchase, renovation or improvement of the building, shall refund to the state the unamortized balance of the state grant remaining as of the date that the abandonment, sale, lease, demolition or redirection occurred. The amortization period shall begin on the date the grant award is paid. A state charter school required to make a refund to the state pursuant to this subsection may request forgiveness of such refund if the building is redirected for public use.

Sec. 8. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of Ellington may let out for bid on and commence a project to remedy a code violation (Project Number 048-0054 CV) at Crystal Lake School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 9. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans

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and specifications have been approved by the Department of Education's school facilities unit, the town of Avon may let out for bid on and commence a project for remedy of a code violation (Project Number 004-0063 CV) at Avon Middle School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 10. (*Effective from passage*) Notwithstanding the provisions of chapter 173 of the general statutes and any regulation adopted by the State Board of Education concerning ineligible costs for school building projects, regional school district #19 shall be eligible to receive reimbursement for costs associated with an off-site extension of the water system that will serve E. O. Smith High School (Project Number 219-0017 EA/RR).

Sec. 11. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the general statutes, as amended by this act, or any regulation adopted by the State Board of Education requiring a completed grant application be submitted prior to June 30, 2006, or subsection (d) of section 10-283 of the general statutes, or any regulation adopted by the State Board of Education requiring local funding authorization for the local share of project costs prior to application, the agri-science equipment project (Project Number 214-0087) for the Nonnewaug High School in Regional School District Number 14 with costs approximately one hundred eighty-two thousand dollars shall be included in subdivision (1) of section 1 of this act, provided a complete grant application is submitted prior to June 30, 2008.

Sec. 12. (*Effective from passage*) Notwithstanding the provisions of section 10-284 of the general statutes, or any regulation adopted by the State Board of Education requiring that a town begin construction on a project not later than two years after the effective date of the act of the

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General Assembly authorizing the Commissioner of Education to enter into grant commitments for such project, the town of Killingly shall have until June 30, 2008, to begin construction on the projects for a new Killingly High School and new regional vocational agriculture center (Project Numbers 069-0059 N/PS and 069-0060N/VE) and shall be eligible to subsequently be considered for grant commitments from the state.

Sec. 13. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of North Canaan may let out for bid on and commence a project for roof replacement (Project Number 100-0012 RR) at North Canaan Elementary School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 14. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the general statutes requiring that no school building project shall be added to the list in subdivision (1) of section 1 of this act, the project for extension and alteration (Project Number 151-0263 EA) at the Enlightenment and Special Education Program Center in Waterbury is included in said subdivision (1) of this act and shall be eligible to be subsequently considered for a grant commitment from the state, provided the school district files an application for a school building project prior to June 30, 2007, and meets all other provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education.

Sec. 15. Subsection (a) of section 16a-38k of the general statutes, as amended by section 10 of house public act 07-242, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2008*):

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(a) Notwithstanding any provision of the general statutes, any (1) new construction of a state facility that is projected to cost five million dollars, or more, [of which two million dollars or more is state funding,] and is approved and funded on or after January 1, 2008, (2) renovation of a state facility that is projected to cost two million dollars or more, of which two million dollars or more is state funding, approved and funded on or after January 1, 2008, (3) new construction of a facility that is projected to cost five million dollars, or more, of which two million dollars or more is state funding, and is authorized by the General Assembly pursuant to chapter 173 on or after January 1, 2009, and (4) renovation of a public school facility as defined in subdivision (18) of section 10-282 that is projected to cost two million dollars or more, of which two million dollars or more is state funding, and is authorized by the General Assembly pursuant to chapter 173 on or after January 1, 2009, shall comply with the regulations adopted pursuant to subsection (b) of this section. The Secretary of the Office of Policy and Management, in consultation with the Commissioner of Public Works and the Institute for Sustainable Energy, shall exempt any facility from complying with said regulations if [the Institute for Sustainable Energy] said secretary finds, in a written analysis, that the cost of such compliance significantly outweighs the benefits.

Sec. 16. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of Tolland may let out for bid on and commence a project for installation of a water line extension (Project Numbers 142-075CV and 142-076CV) at Parker Memorial School and the old Tolland High School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

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Sec. 17. (*Effective from passage*) Notwithstanding the provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education pursuant to said chapter 173, for the school construction priority list to be considered by the General Assembly in the 2008 regular legislative session, the Commissioner of Education shall give review and approval priority to an interdistrict magnet school application filed by the city of New Haven for an interdistrict magnet school to be operated in cooperation with the University of New Haven, as long as the complete application is filed on or before June 30, 2007.

Sec. 18. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the general statutes or any regulation adopted by the State Board of Education concerning limitations on changes in scope or costs for a project, the project for new construction of a magnet school for the New Cooperative Arts and Humanities High School (Project Number 093-0341 MAG/N) in New Haven shall be eligible for additional reauthorization for a total grant covering project costs not to exceed sixty-six million dollars.

Sec. 19. (*Effective from passage*) Notwithstanding the provisions of subsection (a) of section 10-285e of the general statutes or any regulation adopted by the State Board of Education concerning reimbursement for reasonable lease costs, the renovation costs for leased swing space for the town of New Haven for the Fair Haven Middle School (Project Number 093-0319 EA/RR) shall be eligible for reimbursement.

Sec. 20. (*Effective from passage*) Notwithstanding the provisions of section 10-285g of the general statutes or any regulation adopted by the State Board of Education concerning the requirements for the issuance of a waiver of acoustical standards for relocatable classrooms, such standards shall be waived for a project for relocatable classrooms (Project Number 028-0042 RE) at Bacon Academy in Colchester,

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provided such relocatable classrooms were purchased prior to July 1, 2005.

Sec. 21. Subsection (a) of section 10-264h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) For the fiscal year ending June 30, 1996, until the fiscal year ending June 30, 2003, a local or regional board of education, regional educational service center or a cooperative arrangement pursuant to section 10-158a for purposes of an interdistrict magnet school may be eligible for reimbursement up to the full reasonable cost of any capital expenditure for the purchase, construction, extension, replacement, leasing or major alteration of interdistrict magnet school facilities, including any expenditure for the purchase of equipment, in accordance with this section. For the fiscal year ending June 30, 2004, and each fiscal year thereafter, such entities may be eligible for reimbursement up to ninety-five per cent of such cost. To be eligible for reimbursement under this section a magnet school construction project shall meet the requirements for a school building project established in chapter 173, except that the Commissioner of Education may waive any requirement in such chapter for good cause. On and after July 1, 1997, the commissioner shall approve only applications for reimbursement under this section that he finds will reduce racial, ethnic and economic isolation.

(2) (A) Not later than July 1, 2007, the Commissioner of Education and the president of the Connecticut Science Center, Inc. shall enter into a memorandum of understanding establishing the parameters within which the center shall operate as and be given the status of a state-wide magnet science learning center. Upon achieving such status, the Connecticut Science Center, Inc. shall be eligible to apply for, in accordance with the provisions of subparagraph (B) of this subdivision, a grant of reimbursement of ninety-five per cent of any

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expenditures for the construction, replacement, alteration or repair of its facilities, including the reasonable and necessary costs for major exhibits. The Connecticut Science Center, Inc. may fund its five per cent share of expenditures from private contributions.

(B) To be eligible to receive a grant pursuant to this subdivision, the Connecticut Science Center, Inc. shall file an application with the Commissioner of Education in such form and manner as the commissioner prescribes. Construction projects at the magnet science learning center shall meet the requirements of chapter 173, except that the commissioner may waive any requirements in such chapter for good cause.

Sec. 22. (*Effective from passage*) Notwithstanding any provision of chapter 173 of the general statutes or any regulation of the State Board of Education pursuant to said chapter, a project for the Connecticut Science Center, Inc. shall be included in subdivision (1) of section 1 of this act, with project costs not in excess of sixteen million dollars to finish construction of the new science center facility, provided the Connecticut Science Center, Inc. submits a completed grant application prior to June 30, 2007. Such project shall be reimbursed at a rate of ninety-five per cent pursuant to the provisions of section 10-264h of the general statutes, as amended by this act.

Sec. 23. (*Effective from passage*) Notwithstanding the provisions of subdivision (1) of subsection (a) of section 10-286 of the general statutes, or any regulation adopted by the State Board of Education concerning projected enrollment for a school building project, the town of West Hartford may use a ten-year forecast for projected enrollment for the extension and alteration project (Project Number 155-160 EA) at Conard High School.

Sec. 24. (*Effective from passage*) Notwithstanding the provisions of sections 10-291 and 10-292 of the general statutes or any regulation

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adopted by the State Board of Education concerning bidding and approval of plans and specifications by the Department of Education's school facilities unit, the town of Middletown may commence a project for fuel cell installation at Middletown High School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit. (1) The portion of the project funded from the Connecticut Clean Energy Fund as administered by Connecticut Innovations, Inc. shall not be considered a school building project expense, (2) the incremental costs of construction not funded from said fund that are attributable to the installation of a fuel cell and related equipment and facilities shall be fully eligible school building project costs for purposes of calculating the school building project grant, (3) the wall and resulting area enclosing the fuel cell, and any slab area for an emergency generator, shall be excluded from standard space calculations, and (4) the public request for proposals for alternative energy power sources and generator as conducted shall meet all public bidding requirements and preapproval of plans and specifications. The fuel cell and generator plans and specifications shall not be reviewed by the Department of Education. Connecticut Innovations, Inc. shall certify to the Department of Education that the fuel cell and generator were installed according to industry standards and applicable building and safety codes.

Sec. 25. Subsection (b) of section 10-287 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(b) All orders and contracts for school building construction receiving state assistance under this chapter, including orders and contracts for architectural or construction management services, shall be awarded to the lowest responsible qualified bidder only after a

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public invitation to bid, which shall be advertised in a newspaper having circulation in the town in which construction is to take place, except for (1) school building projects for which the town or regional school district is using a state contract pursuant to subsection (d) of section 10-292, and (2) change orders, those contracts or orders costing less than ten thousand dollars and those of an emergency nature, as determined by the Commissioner of Education, in which cases the contractor or vendor may be selected by negotiation, provided no local fiscal regulations, ordinances or charter provisions conflict.

Sec. 26. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the general statutes, as amended by this act, or any regulation adopted by the board requiring a completed grant application be submitted prior to June 30, 2006, subsection (d) of section 10-283 of the general statutes, or any regulation adopted by the board requiring local funding authorization for the local share of project costs prior to application, the provisions of section 10-286 of the general statutes, or any regulation adopted by the board concerning eligible costs, projects for technology improvements at Charter Oak Academy and Smith School in West Hartford shall be included in subdivision (1) of section 1 of this act, provided a complete grant application is submitted prior to June 30, 2008.

Sec. 27. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the general statutes, or any regulation adopted by the State Board of Education 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 Manchester may change the description of the extension and alteration project (Project Number 077-0209 PS/EA) at Bennet School in Manchester to a renovation project subsequently qualify as a

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renovation, as defined in subdivision (18) of said section 10-282, provided 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.

Sec. 28. Section 48 of special act 94-14 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding the provisions of chapter 173 of the general statutes and any regulation adopted by the state board of education pursuant to said chapter concerning eligible costs for school construction projects, the town of Brooklyn shall be eligible to receive reimbursement for the sewer and water line extension as part of the alteration and extension project at Brooklyn Elementary and Junior High Schools.

Sec. 29. (*Effective from passage*) Notwithstanding the provisions of chapter 173 of the general statutes and any regulation adopted by the State Board of Education pursuant to said chapter 173, the town of Simsbury shall be eligible for a school construction grant for the building or alteration of a recreational facility at Central Elementary School, in an amount not to exceed twenty thousand dollars.

Sec. 30. (*Effective from passage*) (a) Notwithstanding the provisions of title 10 of the general statutes, a local or regional school district that is a (1) district for a town (A) with a population greater than twenty thousand, but not more than thirty thousand, and (B) that is less than six square miles in area, in which at least fifty per cent of the property is exempt from taxation pursuant to chapter 203 of the general statutes, and (2) priority school district pursuant to section 10-266p of the general statutes shall qualify as an interdistrict magnet district.

(b) (1) The Commissioner of Education may designate as many as two schools under the jurisdiction of such district as interdistrict

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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 commissioner deems such plan reasonable. The total project costs for both schools shall not exceed ten million dollars. 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.

(c) Notwithstanding the provisions of section 10-283 of the general statutes, as amended by this act, or any regulation adopted by the State Board of Education requiring a completed grant application be submitted prior to June 30, 2006, or subsection (d) of section 10-283 of

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the general statutes, or any regulation adopted by the board requiring local funding authorization for the local share of project costs prior to application, the projects for the local or regional school district that qualifies as an interdistrict magnet school district under subsection (a) of this section shall be included in subdivision (1) of section 1 of this act, provided the school district secures the funding authorization for the local share and files a completed grant application prior to June 30, 2008, and meets all other provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education, except as provided for in this section.

Sec. 31. (*Effective from passage*) Notwithstanding the provisions of section 24 of public act 06-158 requiring that Regional School District #11 and the town of Brooklyn file a completed grant application prior to June 30, 2007, for a project for new construction for a high school under a cooperative arrangement pursuant to section 10-158a of the general statutes, Regional School District #11 and the town of Brooklyn may file a completed grant application no later than December 31, 2007, provided a cooperative arrangement pursuant to said section 10-158a for such project is established no later than June 30, 2007.

Sec. 32. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's school facilities unit, the town of Madison may let out for bid on and commence a project for roof replacement (Project Number 076-0060 RR) at Walter C. Polson Middle School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 33. Section 10-285a of the general statutes, as amended by section 11 of public act 07-242, is repealed and the following is

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substituted in lieu thereof (*Effective October 1, 2007*):

(a) The percentage of school building project grant money a local board of education may be eligible to receive, under the provisions of section 10-286 shall be determined as follows: (1) Each town shall be ranked in descending order from one to one hundred sixty-nine according to such town's adjusted equalized net grand list per capita, as defined in section 10-261; (2) based upon such ranking, a percentage of not less than forty nor more than eighty shall be determined for each town on a continuous scale, except that for school building projects authorized by the General Assembly during the fiscal year ending June 30, 1991, for all such projects so authorized thereafter and for grants approved pursuant to subsection (b) of section 10-283 for which application is made on and after July 1, 1991, the percentage of school building project grant money a local board of education may be eligible to receive, under the provisions of section 10-286 shall be determined as follows: (A) Each town shall be ranked in descending order from one to one hundred sixty-nine according to such town's adjusted equalized net grand list per capita, as defined in section 10-261; (B) based upon such ranking, a percentage of not less than twenty nor more than eighty shall be determined for each town on a continuous scale.

(b) The percentage of school building project grant money a regional board of education may be eligible to receive under the provisions of section 10-286 shall be determined by its ranking. Such ranking shall be determined by (1) multiplying the total population, as defined in section 10-261, of each town in the district by such town's ranking, as determined in subsection (a) of this section, (2) adding together the figures determined under subdivision (1) of this subsection, and (3) dividing the total computed under subdivision (2) of this subsection by the total population of all towns in the district. The ranking of each regional board of education shall be rounded to the next higher whole

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number and each such board shall receive the same reimbursement percentage as would a town with the same rank plus ten per cent, except that no such percentage shall exceed eighty-five per cent.

(c) The percentage of school building project grant money a regional educational service center may be eligible to receive shall be determined by its ranking. Such ranking shall be determined by (1) multiplying the population of each member town in the regional educational service center by such town's ranking, as determined in subsection (a) of this section; (2) adding together the figures for each town determined under subdivision (1) of this subsection, and (3) dividing the total computed under subdivision (2) of this subsection by the total population of all member towns in the regional educational service center. The ranking of each regional educational service center shall be rounded to the next higher whole number and each such center shall receive the same reimbursement percentage as would a town with the same rank.

(d) The percentage of school building project grant money a cooperative arrangement pursuant to section 10-158a, may be eligible to receive shall be determined by its ranking. Such ranking shall be determined by (1) multiplying the total population, as defined in section 10-261, of each town in the cooperative arrangement by such town's ranking, as determined in subsection (a) of this section, (2) adding the products determined under subdivision (1) of this subsection, and (3) dividing the total computed under subdivision (2) of this subsection by the total population of all towns in the cooperative arrangement. The ranking of each cooperative arrangement shall be rounded to the next higher whole number and each such cooperative arrangement shall receive the same reimbursement percentage as would a town with the same rank plus ten percentage points.

(e) If an elementary school building project for a new building or for

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the expansion of an existing building includes space for a school readiness program, the percentage determined pursuant to this section shall be increased by five percentage points, but shall not exceed one hundred per cent, for the portion of the building used primarily for such purpose. Recipient districts shall maintain full-day preschool enrollment for at least ten years.

(f) The percentage determined pursuant to this section for a school building project grant for the expansion, alteration or renovation of an existing public school building to convert such building for use as a lighthouse school, as defined in section 10-266cc, shall be increased by ten percentage points.

(g) The percentage determined pursuant to this section for a school building project grant shall be increased by the percentage of the total projected enrollment of the school attributable to the number of spaces made available for out-of-district students participating in the program established pursuant to section 10-266aa, provided the maximum increase shall not exceed ten percentage points.

(h) Subject to the provisions of section 10-285d, if an elementary school building project for a school in a priority school district or for a priority school is necessary in order to offer a full-day kindergarten program or a full-day preschool program or to reduce class size pursuant to section 10-265f, the percentage determined pursuant to this section shall be increased by ten percentage points for the portion of the building used primarily for such full-day kindergarten program, full-day preschool program or such reduced size classes. Recipient districts that receive an increase pursuant to this subsection in support of a full-day preschool program, shall maintain full-day preschool enrollment for at least ten years.

[(i) The percentage determined pursuant to this section for a school building project grant for a school building project pursuant to section

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16a-38k shall be increased by two percentage points, not to exceed one hundred. Prior to any grant being awarded under this chapter for a project pursuant to section 16a-38k the town or regional school district shall certify to the Department of Education that the school project will meet the standards established pursuant to section 16a-38k.]

Sec. 34. (*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 Waterbury may change the description of the new construction project (Project Number 151-0252 N/PS) at New Elementary School #1 to a renovation project (Project Number 151-0252 R) at Duggan School and subsequently qualify as a renovation, as defined in subdivision (18) of said section 10-282, provided 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.

Sec. 35. (*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 scope of a renovation, as defined in subdivision (18) of section 10-282 of the general statutes, be inclusive of the entire facility, the town of New Fairfield may undertake projects at the combined New Fairfield High School and Middle School Facility to (1) renovate only that portion of the facility that was constructed in or around 1972, and (2) additionally, may undertake any of the following: (A) Limited alterations to the portion of the facility constructed in or around 1995, and (B) provide an extension to the portion of the facility constructed in or around 1995; and subsequently have the part of the project

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described in subdivision (1) of this section qualify as a renovation, as defined in subdivision (18) of said section 10-282.

Sec. 36. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the general statutes or any regulation adopted by the State Board of Education concerning limitations on changes in scope or costs for a project, the project for renovation and extension (Project Number 090-0044 RNV/E) at New Canaan High School in New Canaan shall be eligible for additional reauthorization for a grant covering increased project costs to the extent that such increase is a consequence of the discovery and remediation of latent asbestos or other hazard as defined by code.

Sec. 37. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the general statutes or any regulation adopted pursuant to said section 10-283, requiring that funding authorization for the local share of the project costs be secured prior to application, the projects for the South End Elementary School and the Plantsville Elementary School in Southington are included in the school construction list and shall be eligible to be subsequently considered for a grant commitment from the state, provided the school district files applications for the school building projects and secures the funding authorization for the local share of the projects' costs prior to June 30, 2007, and meets all other provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education.

Approved July 10, 2007