



Senate

General Assembly

File No. 492

January Session, 2007

Substitute Senate Bill No. 1110

Senate, April 16, 2007

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

AN ACT CONCERNING SECURITY ASSESSMENTS AND ASSISTANCE FOR SCHOOLS.

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

1 Section 1. Section 10-220 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Each local or regional board of education shall maintain good
4 public elementary and secondary schools, implement the educational
5 interests of the state as defined in section 10-4a and provide such other
6 educational activities as in its judgment will best serve the interests of
7 the school district; provided any board of education may secure such
8 opportunities in another school district in accordance with provisions
9 of the general statutes and shall give all the children of the school
10 district as nearly equal advantages as may be practicable; shall provide
11 an appropriate learning environment for its students which includes
12 (1) adequate instructional books, supplies, materials, equipment,
13 staffing, facilities and technology, (2) equitable allocation of resources
14 among its schools, (3) proper maintenance of facilities, and (4) a safe

15 school setting; shall have charge of the schools of its respective school
16 district; shall make a continuing study of the need for school facilities
17 and of a long-term school building program and from time to time
18 make recommendations based on such study to the town; shall adopt
19 and implement an indoor air quality program that provides for
20 ongoing maintenance and facility reviews necessary for the
21 maintenance and improvement of the indoor air quality of its facilities;
22 shall report biennially to the Commissioner of Education on the
23 condition of its facilities and the action taken to implement its long-
24 term school building program and indoor air quality program, which
25 report the Commissioner of Education shall use to prepare a biennial
26 report that said commissioner shall submit in accordance with section
27 11-4a to the joint standing committee of the General Assembly having
28 cognizance of matters relating to education; shall advise the
29 Commissioner of Education of the relationship between any individual
30 school building project pursuant to chapter 173 and such long-term
31 school building program; shall have the care, maintenance and
32 operation of buildings, lands, apparatus and other property used for
33 school purposes and at all times shall insure all such buildings and all
34 capital equipment contained therein against loss in an amount not less
35 than eighty per cent of replacement cost; shall determine the number,
36 age and qualifications of the pupils to be admitted into each school;
37 shall develop and implement a written plan for minority staff
38 recruitment for purposes of subdivision (3) of section 10-4a; shall
39 employ and dismiss the teachers of the schools of such district subject
40 to the provisions of sections 10-151 and 10-158a; shall designate the
41 schools which shall be attended by the various children within the
42 school district; shall make such provisions as will enable each child of
43 school age, residing in the district to attend some public day school for
44 the period required by law and provide for the transportation of
45 children wherever transportation is reasonable and desirable, and for
46 such purpose may make contracts covering periods of not more than
47 five years; may place in an alternative school program or other suitable
48 educational program a pupil enrolling in school who is nineteen years
49 of age or older and cannot acquire a sufficient number of credits for

50 graduation by age twenty-one; may arrange with the board of
51 education of an adjacent town for the instruction therein of such
52 children as can attend school in such adjacent town more conveniently;
53 shall cause each child five years of age and over and under eighteen
54 years of age who is not a high school graduate and is living in the
55 school district to attend school in accordance with the provisions of
56 section 10-184, conduct assessments of the security of entrances of
57 school buildings in accordance with the provisions of subsection (e) of
58 this section, and shall perform all acts required of it by the town or
59 necessary to carry into effect the powers and duties imposed by law.

60 (b) The board of education of each local or regional school district
61 shall, with the participation of parents, students, school administrators,
62 teachers, citizens, local elected officials and any other individuals or
63 groups such board shall deem appropriate, prepare a statement of
64 educational goals for such local or regional school district. The
65 statement of goals shall be consistent with state-wide goals pursuant to
66 subsection (c) of section 10-4. Each local or regional board of education
67 shall develop student objectives which relate directly to the statement
68 of educational goals prepared pursuant to this subsection and which
69 identify specific expectations for students in terms of skills, knowledge
70 and competence.

71 (c) Annually, each local and regional board of education shall
72 submit to the Commissioner of Education a strategic school profile
73 report for each school under its jurisdiction and for the school district
74 as a whole. The superintendent of each local and regional school
75 district shall present the profile report at the next regularly scheduled
76 public meeting of the board of education after each November first.
77 The profile report shall provide information on measures of (1) student
78 needs, (2) school resources, including technological resources and
79 utilization of such resources and infrastructure, (3) student and school
80 performance, (4) equitable allocation of resources among its schools,
81 (5) reduction of racial, ethnic and economic isolation, and (6) special
82 education. For purposes of this subsection, measures of special
83 education include (A) special education identification rates by

84 disability, (B) rates at which special education students are exempted
85 from mastery testing pursuant to section 10-14q, (C) expenditures for
86 special education, including such expenditures as a percentage of total
87 expenditures, (D) achievement data for special education students, (E)
88 rates at which students identified as requiring special education are no
89 longer identified as requiring special education, (F) the availability of
90 supplemental educational services for students lacking basic
91 educational skills, (G) the amount of special education student
92 instructional time with nondisabled peers, (H) the number of students
93 placed out-of-district, and (I) the actions taken by the school district to
94 improve special education programs, as indicated by analyses of the
95 local data provided in subparagraphs (A) to (H), inclusive, of this
96 subdivision. The superintendent shall include in the narrative portion
97 of the report information about parental involvement and if the district
98 has taken measures to improve parental involvement, including, but
99 not limited to, employment of methods to engage parents in the
100 planning and improvement of school programs and methods to
101 increase support to parents working at home with their children on
102 learning activities.

103 (d) Prior to January 1, 2008, and every five years thereafter, for
104 every school building that is or has been constructed, extended,
105 renovated or replaced on or after January 1, 2003, a local or regional
106 board of education shall provide for a uniform inspection and
107 evaluation program of the indoor air quality within such buildings,
108 such as the Environmental Protection Agency's Indoor Air Quality
109 Tools for Schools Program. The inspection and evaluation program
110 shall include, but not be limited to, a review, inspection or evaluation
111 of the following: (1) The heating, ventilation and air conditioning
112 systems; (2) radon levels in the water and the air; (3) potential for
113 exposure to microbiological airborne particles, including, but not
114 limited to, fungi, mold and bacteria; (4) chemical compounds of
115 concern to indoor air quality including, but not limited to, volatile
116 organic compounds; (5) the degree of pest infestation, including, but
117 not limited to, insects and rodents; (6) the degree of pesticide usage; (7)
118 the presence of and the plans for removal of any hazardous substances

119 that are contained on the list prepared pursuant to Section 302 of the
120 federal Emergency Planning and Community Right-to-Know Act, 42
121 USC 9601 et seq.; (8) ventilation systems; (9) plumbing, including
122 water distribution systems, drainage systems and fixtures; (10)
123 moisture incursion; (11) the overall cleanliness of the facilities; (12)
124 building structural elements, including, but not limited to, roofing,
125 basements or slabs; (13) the use of space, particularly areas that were
126 designed to be unoccupied; and (14) the provision of indoor air quality
127 maintenance training for building staff. Local and regional boards of
128 education conducting evaluations pursuant to this subsection shall
129 make available for public inspection the results of the inspection and
130 evaluation at a regularly scheduled board of education meeting.

131 (e) Prior to January 1, 2008, and every four years thereafter, for each
132 entrance of each school facility, a local or regional board of education
133 shall provide for a uniform inspection and evaluation of such
134 entrances, including any security infrastructure, using the National
135 Clearinghouse for Educational Facilities' Safe Schools Facilities Check
136 List. The inspection and evaluation shall be conducted under the
137 supervision of the local law enforcement agency.

138 Sec. 2. Subsection (b) of section 10-291 of the general statutes is
139 amended by adding subdivision (5) as follows (*Effective July 1, 2007*):

140 (NEW) (5) In the case of a new construction, extension, major
141 alteration, renovation or replacement involving a school entrance, the
142 plans do not provide for a security infrastructure for such entrance.

143 Sec. 3. (*Effective from passage*) (a) For the fiscal year ending June 30,
144 2008, the Department of Emergency Management and Homeland
145 Security shall administer, within available appropriations, a school
146 security assessments competitive grant program to reimburse towns
147 for certain expenses incurred on or after the effective date of this
148 section, for the development or improvement of the security
149 infrastructure of schools based on the results of assessments of security
150 for the entrances of the schools under the jurisdiction of the town's
151 school district pursuant to section 10-220 of the general statutes, as

152 amended by this act. The Commissioner of Emergency Management
153 and Homeland Security shall determine which expenses are eligible for
154 reimbursement under the program. Each local and regional board of
155 education may, on behalf of its town or its member towns, apply to the
156 department for a grant at such time and in such manner as the
157 commissioner prescribes.

158 (b) A town may receive a grant equal to a percentage of its eligible
159 expenses. The percentage shall be determined as follows: (1) Each
160 town shall be ranked in descending order from one to one hundred
161 sixty-nine according to town wealth, as defined in subdivision (26) of
162 section 10-262f of the general statutes, (2) based upon such ranking, a
163 percentage of not less than twenty or more than eighty shall be
164 assigned to each town on a continuous scale, and (3) the town ranked
165 first shall be assigned a percentage of twenty and the town ranked last
166 shall be assigned a percentage of eighty. If there are not sufficient
167 funds to provide grants to all towns based on the percentage
168 determined pursuant to this subsection, the Commissioner of
169 Emergency Management and Homeland Security, in consultation with
170 the Commissioner of Public Safety, shall give priority to applicants on
171 behalf of schools with the greatest need for security infrastructure, as
172 determined by said commissioners based on assessments of security
173 for the entrances of the schools under the jurisdiction of the town's
174 school district conducted pursuant to section 10-220 of the general
175 statutes, as amended by this act. Of the applicants on behalf of such
176 schools with the greatest need for security infrastructure, said
177 commissioners shall give priority to applicants on behalf of schools
178 located in priority school districts pursuant to section 10-266p of the
179 general statutes. To be eligible for reimbursement pursuant to this
180 section, an applicant board of education shall demonstrate that it has
181 developed and periodically practices an emergency plan at the schools
182 under its jurisdiction and that such plan has been developed in concert
183 with applicable state or local first-responders. The Secretary of the
184 Office of Policy and Management shall make payments to towns
185 awarded grants pursuant to this section.

186 Sec. 4. (*Effective from passage*) (a) For the fiscal year ending June 30,
187 2008, the Department of Emergency Management and Homeland
188 Security shall administer, within available appropriations, a security
189 training and equipment grant program to reimburse towns for certain
190 expenses, incurred on or after the effective date of this section,
191 associated with (1) the training of school personnel in the operation
192 and maintenance of the security infrastructure of school entrances, or
193 (2) if deemed appropriate by the grant recipient, for the purchase of
194 portable entrance security devices, including, but not limited to, metal
195 detector wands, screening machines and related training for the use by
196 schools under the jurisdiction of the town's school district. The
197 Commissioner of Emergency Management and Homeland Security
198 shall determine which expenses are eligible for reimbursement under
199 the program. Each local and regional board of education may, on
200 behalf of its town or its member towns, apply to the department for a
201 grant at such time and in such manner as the commissioner prescribes.

202 (b) A town may receive a grant equal to a percentage of its eligible
203 expenses. The percentage shall be determined as follows: (1) Each
204 town shall be ranked in descending order from one to one hundred
205 sixty-nine according to town wealth, as defined in subdivision (26) of
206 section 10-262f of the general statutes, (2) based upon such ranking, a
207 percentage of not less than twenty or more than eighty shall be
208 assigned to each town on a continuous scale, and (3) the town ranked
209 first shall be assigned a percentage of twenty and the town ranked last
210 shall be assigned a percentage of eighty. If there are not sufficient
211 funds to provide grants to all towns based on the percentage
212 determined pursuant to this subsection, the Commissioner of
213 Emergency Management and Homeland Security, in consultation with
214 the Commissioner of Public Safety, shall give priority to applicants on
215 behalf of schools with the greatest need for security infrastructure, as
216 determined by said commissioners based on assessments of security
217 for the entrances of the schools under the jurisdiction of the town's
218 school district conducted pursuant to section 10-220 of the general
219 statutes, as amended by this act. Of the applicants on behalf of such
220 schools with the greatest need for security infrastructure, said

221 commissioners shall give priority to applicants on behalf of schools
222 located in priority school districts pursuant to section 10-266p of the
223 general statutes. To be eligible for reimbursement pursuant to this
224 section, an applicant board of education shall demonstrate that it has
225 developed and periodically practices an emergency plan at the schools
226 under its jurisdiction and that such plan has been developed in concert
227 with applicable state or local first-responders. The Secretary of the
228 Office of Policy and Management shall make payments to towns
229 awarded grants pursuant to this section.

230 Sec. 5. (*Effective from passage*) (a) For the fiscal year ending June 30,
231 2008, the Department of Emergency Management and Homeland
232 Security shall administer, within available appropriations, a security
233 infrastructure grant program to reimburse towns for certain expenses
234 incurred on or after the effective date of this section, in association
235 with plans, design, purchase or installation of security infrastructure,
236 such as surveillance cameras, entry door buzzer systems, scan cards,
237 panic alarms or other systems in primary entryways to improve
238 security at the schools under the jurisdiction of the town's school
239 district. The Commissioner of Emergency Management and Homeland
240 Security shall determine which expenses are eligible for
241 reimbursement under the program, provided such expenses are not
242 otherwise eligible for reimbursement under section 10-283 of the
243 general statutes. Each local and regional board of education may, on
244 behalf of its town or its member towns, apply to the department for a
245 grant at such time and in such manner as the commissioner prescribes.

246 (b) A town may receive a grant equal to a percentage of its eligible
247 expenses. The percentage shall be determined as follows: (1) Each
248 town shall be ranked in descending order from one to one hundred
249 sixty-nine according to town wealth, as defined in subdivision (26) of
250 section 10-262f of the general statutes, (2) based upon such ranking, a
251 percentage of not less than twenty or more than eighty shall be
252 assigned to each town on a continuous scale, and (3) the town ranked
253 first shall be assigned a percentage of twenty and the town ranked last
254 shall be assigned a percentage of eighty. If there are not sufficient

255 funds to provide grants to all towns based on the percentage
256 determined pursuant to this subsection, the Commissioner of
257 Emergency Management and Homeland Security, in consultation with
258 the Commissioner of Public Safety, shall give priority to applicants on
259 behalf of schools with the greatest need for security infrastructure, as
260 determined by said commissioners based on assessments of security
261 for the entrances of the schools under the jurisdiction of the town's
262 school district conducted pursuant to section 10-220 of the general
263 statutes, as amended by this act. Of the applicants on behalf of such
264 schools with the greatest need for security infrastructure, said
265 commissioners shall give priority to applicants on behalf of schools
266 located in priority school districts pursuant to section 10-266p of the
267 general statutes. To be eligible for reimbursement pursuant to this
268 section, an applicant board of education shall demonstrate that it has
269 developed and periodically practices an emergency plan at the schools
270 under its jurisdiction and that such plan has been developed in concert
271 with applicable state or local first-responders. The Secretary of the
272 Office of Policy and Management shall make payments to towns
273 awarded grants pursuant to this section.

274 Sec. 6. (*Effective from passage*) (a) The sum of one million dollars is
275 appropriated to the Office of Policy and Management, from the
276 General Fund, for the fiscal year ending June 30, 2007, for the purpose
277 of carrying out section 3 of this act.

278 (b) Funds appropriated to the Office of Policy and Management in
279 subsection (a) of this section shall not lapse and shall continue to be
280 available for expenditure during the fiscal year ending June 30, 2008.

281 Sec. 7. (*Effective from passage*) (a) The sum of four million dollars is
282 appropriated to the Office of Policy and Management, from the
283 General Fund, for the fiscal year ending June 30, 2007, for the purpose
284 of carrying out section 4 of this act.

285 (b) Funds appropriated to the Office of Policy and Management in
286 subsection (a) of this section shall not lapse and shall continue to be
287 available for expenditure during the fiscal year ending June 30, 2008.

288 Sec. 8. (*Effective from passage*) (a) The sum of ten million dollars is
 289 appropriated to the Office of Policy and Management, from the
 290 General Fund, for the fiscal year ending June 30, 2007, for the purpose
 291 of carrying out section 5 of this act.

292 (b) Funds appropriated to the Office of Policy and Management in
 293 subsection (a) of this section shall not lapse and shall continue to be
 294 available for expenditure during the fiscal year ending June 30, 2008.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-220
Sec. 2	<i>July 1, 2007</i>	10-291(b)
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section

ED *Joint Favorable Subst.*

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

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Emergency Management and Homeland Security, Dept.	GF - Cost	58,000 - 103,000	58,000 - 103,000
Public Safety, Dept.	GF - Cost	Potential Minimal	Potential Minimal
Comptroller Misc. Accounts (Fringe Benefits)	GF - Cost	15,000 - 26,500	15,000 - 26,500
Education, Dept.	GF - None	See Below	See Below
Policy & Mgmt., Off.	GF - Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 08 \$	FY 09 \$
All Municipalities	STATE MANDATE - Cost	See Below	See Below

Explanation

Section 1 requires local and regional school districts under the supervision of the local law enforcement agency (prior to January 1, 2008 and every four years thereafter) to inspect and evaluate the entrances of each school facility, and any related security infrastructure. There are approximately 1,000 public schools in the state and based on an estimated cost per school for a security assessment of \$2,500, the total cost to districts would be \$2.5 million for all assessments. Additionally the requirement could result in a minimal cost to local law enforcement agencies, and the Department of Public Safety (DPS), associated with training and overtime expenses.

Section 2 requires that most school construction projects include entrance security infrastructure. This results in a potential cost to local and regional school districts along with the state as districts may not

have otherwise utilized such infrastructure. However it is anticipated that most districts would normally include such infrastructure thus the cost is not anticipated to be substantially large on a statewide basis.

Sections 3, 4, and 5 establish various grant programs for municipalities, which will be administered by the Department of Emergency Management and Homeland Security (DEMHS) in consultation with the DPS. It is estimated that three additional grant programs will result in the need for additional staff within DEMHS. Depending upon the number of grant applications received annually, the department could require 1-2 additional staff members; one Emergency Preparedness Program Specialist, with an average salary of \$57,971, and one Fiscal Administrative Assistant, with an average salary of \$44,428¹.

Sections 6, 7 and 8 appropriate a total of \$15.0 million from the FY 07 surplus to the Office of Policy and Management to provide grants to local and regional school districts for various purposes contained in the bill. The FY 08 - 10 budget as passed by the Appropriations Committee contains \$10.0 million from such surplus for these purposes within the State Department of Education.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

¹ The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The estimated first year fringe benefit rate for a new employee as a percentage of average salary is 25.8%, effective July 1, 2006. The first year fringe benefit costs for new positions do not include pension costs. The state's pension contribution is based upon the prior year's certification by the actuary for the State Employees Retirement System (SERS). The SERS 2006-07 fringe benefit rate is 34.4%, which when combined with the non pension fringe benefit rate totals 60.2%.

OLR Bill Analysis**sSB 1110*****AN ACT CONCERNING SECURITY ASSESSMENTS AND ASSISTANCE FOR SCHOOLS.*****SUMMARY:**

This bill requires each local and regional board of education to conduct a security assessment of its school building entrances and any related security infrastructure every four years starting by January 1, 2008. Boards must use the Safe Schools Facilities Check List published by the National Clearinghouse for Educational Facilities (see BACKGROUND). The checklist allows schools to assess the safety of school buildings and grounds. Assessments must be conducted under the supervision of the school district's local law enforcement agency.

The bill establishes three state grants for FY 08 to improve security infrastructure in schools, install security systems in schools' primary entryways, purchase portable security devices, and train school personnel to use the devices and the infrastructure. The grants reimburse school districts for eligible expenses for such security measures, if the expenses are incurred on or after the date the bill passes. The bill appropriates a total of \$15 million from the FY 07 General Fund surplus to the Office of Policy and Management (OPM) for the three grants. The Department of Emergency Management and Homeland Security (DEMHS) must administer the grants (see COMMENT).

Finally, the bill requires any school district applying for a state school construction grant for a new school or a major alteration, extension, renovation, or replacement of a school to include in the project plans security infrastructure for any entrances involved. It bars the State Department of Education (SDE) from approving school project plans that do not include entrance security infrastructure.

EFFECTIVE DATE: Upon passage, except for the provision concerning school project plans submitted to SDE for approval, which takes effect July 1, 2007.

SECURITY GRANTS

Grant Purposes

The bill requires DEMHS, within available appropriations, to administer three grants to reimburse school districts for eligible school security expenses incurred on or after the date the bill passes.

One grant reimburses districts for expenses to develop and improve security infrastructure for schools. The second reimburses districts' costs for (1) training school personnel to operate and maintain entrance security infrastructure or (2) if a district considers it appropriate, buying such portable entrance security devices as metal-detector wands and screening machines and training school personnel to use them. The third grant reimburses districts for expenses associated with planning, designing, buying, and installing security systems for schools' primary entryways. The types of security systems the third grant may fund include surveillance cameras, entry door buzzers, scan cards, and panic alarms.

Eligible Expenses

For each grant, the bill requires the DEMHS commissioner to determine which expenses are eligible. Security infrastructure expenses reimbursed under the first grant must be based on the bill's required security assessments of school entrances. Reimbursements for security systems under the third grant are allowed only for expenses that are not already reimbursable under the state's school construction grant program. To be eligible for any of the grants, a board of education must show that it has an emergency plan at its schools that (1) has been developed with applicable state and local first-responders and (2) it periodically practices.

Grant Amounts and Distribution

Districts that apply for grants receive from 20% to 80% of their

eligible security expenses, as determined by the DEMHS commissioner, depending on their town wealth. Wealthier districts receive a lower percentage reimbursement. Town wealth is determined by the wealth measures used for the Education Cost Sharing and other state education grants.

If there is not enough money to reimburse every district for its full eligible percentage, the DEMHS commissioner, in consultation with the public safety commissioner, must give priority to applicants with schools the commissioners determine have the greatest need for entrance security based on the bill's required security assessments. From among those applicants, the commissioner must give priority to schools located in priority school districts.

Districts must apply to DEMHS for the grants when and how the DEMHS commissioner prescribes. Once the grants are awarded, the bill requires the OPM secretary to pay the grants to towns.

Appropriations

The bill appropriates the following amounts from the FY 07 General Fund surplus to OPM and carries over the funds to FY 08 for the respective grants:

1. \$1 million for developing or improving security infrastructure based on security assessments of school entrances;
2. \$4 million for buying portable entrance security devices or training school personnel; and
3. \$10 million for planning, designing, buying, or installing security systems in schools' primary entryways.

SCHOOL PROJECT PLANS REQUIRING SECURITY INFRASTRUCTURE

The bill's requirement that plans for state-reimbursed school projects include security infrastructure for any entrances involved applies to the following types of school building projects:

1. new construction,
2. extension (an addition to an existing school),
3. major alteration (a capital improvement in an existing school building costing more than \$10,000),
4. renovation (totally refurbishing a school so it is as if it were new), and
5. replacement (a new school built on the site of an existing school).

BACKGROUND

National Clearinghouse on Educational Facilities

The clearinghouse was created by the U.S. Department of Education and is funded by the department and overseen by its Office of Safe and Drug-Free Schools. It provides information on planning, designing, funding, building, improving, and maintaining safe, healthy, high-performance schools.

COMMENT

Different Agencies Administering and Paying Grants

Although the bill requires DEHMS to administer the grants, it appropriates funds for the grants to OPM and requires OPM to pay the grants.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 31 Nay 0 (03/26/2007)