



# Senate

General Assembly

**File No. 448**

*January Session, 2007*

Senate Bill No. 1414

*Senate, April 11, 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 bill ought to pass.

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE COMMISSIONERS' OFFICE FOR TECHNICAL  
CHANGES TO THE EDUCATION STATUTES.***

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

1 Section 1. Subdivision (1) of subsection (e) of section 10-76d of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective from passage*):

4 (e) (1) Any local or regional board of education which provides  
5 special education pursuant to any mandates in this section shall  
6 provide transportation [,] to and from, but not beyond the curb of, the  
7 residence of the child, unless otherwise agreed upon by the board and  
8 the parent or guardian of the child, tuition, room and board and other  
9 items necessary to the provision of such special education except for  
10 children who are placed in a residential facility because they need  
11 services other than educational services, in which case the financial  
12 responsibility of the school district and payment to such district shall  
13 be limited to the reasonable costs of special education instruction as

14 defined in the regulations of the State Board of Education. If a hearing  
15 board, pursuant to subsection (d) of section 10-76h, rejects the  
16 educational program prescribed by the local or regional board of  
17 education and determines that a placement by a parent or guardian  
18 was appropriate, the local or regional board of education shall  
19 reimburse the parent or guardian for the reasonable costs incurred for  
20 the provision of special education pursuant to this section from the  
21 initiation of review procedures as provided by said section 10-76h.

22 Sec. 2. Subsection (c) of section 10-76ff of the general statutes is  
23 repealed and the following is substituted in lieu thereof (*Effective from*  
24 *passage*):

25 (c) The use of the word [disability] "disability" pursuant to this  
26 section shall not be the basis for limiting the services or programs,  
27 including regular education, available to such child.

28 Sec. 3. Subsection (b) of section 10-145j of the general statutes is  
29 repealed and the following is substituted in lieu thereof (*Effective from*  
30 *passage*):

31 (b) Such persons may only be employed in a position at the  
32 elementary or secondary level where no certified teacher suitable to  
33 the position is available. Such persons shall (1) be enrolled in a  
34 planned program leading to certification in the subject area they are  
35 teaching, or enrolled in an approved alternate route to certification  
36 program or a program with state approval pending [and] that meets  
37 the standards for an alternate route to certification program, and (2)  
38 have completed at least twelve semester hours of credit or have passed  
39 the assessment approved by the State Board of Education in the subject  
40 area they will teach. The State Board of Education may grant a  
41 durational shortage area permit, endorsed that is consistent with this  
42 section, to a person who meets the qualifications for such permit as  
43 modified by this section. In granting such permits, the board shall give  
44 priority to addressing the needs of the schools operated by the boards  
45 of education for the towns of Bridgeport, Hartford and New Haven,  
46 and then to the needs of state charter schools located in such towns.

47 Such permit shall be valid for one year and shall be renewable once.

48 Sec. 4. Section 10-215b of the general statutes is repealed and the  
49 following is substituted in lieu thereof (*Effective from passage*):

50 (a) The State Board of Education is authorized to expend in each  
51 fiscal year an amount equal to (1) the money required pursuant to the  
52 matching requirements of said federal laws and shall disburse the  
53 same in accordance with said laws, and (2) ten cents per lunch served  
54 in the prior school year in accordance with said laws by any local or  
55 regional board of education, the regional vocational-technical school  
56 system or the governing authority of a state charter school, interdistrict  
57 magnet school or endowed academy approved pursuant to section 10-  
58 34 that participates in the National School Lunch Program and certifies  
59 pursuant to section 10-215f that the nutrition standards established by  
60 the Department of Education pursuant to section 10-215e shall be met.

61 (b) The State Board of Education shall prescribe the manner and  
62 time of application by such board of education, the regional  
63 vocational-technical school system, such governing authority or the  
64 controlling authority of the nonpublic schools for such funds, provided  
65 such application shall include the certification that any funds received  
66 pursuant to subsection (a) of this section shall be used for the program  
67 approved. The State Board of Education shall determine the eligibility  
68 of the applicant to receive such grants pursuant to regulations  
69 provided in subsection (c) of this section and shall certify to the  
70 Comptroller the amount of the grant for which the board of education,  
71 the regional vocational-technical school system, the governing  
72 authority or the controlling authority of a nonpublic school is eligible.  
73 Upon receipt of such certification, the Comptroller shall draw an order  
74 on the Treasurer in the amount, at the time and to the payee so  
75 certified.

76 (c) The State Board of Education may adopt such regulations as may  
77 be necessary in implementing sections 10-215 to 10-215b, inclusive.

78 (d) The Commissioner of Education shall establish a procedure for

79 monitoring compliance by boards of education, the regional  
80 vocational-technical school system, or governing authorities with  
81 certifications submitted in accordance with section 10-215f and may  
82 adjust grant amounts pursuant to subdivision (2) of subsection (a) of  
83 this section based on failure to comply with [said certification] such  
84 certifications.

85 Sec. 5. Subdivision (2) of subsection (d) of section 10-16p of the  
86 general statutes is repealed and the following is substituted in lieu  
87 thereof (*Effective from passage*):

88 (2) (A) Commencing with the fiscal year ending June 30, 2005, if a  
89 town received a grant pursuant to subdivision (1) of this subsection  
90 and is no longer eligible to receive such a grant, the town may receive  
91 a phase-out grant for each of the three fiscal years following the fiscal  
92 year such town received its final grant pursuant to subdivision (1) of  
93 this subsection.

94 (B) The amount of such phase-out grants shall be determined as  
95 follows: (i) For the first fiscal year following the fiscal year such town  
96 received its final grant pursuant to subdivision (1) of this subsection, in  
97 an amount that does not exceed seventy-five per cent of the grant  
98 amount such town received for the [town] town's or school's final year  
99 of eligibility pursuant to subdivision (1) of this subsection; (ii) for the  
100 second fiscal year following the fiscal year such town received its final  
101 grant pursuant to subdivision (1) of this subsection, in an amount that  
102 does not exceed fifty per cent of the grant amount such town received  
103 for the town's or school's final year of eligibility pursuant to  
104 subdivision (1) of this subsection; (iii) for the third fiscal year following  
105 the fiscal year such town received its final grant pursuant to  
106 subdivision (1) of this subsection, in an amount that does not exceed  
107 twenty-five per cent of the grant amount such town received for the  
108 town's or school's final year of eligibility pursuant to subdivision (1) of  
109 this subsection.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	10-76d(e)(1)
Sec. 2	<i>from passage</i>	10-76ff(c)
Sec. 3	<i>from passage</i>	10-145j(b)
Sec. 4	<i>from passage</i>	10-215b
Sec. 5	<i>from passage</i>	10-16p(d)(2)

**ED**      *Joint Favorable*

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:

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis**

**SB 1414**

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE COMMISSIONERS' OFFICE FOR TECHNICAL  
CHANGES TO THE EDUCATION STATUTES.***

**SUMMARY:**

This bill makes technical changes in the statutes concerning elementary and secondary education.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Education Committee

Joint Favorable

Yea 30 Nay 0 (03/26/2007)