



Substitute Senate Bill No. 402

Public Act No. 08-169

AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS, CHANGES TO THE STATUTES RELATING TO SCHOOL CONSTRUCTION, REGIONAL SCHOOL DISTRICTS AND MAGNET SCHOOLS, PROVIDING FUNDING FOR START-UP COSTS FOR MAGNET SCHOOLS AND THE DEVELOPMENT OF A PLAN FOR THE TEACHING OF CHILDREN WITH AUTISM.

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 2008 supplement to the general statutes 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, 2007, 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

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to the priority listing of such projects and in such estimated amounts as approved by said committee prior to February 1, 2008, as follows:

(1) Estimated Grant Commitments.

School District School Project Number	Estimated Project Costs	Estimated Grant
NEW HAVEN UNH Science & Engineering Magnet 0357 MAG/N	\$ 59,500,000	\$ 56,525,000
ASHFORD Ashford School 0016 CV	228,350	157,402
COVENTRY Coventry High School 0054 CV	543,358	333,785
COVENTRY George Hersey Robertson School 0055 CV	317,358	194,953
COVENTRY Coventry Grammar School 0056 CV	215,359	132,295
DERBY New Derby Middle School 0058 N	28,000,000	19,000,800

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UNION

New Union Elementary School

0006 N 6,585,000 3,127,875

ACES

Education Center for the Arts
(Little Theater)

0037 MAG/EA 6,986,129 6,636,823

BRISTOL

Forestville K-8 School

0076 N/PS 53,000,000 39,182,900

BRISTOL

West Bristol K-8 School

0077 N/PS 52,000,000 38,443,600

GRISWOLD

Griswold Middle School

0034 EA/RR 34,000,000 25,013,800

GRISWOLD

New Griswold Elementary School

0035 N 36,000,000 26,485,200

MILFORD

Joseph A. Foran High School

0174 A/EC 3,800,000 1,493,020

MILFORD

Jonathan Law High School

0175 A/EC 2,400,000 942,960

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NEW HAVEN		
Timothy Dwight School		
0358 E	39,000,000	30,501,900
TRUMBULL		
Reg Agriscience/Tech Center		
0100 VE	125,958	119,660
TRUMBULL		
Trumbull High School		
0101 EA/RR	73,671,120	22,624,401
VERNON		
Rockville High School (Vo-Ag)		
0132 VE	72,000	68,400
WATERFORD		
New Great Neck Elem. School		
0101 N	28,890,015	10,316,624
WATERTOWN		
Watertown High School		
0051 EA/RR	56,024,168	31,412,751
WATERTOWN		
Fletcher W. Judson School		
0052 EA	15,821,720	8,871,238
WATERTOWN		
Polk School		
0053 EA	12,486,976	7,001,447

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REGIONAL DISTRICT #14

Nonnewaug High School (Vo-Ag)

0088 VE 342,200 325,090

GROTON

Claude Chester School

0181 EC 689,877 399,163

GUILFORD

E.C. Adams Middle School

0094 EC 725,000 240,773

NAUGATUCK

Naugatuck High School

0061 A/EC/RR 6,233,564 4,719,431

NEW BRITAIN

New Britain High School

0164 A/EC/RR 5,113,070 4,072,049

NEWTOWN

Central Admin. - Bridgeport Hall

0111 BE/A/PS 3,254,880 593,039

EASTCONN

Central Admin. - Professional

Development Center

0091 BE/E 9,583,387 6,434,286

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

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School District	Authorized	Requested
School		
Project Number		
BLOOMFIELD		
Bloomfield Early Childhood		
Magnet School		
011-0074 MAG/N		
Estimated...		
Total Project Costs	\$ 18,305,291	\$ 22,300,000
Total Grant	17,390,026	21,185,000
EAST HADDAM		
New East Haddam 4-8 School		
041-0038 N/PS		
Estimated...		
Total Project Costs	24,830,000	34,448,072
Total Grant	12,149,319	16,855,442
ESSEX		
Essex Elementary School		
050-0006 EA/PS		
Estimated...		
Total Project Costs	15,887,000	13,300,000
Total Grant	4,708,907	3,942,120
MILFORD		
Alternative Education Center		
084-0167 EA/PF		
Estimated...		
Total Project Costs	3,300,000	6,175,000
Total Grant	1,449,690	2,712,678

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MILFORD
Jonathan Law High School
084-0171 EA/EC

Estimated...		
Total Project Costs	2,200,000	2,820,000
Total Grant	887,920	1,138,152

MILFORD
Calf Pen Meadow School
084-0173 EC

Estimated...		
Total Project Costs	600,000	762,592
Total Grant	242,160	307,782

NAUGATUCK
Naugatuck High School
088-0053 EA

Estimated...		
Total Project Costs	2,600,000	3,241,006
Total Grant	1,894,360	2,361,397

NEW HAVEN
Clemente PK-8 School
093-0351 A/RR

Estimated...		
Total Project Costs	37,840,000	42,000,000
Total Grant	30,272,000	33,600,000

NORWALK
Roton Middle School
103-0232 EA

Estimated...		
Total Project Costs	5,800,000	8,016,965
Total Grant	1,988,820	2,749,017

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WATERBURY
New Elementary School #2
151-0253 N/PS

Estimated...		
Total Project Costs	31,900,000	48,000,000
Total Grant	24,722,500	37,200,000

WATERFORD
Quaker Hill Elementary School
152-0099 N

Estimated...		
Total Project Costs	27,940,275	27,940,275
Total Grant	7,485,200	7,485,200

WEST HAVEN
West Haven High School
156-0127 A/EC

Estimated...		
Total Project Costs	600,000	2,029,595
Total Grant	454,260	1,536,606

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

School District	Authorized	Requested
School		
Project Number		

NEW BRITAIN
Alternative Behavior Center
089-0156 N

Estimated...

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Total Project Costs	\$ 2,255,000	\$ 3,245,000
Total Grant	1,787,990	2,572,961

NEW HAVEN
Worthington Hooker School
093-0342 PF/EA

Estimated...		
Total Project Costs	\$ 20,400,000	\$ 35,500,000
Total Grant	16,246,560	28,272,200

(4) Previously Authorized Projects For the Regional Vocational-
Technical School System That Have Changed Substantially in Scope or
cost Which are Seeking Reauthorization.

School District	Authorized	Requested
School		
Project Number		

CTHSS (DANBURY)
Henry Abbott
900-0002 VT/EA

Estimated...		
Total Project Costs	54,659,389	62,900,000
Total Grant	54,659,389	62,900,000

CTHSS (HARTFORD)
A.I. Prince
900-0004 VT/EA

Estimated...		
Total Project Costs	72,357,577	85,300,000
Total Grant	72,357,577	85,300,000

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CTHSS (HAMMDEN)
Eli Whitney
900-0007 VT/EA

Estimated...		
Total Project Costs	74,286,000	98,000,000
Total Grant	74,286,000	98,000,000

CTHSS (DANIELSON)
H.H. Ellis
900-0009 VT/EA

Estimated...		
Total Project Costs	59,747,000	84,000,000
Total Grant	59,747,000	84,000,000

Sec. 2. Section 10-286 of the general statutes is amended by adding subsection (d) as follows (*Effective July 1, 2008*):

(NEW) (d) For any school building project receiving state grant assistance under this chapter, all change orders or other change directives issued for such project on or after July 1, 2008, shall be submitted, not later than six months after the date of such issuance, to the Commissioner of Education, in a manner prescribed by the commissioner. Only change orders or other change directives submitted to the commissioner in accordance with this subsection shall be eligible for state grant assistance.

Sec. 3. Section 10-285c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

For school building projects approved by the General Assembly after July 1, 1993, if state reimbursement pursuant to the provisions of this chapter or any special act, for the acquisition, purchase or construction of a building was for [one hundred] ninety-five or more

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per cent of the eligible costs of such acquisition, purchase or construction and such building ceases to be used for the purpose for which the grant was provided within twenty years of the date of approval by the General Assembly of the project, title to the building shall revert to the state unless the Commissioner of Education decides otherwise for good cause.

Sec. 4. (*Effective from passage*) (a) 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 Newtown may let out for bid on and commence a project to purchase and alter a building for Board of Education space (Project Number 097-0111) 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.

(b) Notwithstanding the provisions of section 10-285 of the general statutes or any regulation adopted by the State Board of Education requiring a town to attend a meeting with the Department of Education staff prior to executing a design-build contract, the town of Newtown may proceed with the contract for renovation of a certain building located at the former Fairfield Hills Hospital site for the purpose of providing space for the town board of education's central administration offices (Project Number 097-0111) and shall be eligible for a grant commitment from the state.

Sec. 5. (*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 Waterbury may let out for bid on and commence a project for code violation (Project Number

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151-0243 RNV/CV) 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. 6. (*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 Stamford may let out for bid on and commence a project (Project Number 135-0263 A) at Cloonan Middle School and shall be eligible to subsequently be considered for a grant commitment for eligible costs from the state, provided plans and specifications have been approved by the Department of Education's school facilities unit.

Sec. 7. (*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 Newington may let out for bid on and commence a project for expansion, alterations and correction of code violations (Project Number TEMP 094-JJHV) at Newington 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.

Sec. 8. (*Effective July 1, 2008*) (a) Notwithstanding the provisions of section 10-283 of the 2008 supplement to 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, that no school building project shall be added to the list in subdivision (1) of section 1 of this act and concerning eligible

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costs, the zero carbon footprint demonstration project, including installation of a solar array on the roof, improved heating and ventilation system controls, lighting controls for daytime dimming and window treatments to retain heat in winter and reduce heat gain in summer at Wolcott Elementary School in West Hartford, which shall be considered eligible costs, is included in said subdivision (1) of this act and shall be eligible to be subsequently considered for a grant commitment from the state for costs not to exceed seven hundred fifty thousand dollars, provided the school district files an application for a school building project prior to June 30, 2009, and meets all other provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education.

(b) Notwithstanding any provision of chapter 173 of the general statutes or any regulation adopted pursuant to said chapter, the town of West Hartford may use any private, federal or state grants, other than grants received pursuant to said chapter, to finance the project described in subsection (a) of this section and such funds shall be considered to be part or all of the town's local share for such project.

Sec. 9. (*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 for purposes of calculating eligible costs for a school building project grant, the town of Scotland may use three hundred forty-three as its projected enrollment figures for the expansion and alteration project (Project Number 123-0008 EA) at Scotland Elementary School.

Sec. 10. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the 2008 supplement to 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 and that no school building project shall be added

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to the list in subdivision (1) of section 1 of this act, the project for alterations (Project Number TMP-015-FVRD) at Wilbur Cross School in Bridgeport 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, 2008, and meets all other provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education.

Sec. 11. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the 2008 supplement to 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 and that no school building project shall be added to the list in subdivision (1) of section 1 of this act, the project for an addition and renovation as new (Project Number 104-0112) at Kelly Middle School in Norwich 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, 2008, and meets all other provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education.

Sec. 12. Subsection (b) of section 30 of public act 07-249, as amended by section 23 of public act 07-3 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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projects for both schools shall not be more than ten million dollars more than the grant amount such district would have otherwise received for such projects pursuant to the provisions of section 10-286 of the general statutes. No school in such district shall be eligible to receive a grant pursuant to subsection (c) of section 10-264*l* of the general statutes, unless such school operates as an "interdistrict magnet school program", as defined in subsection (a) of said section 10-264*l*, 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 10-264*h* 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 10-264*h* 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. For purposes of this subdivision, students enrolled in the Regional Multicultural Magnet School operated by LEARN shall be deemed enrolled in the interdistrict magnet school district.

Sec. 13. (*Effective from passage*) Notwithstanding any provision of chapter 173 of the general statutes or any regulation adopted by the State Board of Education to said chapter 173, provided the board of

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education for Hartford enters into an agreement to send students to the East Hartford/Glastonbury Magnet School with the operators of such school, (1) the grant for the East Hartford/Glastonbury Magnet School (Project Number 043-0228 MAG/N) previously awarded to East Hartford is hereby awarded to Glastonbury and the subject school shall be located in Glastonbury; (2) one hundred per cent of the total estimated project costs up to \$29,724,250 shall be eligible for reimbursement and ninety-five per cent of the eligible costs over \$29,724,250, but not in excess of \$7,000,000, shall be eligible for reimbursement; (3) the Commissioner of Education may disapprove the project if construction has not commenced within two years of the effective date of this section; (4) any existing plans and specifications for the project may be used in whole or in part for the project, and the funds previously expended for such plans shall be deemed to be eligible for reimbursement, notwithstanding whether such plans are so used or whether the project is completed; and (5) the town of East Hartford shall not be required to return a portion of the grant in an amount not to exceed two million nine hundred thousand dollars which it has previously expended with respect to the project, if such expenses were for parts of the project which were not site specific and resulted in plans that are transferable to the new site in Glastonbury, and no further claims for reimbursement for plans are made for the Glastonbury site.

Sec. 14. (*Effective July 1, 2008*) Notwithstanding the provisions of section 10-283 of the 2008 supplement to 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, that no school building project shall be added to the list in subdivision (1) of section 1 of this act, and concerning eligible costs, a project for plans for renovations of a model children's campus project at Charter Oak Elementary School in West Hartford, including an interdistrict magnet preschool pursuant to the 2008

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stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., which shall be considered an eligible cost, is included in said subdivision (1) of this act and shall be eligible to be subsequently considered for a grant commitment from the state for costs not to exceed seven hundred thousand dollars, provided the school district files an application for a school building project prior to June 30, 2009, and meets all other provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education.

Sec. 15. (*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 076-0059 RR) at Dr. Robert H. Brown 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. 16. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the 2008 supplement to the general statutes or any regulation adopted by the State Board of Education requiring a completed grant application be submitted prior to acceptance of the application by the Department of Education, the town of Lebanon may remain eligible for state grant assistance for a project for the purchase of vocational-agriculture equipment (Project Number 072-0052 VE) at Lyman Memorial High School provided documentation of the required local legislative authorizations and local funding authorization is submitted to the Department of Education's school facilities unit on or before June 30, 2008.

Sec. 17. Subsection (b) of section 10-287 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu

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thereof (*Effective July 1, 2008*):

(b) (1) All orders and contracts for school building construction receiving state assistance under this chapter, [including orders and contracts for architectural or construction management services] except as provided in subdivision (2) of this subsection, shall be awarded to the lowest responsible qualified bidder only after a 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)] (A) 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)] (B) 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.

(2) All orders and contracts for architectural or construction management services shall be awarded from a pool of not more than the four most responsible qualified proposers after a public selection process. Such process shall, at a minimum, involve requests for qualifications, followed by requests for proposals, including fees, from the proposers meeting the qualifications criteria of the request for qualifications process. Public advertisements shall be required in a newspaper having circulation in the town in which construction is to take place, except for school building projects for which the town or regional school district is using a state contract pursuant to subsection (d) of section 10-292. Following the qualification process, the awarding authority shall evaluate the proposals to determine the four most responsible qualified proposers using those criteria previously listed in the requests for qualifications and requests for proposals for selecting architectural or construction management services specific to the project or school district. Such evaluation criteria shall include due

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consideration of the proposer's pricing for the project, experience with work of similar size and scope as required for the order or contract, organizational and team structure for the order or contract, past performance data, including, but not limited to, adherence to project schedules and project budgets and the number of change orders for projects, the approach to the work required for the contract and documented contract oversight capabilities, and may include criteria specific to the project. Final selection by the awarding authority is limited to the pool of the four most responsible qualified proposers and shall include consideration of all criteria included within the request for proposals. As used in this subdivision, "most responsible qualified proposer" means the proposer who is qualified by the awarding authority when considering price and the factors necessary for faithful performance of the work based on the criteria and scope of work included in the request for proposals.

Sec. 18. (*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 for purposes of calculating eligible costs for a school building project grant, the town of Portland may use one thousand seventy as its projected enrollment figures for the expansion and alteration project (Project Number 113-0037 EA) at Portland Middle/High School.

Sec. 19. (*Effective from passage*) Notwithstanding any provision of chapter 173 of the general statutes or any regulation adopted under said chapter 173, the town of Middletown may use any private, federal or state grants, other than grants received pursuant to said chapter, to finance projects (Project Numbers 083-0109N and 083-0110 VA) and such funds shall be considered to be part or all of the town's local share for such project.

Sec. 20. (*Effective from passage*) Notwithstanding the provisions of

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section 10-284 of the general statutes or any regulations adopted by the State Board of Education requiring that a town or regional school district begin construction on a project not later than two years after the effective date of the act of the General Assembly authorizing the Commissioner of Education to enter into grant commitments for such project, the town of Bridgeport shall have until June 30, 2010, to begin construction on a new interdistrict magnet school (Project Number 015-1059 MAG/NEW) at the Multi-Magnet High School.

Sec. 21. (*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 board of education for Region 19 may let out for bid on and commence a project for vocational agriculture equipment and building modifications (Project Numbers 219-0013 VE, 219-0015 VA/VE and 219-0016 VE) at Edwin O. Smith 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.

Sec. 22. (*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, the town of New Haven may apply a portion of the proceeds received from the state for the sale of Woodward School in an amount not to exceed three million dollars as all or part of its local share to various school construction projects in New Haven.

Sec. 23. Subsection (a) of section 10-47b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

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(a) Except as provided in subsection (b) of this section, any regional school district which does not include all elementary and secondary grades may add or withdraw grades in accordance with the provisions of subdivision (1) or, if applicable, subdivision (2) of this subsection.

(1) Any regional board of education in a school district which does not include all elementary and secondary school grades may recommend a study of the advisability of the addition to or withdrawal of grades from the regional school district or, upon the request of two or more of the town boards of education of the member towns, shall recommend such a study to the chairmen of the town boards of education and chairmen of the boards of finance or other such fiscal authorities in each town affected. Within thirty days of receipt of such recommendation, such chairmen shall each appoint one of the members of their boards and the chairman of the regional board of education shall appoint one member of the regional board from each member town to a study committee. The Commissioner of Education shall appoint a consultant to the study committee. The study committee shall proceed in the same manner as the temporary regional school study committee except that the expenses of the committee shall be borne by the regional school district and shall not exceed three dollars times the number of pupils in average daily membership of such town and regional school districts as defined in section 10-261 and the committee shall submit its report to the participating towns no later than one year from the date of its organizational meeting. If the committee recommends a plan for addition to or withdrawal of grades from the regional school district and the referenda held in the manner provided in section 10-45, as amended by this act, result in an affirmative vote in the regional school district as a whole, the participating towns shall implement the plan.

(2) Any regional board of education in a school district which does not include all elementary and secondary school grades and has a total

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of three member towns, each with a population between three thousand and seven thousand five hundred persons pursuant to subdivision (27) of section 10-262f of the 2008 supplement to the general statutes, and a combined population for such towns of at least ten thousand persons, but fewer than twenty thousand persons may recommend and develop a plan for the addition to or withdrawal of grades from the regional school district or, upon the request of two or more of the town boards of education of the member towns, may make such recommendation and develop such a plan. If the regional board of education recommends a plan for addition to or withdrawal of grades from the regional school district, referenda shall be held in the manner provided in section 10-45, as amended by this act. If such referenda results in an affirmative vote in the regional school district as a whole, the participating towns shall implement the plan.

Sec. 24. Section 10-45 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) Upon receipt of a copy of the certificate of approval, the committee shall set the day on which referenda shall be held simultaneously in each of the participating towns to determine whether a regional school district shall be established as recommended. Such referenda shall be held between forty-five and ninety days from the date of such approval. In the case of a recommendation from a study committee or a regional board of education to add or withdraw grades from the regional school district pursuant to the provisions of subsection (a) of section 10-47b, as amended by this act, such referenda shall be held between forty-five and ninety days from the date of such recommendation. The committee or regional board of education shall immediately notify the town clerk in each participating town of its decision. Upon receipt of such notice, the town clerk shall file the notice required by section 9-369a. The warning of such referenda shall be published, the vote taken

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and the results thereof canvassed and declared in the same manner as is provided for the election of officers of a town. The town clerk of each participating town shall certify the results of the referendum to the State Board of Education.

(b) The vote on the question shall be taken by a "yes" and "no" vote on the voting machine and the designation of the question on the voting machine ballot label shall be "Shall a regional school district be established in accordance with the plan approved by the State Board of Education on (date)?" and the label used shall conform with the provisions of section 9-250 of the 2008 supplement to the general statutes. If the majority of the votes in each of the participating towns is affirmative, a regional school district composed of such towns is established and shall be numbered in accordance with the order of the incorporation of the districts.

(c) If the majority vote of one or more of such towns is negative, the committee or, in the case of a study committee's or a regional board of education's recommendation to add or withdraw grades from the regional school district pursuant to the provisions of subsection (a) of section 10-47b, as amended by this act, the regional board of education shall determine the advisability of immediately submitting the question to referendum a second time. If the committee or regional board of education so recommends, [it] the committee or board shall notify the town clerk in each participating town of its decision. Within thirty days after receipt of such notice, the legislative body of the town shall meet to act upon the committee or board recommendation. If the legislative body in each of the participating towns accepts the recommendation, a second referendum shall be held in each participating town in accordance with the provisions of this section. If the majority of votes cast in each town is affirmative, the regional school district is established and numbered accordingly or grades are added to or withdrawn from the regional school district, as applicable.

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Sec. 25. (*Effective from passage*) (a) Notwithstanding the provisions of subsection (a) of section 10-264h of the 2008 supplement to the general statutes, as amended by this act, or any regulation adopted pursuant to subsection (a) of said section 10-264h, concerning the reimbursement rate for the capital expenditure for the construction of interdistrict magnet school facilities, the Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College shall be eligible for reimbursement of the full reasonable cost of the project for new construction at Quinebaug Valley Middle College High School on the campus of Quinebaug Valley Community College.

(b) Notwithstanding the provisions of section 10-283 of the 2008 supplement to the general statutes, or any regulation adopted pursuant to said section 10-283, requiring that no school building project shall be added to the list in subdivision (1) of section 1 of this act, the project for new construction at Quinebaug Valley Middle College High School on the campus of Quinebaug Valley Community College 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 Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College files an application for a school building project prior to June 30, 2009, and meets all other provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education.

Sec. 26. Subsections (a) to (c), inclusive, of section 10-283 of the 2008 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) (1) Each town or regional school district shall be eligible to apply for and accept grants for a school building project as provided in this chapter. Any town desiring a grant for a public school building project may, by vote of its legislative body, authorize the board of education of such town to apply to the Commissioner of Education and to accept or

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reject such grant for the town. Any regional school board may vote to authorize the supervising agent of the regional school district to apply to the Commissioner of Education for and to accept or reject such grant for the district. Applications for such grants under this chapter shall be made by the superintendent of schools of such town or regional school district on the form provided and in the manner prescribed by the Commissioner of Education. The application form shall require the superintendent of schools to affirm that the school district considered the maximization of natural light and the use and feasibility of wireless connectivity technology in projects for new construction and alteration or renovation of a school building. Grant applications for school building projects shall be reviewed by the Commissioner of Education on the basis of categories for building projects and standards for school construction established by the State Board of Education in accordance with this section, provided grant applications submitted for purposes of subsection (a) of section 10-65 of the 2008 supplement to the general statutes or section 10-76e shall be reviewed annually by the commissioner on the basis of the educational needs of the applicant. Notwithstanding the provisions of this chapter, the Board of Trustees of the Community-Technical Colleges on behalf of [Manchester] Quinebaug Valley Community College and the following entities that will operate an interdistrict magnet school that will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the commissioner, may apply for and shall be eligible to receive grants for school building projects pursuant to section 10-264h of the 2008 supplement to the general statutes, as amended by this act, for such a school: (A) The Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (B) the Board of Trustees of the Connecticut State University System on behalf of a state university, (C) the Board of Trustees for The University of Connecticut on behalf of the university, (D) the board of governors for an independent college or university, as defined in section 10a-37, or the equivalent of

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such a board, on behalf of the independent college or university, (D) cooperative arrangements pursuant to section 10-158a, and (E) any other third-party not-for-profit corporation approved by the commissioner.

(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] July first shall be reviewed promptly by the commissioner and the amount of the grant for which such project is eligible shall be estimated, provided an application for a school building project determined by the commissioner to be a project that will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., shall have until September first to submit an application for such a project and may have until December first of the same year to secure and report all local and state approvals required to complete the grant application. The

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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 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 of the 2008 supplement to the general statutes 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 of the 2008 supplement to the general statutes 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

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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.

(3) (A) All final calculations completed by the Department of Education for school building projects authorized on or after July 1, 1996, shall include a computation of the state grant for the school building project amortized on a straight line basis over a twenty-year period for school building projects with costs equal to or greater than two million dollars and over a ten-year period for school building projects with costs less than two million dollars. Any town or regional school district which abandons, sells, leases, demolishes or otherwise redirects the use of such a school building project to other than a public school use during such amortization period shall refund to the state the unamortized balance of the state grant remaining as of the date the abandonment, sale, lease, demolition or redirection occurs. The amortization period for a project shall begin on the date the project was accepted as complete by the local or regional board of education. A town or regional school district required to make a refund to the state pursuant to this subdivision may request forgiveness of such refund if the building is redirected for public use. The department shall include as an addendum to the annual school construction priority list all those towns requesting forgiveness. General Assembly approval of the priority list containing such request shall constitute approval of such request. This subdivision shall not apply to projects to correct safety, health and other code violations or to remedy certified school indoor air quality emergencies approved pursuant to subsection (b) of this section or projects subject to the provisions of section 10-285c.

(B) Any moneys refunded to the state pursuant to subparagraph (A)

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of this subdivision shall be deposited in the state's tax-exempt proceeds fund and used not later than sixty days after repayment to pay debt service on, including redemption, defeasance or purchase of, outstanding bonds of the state the interest on which is not included in gross income pursuant to Section 103 of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended.

(b) Notwithstanding the application date requirements of this section, the Commissioner of Education may approve applications for grants to assist school building projects 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 make payments thereon within the limit of appropriated funds, provided portable classroom building projects shall 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.

(c) No school building project shall be added to the list prepared by the Commissioner of Education pursuant to subsection (a) of this section after such list is submitted to the committee of the General Assembly appointed pursuant to section 10-283a unless (1) the project is for a school placed on probation by the New England Association of Schools and Colleges and the project is necessary to preserve accreditation, (2) the project is necessary to replace a school building for which a state agency issued a written notice of its intent to take the school property for public purpose, [or] (3) for the fiscal year ending June 30, 2002, the project is in a town operating under state governance, or (4) it is a school building project determined by the commissioner to be a project that will assist the state in meeting the

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goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. The provisions of this subsection shall not apply to projects previously authorized by the General Assembly that require special legislation to correct procedural deficiencies.

Sec. 27. Subdivision (1) of subsection (a) of section 10-264h of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(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. (A) For the fiscal year ending June 30, 2004, and each fiscal year thereafter, such entities, and (B) for the fiscal year ending June 30, 2008, and each fiscal year thereafter, the following entities that operate an interdistrict magnet school that assists the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the commissioner: (i) The Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (ii) the Board of Trustees of the Connecticut State University System on behalf of a state university, (iii) the Board of Trustees for The University of Connecticut on behalf of the university, (iv) the board of governors for an independent college or university, as defined in section 10a-37, or the equivalent of such a board, on behalf of the independent college or university, and (v) any other third-party not-for-profit corporation approved by the commissioner may be eligible for reimbursement up to ninety-five per cent of such cost. To be eligible for reimbursement under this section a

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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.

Sec. 28. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the 2008 supplement to the general statutes, or any regulation adopted by the State Board of Education pursuant to said section 10-283, a project for the construction of the Goodwin College-Connecticut River Academy for Earth and Space Science Magnet School in East Hartford shall be included in subdivision (1) of section 1 of this act, with total project costs not to exceed eighty million dollars and shall subsequently be considered for a grant commitment from the state, provided Goodwin College files an application for a school building project prior to September 1, 2008, meets all other provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education pursuant to said chapter 173 and is eligible for grant assistance pursuant to said chapter 173.

Sec. 29. (*Effective July 1, 2008*) (a) For the purposes described in subsection (b) of this section, the State Bond Commission shall have the power, from time to time, to authorize the issuance of bonds of the state in one or more series and in principal amounts not exceeding in the aggregate three million dollars.

(b) The proceeds of the sale of said bonds, to the extent of the amount stated in subsection (a) of this section, shall be used by the Department of Education for grants-in-aid for the purpose of capital start-up costs related to the development of new interdistrict magnet school programs to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., for the purpose of buying portable classrooms, leasing space, and

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purchasing equipment, including, but not limited to, computers and classroom furniture.

(c) All provisions of section 3-20 of the general statutes, or the exercise of any right or power granted thereby, which are not inconsistent with the provisions of this section are hereby adopted and shall apply to all bonds authorized by the State Bond Commission pursuant to this section, and temporary notes in anticipation of the money to be derived from the sale of any such bonds so authorized may be issued in accordance with said section 3-20 and from time to time renewed. Such bonds shall mature at such time or times not exceeding twenty years from their respective dates as may be provided in or pursuant to the resolution or resolutions of the State Bond Commission authorizing such bonds. None of said bonds shall be authorized except upon a finding by the State Bond Commission that there has been filed with it a request for such authorization which is signed by or on behalf of the Secretary of the Office of Policy and Management and states such terms and conditions as said commission, in its discretion, may require. Said bonds issued pursuant to this section shall be general obligations of the state and the full faith and credit of the state of Connecticut are pledged for the payment of the principal of and interest on said bonds as the same become due, and accordingly and as part of the contract of the state with the holders of said bonds, appropriation of all amounts necessary for punctual payment of such principal and interest is hereby made, and the State Treasurer shall pay such principal and interest as the same become due.

Sec. 30. Section 10-287d of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

For the purposes of funding (1) grants to projects that have received approval of the State Board of Education pursuant to sections 10-287 of

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the 2008 supplement to the general statutes and 10-287a, subsection (a) of section 10-65 of the 2008 supplement to the general statutes and section 10-76e, (2) grants to assist school building projects to remedy safety and health violations and damage from fire and catastrophe, and (3) regional vocational-technical school projects pursuant to section 10-283b of the 2008 supplement to the general statutes, the State Treasurer is authorized and directed, subject to and in accordance with the provisions of section 3-20, to issue bonds of the state from time to time in one or more series in an aggregate amount not exceeding six billion seven hundred [eleven] thirty-one million eight hundred sixty thousand dollars, provided six hundred [three] twenty-three million dollars of said authorization shall be effective July 1, 2008. Bonds of each series shall bear such date or dates and mature at such time or times not exceeding thirty years from their respective dates and be subject to such redemption privileges, with or without premium, as may be fixed by the State Bond Commission. They shall be sold at not less than par and accrued interest and the full faith and credit of the state is pledged for the payment of the interest thereon and the principal thereof as the same shall become due, and accordingly and as part of the contract of the state with the holders of said bonds, appropriation of all amounts necessary for punctual payment of such principal and interest is hereby made, and the State Treasurer shall pay such principal and interest as the same become due. The State Treasurer is authorized to invest temporarily in direct obligations of the United States, United States agency obligations, certificates of deposit, commercial paper or bank acceptances such portion of the proceeds of such bonds or of any notes issued in anticipation thereof as may be deemed available for such purpose.

Sec. 31. (*Effective from passage*) (a) The Commissioners of Education, Higher Education and Developmental Services and the President of Southern Connecticut State University, or their designees, jointly and in consultation with such state, local and other entities as they deem

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appropriate, including, but not limited to, the constituent units of the state system of higher education, as defined in 10a-1 of the general statutes, independent colleges or universities, as defined in section 10a-37 of the general statutes, the State Education Resource Center, established under section 10-4q of the general statutes, and the regional educational service centers established under section 10-66a of the general statutes, shall define autism and developmental disabilities for purposes of this section, and develop recommendations for a comprehensive state-wide plan to incorporate methods of teaching children with autism and other developmental disabilities into:

(1) Programs for teacher preparation pursuant to section 10-145a of the general statutes;

(2) Requirements for candidates seeking an initial educator or provisional educator certificate pursuant to section 10-145b of the general statutes;

(3) In-service training pursuant to section 10-220a of the general statutes; and

(4) Training provided to school paraprofessionals pursuant to section 10-155j of the 2008 supplement to the general statutes, related service professionals, early childhood certificate holders, administrators and parents.

(b) In developing recommendations pursuant to this section, the commissioner and chancellor, or their designees, shall, at a minimum, address the following issues related to the incorporation of methods of teaching children with autism and other developmental disabilities into the programs, requirements and training described in subsection (a) of this section:

(1) Competencies for individuals described in subdivisions (2) and (4) of subsection (a) of this section;

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(2) Existing capacity to incorporate methods of teaching children with autism and other developmental disabilities into the programs, requirements and training described in subsection (a) of this section and the extent to which new capacity is needed at the elementary and secondary school levels and in institutions of higher education;

(3) The extent to which methods of teaching children with autism and other developmental disabilities need to be implemented in school readiness programs and grades kindergarten to twelve, inclusive;

(4) The availability of persons with expertise concerning the methods of teaching children with autism and other developmental disabilities;

(5) Collaborative partners who should be involved in the process of the development of training concerning the methods of teaching children with autism and other developmental disabilities;

(6) Best practices in pedagogy concerning the teaching of children with autism and other developmental disabilities, including research-based strategies that at a minimum address:

(A) Characteristics of students with autism and other developmental disabilities;

(B) Curriculum planning, curricular and instructional modifications, adaptations, and specialized strategies and techniques;

(C) Assistive technology; and

(D) Inclusive educational practices, including, but not limited to, collaborative partnerships;

(7) The incorporation of methods of teaching children with autism and other developmental disabilities into the programs, requirements and training described in subsection (a) of this section that are in

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compliance with requirements under the Individuals with Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time;

(8) A budget and timeline for implementation of the plan developed pursuant to this section; and

(9) Steps to assess the impact of the implementation of the plan developed pursuant to this section on school readiness programs, elementary and secondary schools and institutions of higher education.

(c) Not later than February 1, 2009, the Commissioner of Education and Chancellor of the Connecticut State University System, or their designees, shall, in accordance with the provisions of section 11-4a of the general statutes, report recommendations developed pursuant to this section to the joint standing committees of the General Assembly having cognizance of matters relating to education, public health and higher education.

Sec. 32. (*Effective from passage*) (a) Notwithstanding any provision of section 10-283 of the general statutes or any regulation adopted by the State Board of Education requiring that the scope of a school building project be set at the time of application for a school building project grant, the town of Watertown may expand the scope of the roof replacement projects (Project Numbers 153-0045 RR, 153-0046 RR and 153-0047 RR) to include ceiling and fire prevention work.

(b) Notwithstanding the provisions of sections 10-291 of the 2008 supplement to the general statutes and 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 Watertown may let out for bid on and commence a project for projects described in subsection (a) of this section and shall be eligible to

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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. (*Effective from passage*) Notwithstanding the provisions of section 10-287, or any regulation adopted by the State Board of Education pursuant to said section requiring a competitive bidding process for orders and contracts for school building construction receiving state assistance under chapter 173 of the general statutes, the town of New Canaan shall not be required to conduct such process for orders and contracts for the portion of the project for renovation and extension for New Canaan High School (Project Number 090-0044 RNV/E) concerning remediation of latent asbestos or other hazard as defined by code.

Approved June 12, 2008