



Substitute Senate Bill No. 404

Public Act No. 08-170

AN ACT CONCERNING VARIOUS EDUCATION GRANTS AND CHANGES TO THE STATUTES CONCERNING MAGNET SCHOOLS, VOCATIONAL AGRICULTURE CENTERS AND THE CERTIFICATION OF BILINGUAL EDUCATION TEACHERS.

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

Section 1. Subsection (e) of section 10-262i of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(e) The percentage of the increase in aid pursuant to this section applicable under subsection (d) shall be the average of the results of (1) (A) a town's current program expenditures per resident student pursuant to subdivision (36) of section 10-262f of the 2008 supplement to the general statutes, subtracted from the highest current program expenditures per resident student in this state, (B) divided by the difference between the highest current program expenditures per resident student in this state and the lowest current program expenditures per resident student in this state, (C) multiplied by fifty per cent, (D) plus fifteen percentage points, (2) (A) a town's wealth pursuant to subdivision (26) of section 10-262f of the 2008 supplement to the general statutes, subtracted from the wealth of the town with the highest wealth of all towns in this state, (B) divided by the difference

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

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district that serves only grades seven to twelve, inclusive, or grades nine to twelve, inclusive, (ii) appropriates at least the minimum percentage of increase in aid pursuant to the provisions of this section, and (iii) has a reduced assessment from the previous fiscal year for students enrolled in such regional school district, excluding debt service for such students, shall be considered to be in compliance with the provisions of this section.

Sec. 2. Subdivision (6) of subsection (a) of section 10-262h of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(6) For the fiscal year ending June 30, 1996, and each fiscal year thereafter, a grant in an amount equal to the amount of its target aid as described in subdivision (32) of section 10-262f of the 2008 supplement to the general statutes except that such amount shall be capped in accordance with the following: (A) For the fiscal years ending June 30, 1996, June 30, 1997, June 30, 1998, and June 30, 1999, for each town, the maximum percentage increase over its previous year's base revenue shall be the product of five per cent and the ratio of the wealth of the town ranked one hundred fifty-third when all towns are ranked in descending order to each town's wealth, provided no town shall receive an increase greater than five per cent. (B) For the fiscal years ending June 30, 2000, June 30, 2001, June 30, 2002, June 30, 2003, and June 30, 2004, for each town, the maximum percentage increase over its previous year's base revenue shall be the product of six per cent and the ratio of the wealth of the town ranked one hundred fifty-third when all towns are ranked in descending order to each town's wealth, provided no town shall receive an increase greater than six per cent. (C) No such cap shall be used for the fiscal year ending June 30, 2005, or any fiscal year thereafter. (D) For the fiscal year ending June 30, 1996, for each town, the maximum percentage reduction from its previous year's base revenue shall be equal to the product of three per

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cent and the ratio of each town's wealth to the wealth of the town ranked seventeenth when all towns are ranked in descending order, provided no town's grant shall be reduced by more than three per cent. (E) For the fiscal years ending June 30, 1997, June 30, 1998, and June 30, 1999, for each town, the maximum percentage reduction from its previous year's base revenue shall be equal to the product of five per cent and the ratio of each town's wealth to the wealth of the town ranked seventeenth when all towns are ranked in descending order, provided no town's grant shall be reduced by more than five per cent. (F) For the fiscal year ending June 30, 2000, and each fiscal year thereafter, no town's grant shall be less than the grant it received for the prior fiscal year. (G) For each fiscal year prior to the fiscal year ending June 30, 2008, except for the fiscal year ending June 30, 2004, in addition to the amount determined pursuant to this subdivision, a town shall be eligible for a density supplement if the density of the town is greater than the average density of all towns in the state. The density supplement shall be determined by multiplying the density aid ratio of the town by the foundation level and the town's total need students for the prior fiscal year provided, for the fiscal year ending June 30, 2000, and each fiscal year thereafter, no town's density supplement shall be less than the density supplement such town received for the prior fiscal year. (H) For the fiscal year ending June 30, 1997, the grant determined in accordance with this subdivision for a town ranked one to forty-two when all towns are ranked in descending order according to town wealth shall be further reduced by one and two-hundredths of a per cent and such grant for all other towns shall be further reduced by fifty-six-hundredths of a per cent. (I) For the fiscal year ending June 30, 1998, and each fiscal year thereafter, no town whose school district is a priority school district shall receive a grant pursuant to this subdivision in an amount that is less than the amount received under such grant for the prior fiscal year. (J) For the fiscal year ending June 30, 2000, and each fiscal year through the fiscal year ending June 30, 2003, no town whose school district is a priority

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school district shall receive a grant pursuant to this subdivision that provides an amount of aid per resident student that is less than the amount of aid per resident student provided under the grant received for the prior fiscal year. (K) For the fiscal year ending June 30, 1998, and each fiscal year thereafter, no town whose school district is a priority school district shall receive a grant pursuant to this subdivision in an amount that is less than seventy per cent of the sum of (i) the product of a town's base aid ratio, the foundation level and the town's total need students for the fiscal year prior to the year in which the grant is to be paid, (ii) the product of a town's supplemental aid ratio, the foundation level and the sum of the portion of its total need students count described in subparagraphs (B) and (C) of subdivision (25) of section 10-262f of the 2008 supplement to the general statutes for the fiscal year prior to the fiscal year in which the grant is to be paid, and the adjustments to its resident student count described in subdivision (22) of said section 10-262f of the 2008 supplement to the general statutes relative to length of school year and summer school sessions, and (iii) the town's regional bonus. (L) For the fiscal year ending June 30, 2000, and each fiscal year thereafter, no town whose school district is a transitional school district shall receive a grant pursuant to this subdivision in an amount that is less than forty per cent of the sum of (i) the product of a town's base aid ratio, the foundation level and the town's total need students for the fiscal year prior to the fiscal year in which the grant is to be paid, (ii) the product of a town's supplemental aid ratio, the foundation level and the sum of the portion of its total need students count described in subparagraphs (B) and (C) of subdivision (25) of section 10-262f of the 2008 supplement to the general statutes for the fiscal year prior to the fiscal year in which the grant is to be paid, and the adjustments to its resident student count described in subdivision (22) of said section 10-262f of the 2008 supplement to the general statutes relative to length of school year and summer school sessions, and (iii) the town's regional bonus. (M) For the fiscal year ending June 30, 2002, (i) each

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town whose target aid is capped pursuant to this subdivision shall receive a grant that includes a pro rata share of twenty-five million dollars based on the difference between its target aid and the amount of the grant determined with the cap, and (ii) all towns shall receive a grant that is at least 1.68 per cent greater than the grant they received for the fiscal year ending June 30, 2001. (N) For the fiscal year ending June 30, 2003, (i) each town whose target aid is capped pursuant to this subdivision shall receive a pro rata share of fifty million dollars based on the difference between its target aid and the amount of the grant determined with the cap, and (ii) each town shall receive a grant that is at least 1.2 per cent more than its base revenue, as defined in subdivision (28) of section 10-262f of the 2008 supplement to the general statutes. (O) For the fiscal year ending June 30, 2003, each town shall receive a grant that is at least equal to the grant it received for the prior fiscal year. (P) For the fiscal year ending June 30, 2004, (i) each town whose target aid is capped pursuant to this subdivision shall receive a grant that includes a pro rata share of fifty million dollars based on the difference between its target aid and the amount of the grant determined with the cap, (ii) each town's grant including the cap supplement shall be reduced by three per cent, (iii) the towns of Bridgeport, Hartford and New Haven shall each receive a grant that is equal to the grant such towns received for the prior fiscal year plus one million dollars, (iv) those towns described in clause (i) of this subparagraph shall receive a grant that includes a pro rata share of three million dollars based on the same pro rata basis as used in said clause (i), (v) towns whose school districts are priority school districts pursuant to subsection (a) of section 10-266p of the 2008 supplement to the general statutes or transitional school districts pursuant to section 10-263c or who are eligible for grants under section 10-276a or 10-263d for the fiscal years ending June 30, 2002, to June 30, 2004, inclusive, shall receive grants that are at least equal to the grants they received for the prior fiscal year, (vi) towns not receiving funds under clause (iii) of this subparagraph shall receive a pro rata share of any

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remaining funds based on their grant determined under this subparagraph. (Q) For the fiscal year ending June 30, 2005, (i) no town shall receive a grant pursuant to this subparagraph in an amount that is less than sixty per cent of the amount determined pursuant to the previous subparagraphs of this subdivision, (ii) notwithstanding the provisions of subparagraph (B) of this subdivision, each town shall receive a grant that is equal to the amount the town received for the prior fiscal year increased by twenty-three and twenty-seven hundredths per cent of the difference between the grant amount calculated pursuant to this subdivision and the amount the town received for the prior fiscal year, (iii) no town whose school district is a priority school district pursuant to subsection (a) of section 10-266p of the 2008 supplement to the general statutes shall receive a grant pursuant to this subdivision that is less than three hundred seventy dollars per resident student, and (iv) each town shall receive a grant that is at least the greater of the amount of the grant it received for the fiscal year ending June 30, 2003, or the amount of the grant it received for the fiscal year ending June 30, 2004, increased by seven tenths per cent, except that the town of Winchester shall not receive less than its fixed entitlement for the fiscal year ending June 30, 2003. (R) Notwithstanding the provisions of this subdivision, for the fiscal years ending June 30, 2006, and June 30, 2007, each town shall receive a grant that is equal to the amount of the grant the town received for the fiscal year ending June 30, 2005, increased by two per cent plus the amount specified in section 33 of public act 05-245*, provided for the fiscal year ending June 30, 2007, no town shall receive a grant in an amount that is less than sixty per cent of the amount of its target aid as described in subdivision (32) of section 10-262f of the 2008 supplement to the general statutes. (S) For the fiscal year ending June 30, 2008, a grant in an amount equal to the sum of (i) the town's base aid, and (ii) seventeen and thirty-one one-hundredths per cent of the difference between the town's fully funded grant as described in subdivision (33) of section 10-262f of the 2008 supplement to the general statutes, and

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its base aid, except that such per cent shall be adjusted for all towns so that no town shall receive a grant that is less than the amount of the grant the town received for the fiscal year ending June 30, 2007, increased by four and four tenths per cent. (T) For the fiscal year ending June 30, 2009, a grant in an amount equal to the sum of (i) the town's base aid, and (ii) [twenty-three and three tenths] twenty-two and two one-hundredths per cent of the difference between the fully funded grant as described in said subdivision (33) of section 10-262f of the 2008 supplement to the general statutes, and its base aid, except that such per cent shall be adjusted for all towns so that no town shall receive a grant that is less than the amount of the grant the town received for the fiscal year ending June 30, 2008, increased by four and four tenths per cent.

Sec. 3. Subsection (g) of section 10-266p of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(g) In addition to the amounts allocated in subsection (a) and subsections (c) to (f), inclusive, of this section, for the fiscal year ending June 30, [2007] 2009, and each fiscal year thereafter, the State Board of Education shall allocate four million [seven hundred fifty thousand nine hundred ninety] one hundred sixty thousand one hundred twenty-two dollars as follows: Each priority school district shall receive an allocation based on the ratio of the amount it is eligible to receive pursuant to subsection (a) and subsections (c) to (f), inclusive, of this section to the total amount all priority school districts are eligible to receive pursuant to said subsection (a) and said subsections (c) to (f), inclusive.

Sec. 4. Subsection (e) of section 10-16p of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

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(e) (1) [Priority] For the fiscal year ending June 30, 2009, priority school districts and former priority school districts shall receive grants based on [their proportional share of] the sum of the products obtained by [multiplying the average number of enrolled kindergarten students in each priority school district and in each former priority school district for the three years prior to the year the grant is to be paid, by the ratio of the average percentage of free and reduced price meals for all severe need schools in such district to the minimum percentage requirement for severe need school eligibility, provided no such school district shall receive a grant that is less than the grant it received for the prior fiscal year, including any supplemental grants received in the fiscal year ending June 30, 2005, or a grant that is less than one hundred fifty thousand dollars] (A) multiplying the district's number of contracted slots on March 30, 2008, by the per child cost pursuant to subdivision (2) of subsection (b) of section 10-16q of the 2008 supplement to the general statutes, as amended by this act, except that such per child cost shall be reduced for slots that are less than year-round, and (B) multiplying the number of additional slots the districts have requested for the fiscal year ending June 30, 2009, by the per child cost pursuant to subdivision (2) of subsection (b) of said section 10-16q, except such per child cost shall be reduced for slots that are less than year-round. If said sum exceeds the available appropriation, such number of requested additional slots shall be reduced, as determined by the Commissioner of Education, to stay within the available appropriation.

[(2) The Department of Education may retain up to five-tenths of one per cent of the amount appropriated for purposes of this section for coordination, program evaluation and administration.]

[(3)] (2) If funds appropriated for the purposes of subsection (c) of this section are not expended, the Commissioner of Education may use such unexpended funds to support local school readiness programs.

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The commissioner may use such funds for purposes including, but not limited to, (A) assisting local school readiness programs in meeting and maintaining accreditation requirements, (B) providing training in implementing the preschool assessment and curriculum frameworks, including training to enhance literacy teaching skills, (C) developing a state-wide preschool curriculum, (D) developing student assessments for students in grades kindergarten to two, inclusive, (E) developing and implementing best practices for parents in supporting preschool and kindergarten student learning, (F) developing and implementing strategies for children to transition from preschool to kindergarten, (G) providing for professional development, including assisting in career ladder advancement, for school readiness staff, and (H) providing supplemental grants to other towns that are eligible for grants pursuant to subsection (c) of this section.

[(4)] (3) Notwithstanding subdivision [(3)] (2) of this subsection, for the fiscal years ending June 30, 2008, and June 30, 2009, the Department of Education may retain up to one hundred ninety-eight thousand two hundred dollars of the amount appropriated for purposes of this section for coordination, program evaluation and administration.

Sec. 5. Subsection (b) of section 10-16q of the 2008 supplement to the general statutes, as amended by public act 08-85, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(b) (1) For the fiscal year ending June 30, 2006, the per child cost of the Department of Education school readiness component of the program offered by a school readiness provider shall not exceed six thousand six hundred fifty dollars.

(2) For fiscal year ending June 30, [2008] 2009, the per child cost of the Department of Education school readiness [component of the] program offered by a school readiness provider shall not exceed [six

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thousand nine hundred twenty-five dollars, except that such per child cost shall be increased for the month of January, 2008, and each month thereafter. The increase shall be determined by the department so that the cost of the increase shall equal fifty per cent of what the department estimates on January 1, 2008, will be unspent by June 30, 2008, from the appropriation for purposes of subsection (c) of section 10-16p. In no event shall such increase cause the per child cost to exceed eight thousand two hundred sixty-six] eight thousand three hundred forty-six dollars.

(3) Notwithstanding the provisions of subsection (e) of section 10-16p of the 2008 supplement to the general statutes, the Department of Education shall not provide funding to any school readiness provider that (A) on or before January 1, 2004, first entered into a contract with a town to provide school readiness services pursuant to this section and is not accredited on January 1, 2007, or (B) after January 1, 2004, first entered into a contract with a town to provide school readiness services pursuant to this section and does not become accredited by the date three years after the date on which the provider first entered into such a contract, except that the Commissioner of Education may grant an extension of time for a school readiness program to become accredited or reaccredited, provided (i) prior to such extension, the Department of Education conducts an on-site assessment of any such program and maintains a report of such assessment completed in a uniform manner, as prescribed by the commissioner, that includes a list of conditions such program must fulfill to become accredited or reaccredited, (ii) the program is licensed by the Department of Public Health if required to be licensed by chapter 368a, (iii) the program has a corrective action plan that shall be prescribed by and monitored by the Commissioner of Education, and (iv) the program meets such other conditions as may be prescribed by the commissioner. During the period of such extension, such program shall be eligible for funding pursuant to said section 10-16p, as amended by [this act] section 1 of

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public act 08-85.

(4) A school readiness provider may provide child day care services and the cost of such child day care services shall not be subject to such per child cost limitation.

Sec. 6. Subsections (n) to (q), inclusive, of section 10-266aa of the 2008 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(n) The Commissioner of Education may provide grants for children in the Hartford program described in this section to participate in [an] preschool and all day kindergarten [program] programs. In addition to the subsidy provided to the receiving district for educational services, such grants may be used for the provision of before and after-school care and remedial services for the preschool and kindergarten students participating in the program.

~~[(o) Within available appropriations, the commissioner may make grants for kindergarten and preschool programs in the Sheff region which are approved by the commissioner for students participating in the program pursuant to this section.]~~

~~[(p) (o) Within available appropriations, the commissioner may make grants for academic student support for programs pursuant to this section [in the Sheff region approved by the Commissioner of Education] that 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.~~

[(q) For purposes of this section, "Sheff region" means the school districts for the towns of Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor, Ellington, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor and

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Windsor Locks.]

Sec. 7. Subsections (a) to (d), inclusive, of section 10-264l of the 2008 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) The Department of Education shall, within available appropriations, establish a grant program (1) to assist (A) local and regional boards of education, (B) regional educational service centers, (C) the Board of Trustees of the Community-Technical Colleges on behalf of [Manchester] Quinebaug Valley Community College, and (D) cooperative arrangements pursuant to section 10-158a, and (2) in assisting 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 of Education, to assist (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, (D) 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 such a board, on behalf of the independent college or university, and (E) any other third-party not-for-profit corporation approved by the commissioner with the operation of interdistrict magnet school programs. All interdistrict magnet schools shall be operated in conformance with the same laws and regulations applicable to public schools. For the purposes of this section "an interdistrict magnet school program" means a program which [(1)] (i) supports racial, ethnic and economic diversity, [(2)] (ii) offers a special and high quality curriculum, and [(3)] (iii) requires students who are enrolled to attend at least half-time. An interdistrict magnet school program does not include a regional [vocational agriculture] agricultural science and technology school, a regional vocational-technical school or a regional

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special education center. On and after July 1, 2000, the governing authority for each interdistrict magnet school program that is in operation prior to July 1, 2005, shall restrict the number of students that may enroll in the program from a participating district to eighty per cent of the total enrollment of the program. The governing authority for each interdistrict magnet school program that begins operations on or after July 1, 2005, shall [(A)] restrict the number of students that may enroll in the program from a participating district to seventy-five per cent of the total enrollment of the program, and [(B)] maintain such a school enrollment that at least twenty-five per cent but not more than seventy-five per cent of the students enrolled are pupils of racial minorities, as defined in section 10-226a.

(b) Applications for interdistrict magnet school program operating grants awarded pursuant to this section shall be submitted annually to the Commissioner of Education at such time and in such manner as the commissioner prescribes. In determining whether an application shall be approved and funds awarded pursuant to this section, the commissioner shall consider, but such consideration shall not be limited to: (1) Whether the program offered by the school is likely to increase student achievement; (2) whether the program is likely to reduce racial, ethnic and economic isolation; (3) the percentage of the student enrollment in the program from each participating district; and (4) the proposed operating budget and the sources of funding for the interdistrict magnet school. In the case of 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, the commissioner shall also consider whether the school is meeting the desegregation standards set forth in said stipulation and order. If such school has not met the desegregation standards by the second year of operation, it shall not be entitled to receive a grant pursuant to this section unless the commissioner finds that it is appropriate to award a grant for an

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additional year or years for purposes of compliance with said stipulation and order. If requested by the commissioner, the applicant shall meet with the commissioner or the commissioner's designee to discuss the budget and sources of funding. [The] Except as provided in this section, the commissioner shall not award a grant to a program that is in operation prior to July 1, 2005, if more than eighty per cent of its total enrollment is from one school district, except that the commissioner may award a grant for good cause, for any one year, on behalf of an otherwise eligible magnet school program, if more than eighty per cent of the total enrollment is from one district. The commissioner shall not award a grant to a program that begins operations on or after July 1, 2005, if more than seventy-five per cent of its total enrollment is from one school district or if less than twenty-five or more than seventy-five per cent of the students enrolled are pupils of racial minorities, as defined in section 10-226a, except that the commissioner may award a grant for good cause, for one year, on behalf of an otherwise eligible interdistrict magnet school program, if more than seventy-five per cent of the total enrollment is from one district or less than twenty-five or more than seventy-five per cent of the students enrolled are pupils of racial minorities. The commissioner may not award grants pursuant to such an exception for a second consecutive year except as provided for in the 2008 stipulation for Milo Sheff, et al. v. William A. O'Neil, et al., as determined by the commissioner.

(c) (1) The maximum amount each interdistrict magnet school program, except those described in subparagraphs (A) and (B) of subdivision (3) of this subsection, shall be eligible to receive per enrolled student who is not a resident of the town operating the magnet school shall be (A) six thousand sixteen dollars for the fiscal year ending June 30, 2008, (B) six thousand seven hundred thirty dollars for the fiscal year ending June 30, 2009, (C) seven thousand four hundred forty dollars for the fiscal year ending June 30, 2010, and (D)

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eight thousand one hundred fifty-eight dollars for the fiscal year ending June 30, 2011. The per pupil grant for each enrolled student who is a resident of the town operating the magnet school program shall be three thousand dollars for the fiscal year ending June 30, 2008, and each fiscal year thereafter.

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

(3) (A) Each interdistrict magnet school operated by a regional educational service center that enrolls less than fifty-five per cent of the school's students from a single town, or a regional educational service center that enrolls less than sixty per cent of its students from Hartford pursuant to the 2008 stipulation and order for Milo Sheff et al. v. William A. O'Neill, et al., shall receive a per pupil grant in the amount of (i) six thousand two hundred fifty dollars for the fiscal year ending June 30, 2006, (ii) six thousand five hundred dollars for the fiscal year ending June 30, 2007, (iii) seven thousand sixty dollars for the fiscal year ending June 30, 2008, (iv) seven thousand six hundred twenty dollars for the fiscal year ending June 30, 2009, (v) eight thousand one hundred eighty dollars for the fiscal year ending June 30, 2010, and (vi) eight thousand seven hundred forty-one dollars for the fiscal year ending June 30, 2011.

(B) Each interdistrict magnet school operated by a regional educational service center that enrolls at least fifty-five per cent of the school's students from a single town, or a regional educational service center that enrolls at least sixty per cent of its students from Hartford pursuant to the 2008 stipulation and order for Milo Sheff et al. v.

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William A. O'Neill, et al., shall receive a per pupil grant for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent of the school's students in the amount of (i) six thousand sixteen dollars for the fiscal year ending June 30, 2008, (ii) six thousand seven hundred thirty dollars for the fiscal year ending June 30, 2009, (iii) seven thousand four hundred forty dollars for the fiscal year ending June 30, 2010, and (iv) eight thousand one hundred fifty-eight dollars for the fiscal year ending June 30, 2011. The per pupil grant for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent of the school's students shall be three thousand dollars.

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

(4) The amounts of the grants determined pursuant to this subsection shall be proportionately adjusted, if necessary, within available appropriations, and in no case shall any grant pursuant to this section exceed the reasonable operating budget of the interdistrict magnet school program, less revenues from other sources. Any interdistrict magnet school program operating less than full-time, but at least half-time, shall be eligible to receive a grant equal to sixty-five per cent of the grant amount determined pursuant to this subsection.

(5) Within available appropriations, the commissioner may make grants to [regional educational service centers] 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 and that provide academic support programs and summer school educational programs approved by the commissioner to students

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participating in [the] such interdistrict magnet school program: (A) Regional educational service centers, (B) local and regional boards of education, (C) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (D) the Board of Trustees of the Connecticut State University System on behalf of a state university, (E) the Board of Trustees for The University of Connecticut on behalf of the university, (F) 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, (G) cooperative arrangements pursuant to section 10-158a, and (H) any other third-party not-for-profit corporation approved by the commissioner.

(6) Within available appropriations, the Commissioner of Education may make grants, in an amount not to exceed seventy-five thousand dollars, for start-up costs associated with the development of new interdistrict magnet school programs that 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, to the following entities that develop such a program: (A) Regional educational service centers, (B) local and regional boards of education, (C) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (D) the Board of Trustees of the Connecticut State University System on behalf of a state university, (E) the Board of Trustees for The University of Connecticut on behalf of the university, (F) 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, (G) cooperative arrangements pursuant to section 10-158a, and (H) any other third-party not-for-profit corporation approved by the commissioner.

(d) Grants made pursuant to this section, except those made

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pursuant to subdivision (6) of subsection (c) of this section, shall be paid as follows: Fifty per cent by September first and the balance by January first of each fiscal year. The January first payment shall be adjusted to reflect actual interdistrict magnet school program enrollment as of the preceding October first, if the actual level of enrollment is lower than the projected enrollment stated in the approved grant application.

Sec. 8. Section 10-264i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) (1) A local or regional board of education, (2) regional educational service center, (3) the Board of Trustees of the Community-Technical Colleges on behalf of [Manchester] Quinebaug Valley Community College, [or] (4) cooperative arrangement pursuant to section 10-158a, or (5) 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., as determined by the Commissioner of Education, (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 such a board, on behalf of the independent college or university, and (E) any other third-party not-for-profit corporation approved by the commissioner which transports a child to an interdistrict magnet school program, as defined in section 10-264l of the 2008 supplement to the general statutes, in a town other than the town in which the child resides shall be eligible pursuant to section 10-264e to receive a grant for the cost of transporting such child in accordance with this section. The amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by one thousand

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three hundred dollars. The Department of Education shall provide such grants within available appropriations. Nothing in this subsection shall be construed to prevent a local or regional board of education, regional educational service center or cooperative arrangement from receiving reimbursement under section 10-266m of the 2008 supplement to the general statutes for reasonable transportation expenses for which such board, service center or cooperative arrangement is not reimbursed pursuant to this section.

(b) Grants under this section shall be contingent on documented costs of providing such transportation. Eligible local and regional boards of education, regional educational service centers and cooperative arrangements shall submit applications for grants under this section to the Commissioner of Education in such form and at such times as he prescribes. Grants pursuant to this section shall be paid as follows: In October one-half of the estimated eligible transportation costs and the balance of such costs in May.

(c) Each local and regional board of education, regional educational service center and cooperative arrangement participating in the grant program shall prepare a financial statement of expenditures which shall be submitted to the Department of Education on or before September first of the fiscal year immediately following each fiscal year in which the school district, regional educational service center or cooperative arrangement participates in the grant program. Based on such statement, any underpayment or overpayment may be calculated and adjusted by the Department of Education in the grant for any subsequent year.

[(d) The Department of Education may retain up to one per cent of the amount appropriated pursuant to this section for program evaluation and administration.]

Sec. 9. (Effective July 1, 2008) Notwithstanding subdivision (8) of

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subsection (d) of section 10-66bb of the 2008 supplement to the general statutes, if approved by the State Board of Education for operation as a state charter school, as defined in section 10-66aa of the general statutes, the Asylum Hill Charter School may, during its first year of operation, directly enroll students currently enrolled in their prekindergarten program without operating a lottery and any remaining unfilled seats shall be filled by lottery.

Sec. 10. Section 10-66ee of the 2008 supplement to the general statutes is amended by adding subsection (l) as follows (*Effective July 1, 2008*):

(NEW) (l) Within available appropriations, the state may provide a grant in an amount not to exceed seventy-five thousand dollars to any newly approved state charter 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 of Education, for start-up costs associated with the new charter school program.

Sec. 11. (*Effective July 1, 2008*) The Commissioner of Education may transfer funds appropriated in section 11 of public act 07-1 of the June special session for the Sheff Settlement to the following: Grants for interdistrict cooperative programs pursuant to section 10-74d of the general statutes, grants for state charter schools pursuant to section 10-66ee of the 2008 supplement to the general statutes, as amended by this act, grants for the interdistrict public school attendance program pursuant to section 10-266aa of the 2008 supplement to the general statutes, grants for interdistrict magnet schools pursuant to section 10-264l of the 2008 supplement to the general statutes, as amended by this act, and to the regional vocational-technical schools for programming 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.

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Sec. 12. Subsection (a) of section 10-266m of the 2008 supplement to the general statutes is amended by adding subdivision (5) as follows (*Effective July 1, 2008*):

(NEW) (5) Notwithstanding the provisions of this section, the Commissioner of Education may provide grants, within available appropriations, in an amount not to exceed two thousand dollars per pupil, to local and regional boards of education and regional educational service centers that transport Hartford students out-of-district to a regional vocational-technical school or a regional agricultural science and technology education center 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., as determined by the commissioner, for the costs associated with such transportation.

Sec. 13. Subsection (e) of section 10-262i of the 2008 supplement to the general statutes, as amended by section 1 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(e) [The] (1) Except as provided for in subdivisions (2), (3) and (4) of this subsection, the percentage of the increase in aid pursuant to this section applicable under subsection (d) shall be the average of the results of [(1)] (A) (i) a town's current program expenditures per resident student pursuant to subdivision (36) of section 10-262f of the 2008 supplement to the general statutes, subtracted from the highest current program expenditures per resident student in this state, [(B)] (ii) divided by the difference between the highest current program expenditures per resident student in this state and the lowest current program expenditures per resident student in this state, [(C)] (iii) multiplied by [fifty] thirty per cent, [(D)] (iv) plus [fifteen] fifty percentage points, [(2) (A)] (B) (i) a town's wealth pursuant to subdivision (26) of section 10-262f of the 2008 supplement to the general statutes, subtracted from the wealth of the town with the highest wealth of all towns in this state, [(B)] (ii) divided by the

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difference between the wealth of the town with the highest wealth of all towns in this state and the wealth of the town with the lowest wealth of all towns in this state, [(C)] (iii) multiplied by [fifty] thirty per cent, [(D)] (iv) plus [fifteen] fifty percentage points, and [(3) (A)] (C) (i) a town's grant mastery percentage pursuant to subdivision (12) of section 10-262f of the 2008 supplement to the general statutes, subtracted from one, subtracted from one minus the grant mastery percentage of the town with the highest grant mastery percentage in this state, [(B)] (ii) divided by the difference between one minus the grant mastery percentage of the town with the highest grant mastery percentage in this state and one minus the grant mastery percentage of the town with the lowest grant mastery percentage in this state, [(C)] (iii) multiplied by [fifty] thirty per cent, [(D)] (iv) plus [fifteen] fifty percentage points.

(2) For the fiscal year ending June 30, 2009, any town whose school district is in its third year or more of being identified as in need of improvement pursuant to section 10-223e of the 2008 supplement to the general statutes, and has failed to make adequate yearly progress in mathematics or reading at the whole district level, the percentage determined pursuant to subdivision (1) of this subsection for such town shall be increased by an additional twenty percentage points.

(3) For the fiscal year ending June 30, 2010, any town whose school district is in its third year or more of being identified as in need of improvement pursuant to section 10-223e of the 2008 supplement to the general statutes, and has failed to make adequate yearly progress in mathematics or reading at the whole district level, the percentage of the increase in aid pursuant to this section applicable under subsection (d) of this section shall be the percentage of the increase determined under subdivision (1) of this section for such town, plus twenty percentage points, or eighty per cent, whichever is greater.

(4) Notwithstanding the provisions of this section, for the fiscal year

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ending June 30, 2008, and each fiscal year thereafter, any town that (A) is a member of a regional school district that serves only grades seven to twelve, inclusive, or grades nine to twelve, inclusive, (B) appropriates at least the minimum percentage of increase in aid pursuant to the provisions of this section, and (C) has a reduced assessment from the previous fiscal year for students enrolled in such regional school district, excluding debt service for such students, shall be considered to be in compliance with the provisions of this section.

(5) Notwithstanding any provision of the general statutes, charter, special act or home rule ordinance, on or before September 15, 2007, for the fiscal year ending June 30, 2008, a town may request the Commissioner of Education to defer a portion of the town's increase in aid over the prior fiscal year pursuant to this section to be expended in the subsequent fiscal year. If the commissioner approves such request, the deferred amount shall be credited to the increase in aid for the fiscal year ending June 30, 2009, rather than the fiscal year ending June 30, 2008. Such funds shall be expended in the fiscal year ending June 30, 2009, in accordance with the provisions of this section. In no case shall a town be allowed to defer increases in aid required to be spent for education as a result of failure to make adequate yearly progress in accordance with the provisions of [this subsection. Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2008, and June 30, 2009, any town that (i) is a member of a regional school district that serves only grades seven to twelve, inclusive, or grades nine to twelve, inclusive, (ii) appropriates at least the minimum percentage of increase in aid pursuant to the provisions of this section, and (iii) has a reduced assessment from the previous fiscal year for students enrolled in such regional school district, excluding debt service for such students, shall be considered to be in compliance with the provisions of this section] subdivisions (2) and (3) of this subsection.

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Sec. 14. (NEW) (*Effective July 1, 2008*) (a) Notwithstanding any provision of chapter 172 of the general statutes, interdistrict magnet schools that begin operations on or after July 1, 2008, but prior to July 1, 2009, pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education, may operate without district participation agreements and enroll students directly from any district. Any tuition charged to a local or regional board of education by a regional educational service center operating such an interdistrict magnet school shall be in an amount equal to at least seventy-five per cent of the difference between the estimated per pupil cost less the state magnet grant pursuant to subsection (c) of section 10-264l of the 2008 supplement to the general statutes, as amended by this act, and any revenue from other sources as determined by the interdistrict magnet school operator. If any such board of education fails to pay such tuition, the commissioner may withhold from such board's town or towns a sum payable under section 10-262i of the 2008 supplement to the general statutes, as amended by this act, in an amount not to exceed the amount of the unpaid tuition to the magnet school and pay such money to the fiscal agent for the magnet school as a supplementary grant for the operation of the interdistrict magnet school program.

(b) Any interdistrict magnet school operating in accordance with the provisions of subsection (a) of this section shall establish district participation agreements prior to operating the school for the 2009-2010 school year.

Sec. 15. Subsection (d) of section 10-145h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(d) (1) Notwithstanding subsection (a) of this section, for the period from July 1, 2005, to July 1, [2008] 2009, the State Board of Education shall require an applicant for certification as a bilingual education

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teacher to demonstrate competency in English and the other language of instruction as a condition of certification. Competency in English shall be demonstrated by successful passage of the oral proficiency test in English and an essential skills test approved by the State Board of Education. Oral and written competency in the other language shall be demonstrated by passage of an examination, if available, of comparable difficulty as specified by the Department of Education. If such an examination is not available, competency shall be demonstrated by an appropriate alternative method as specified by the department.

(2) Notwithstanding subsection (b) of this section, for the period from July 1, 2005, to July 1, [2008] 2009, the State Board of Education shall require persons seeking to become (A) elementary level bilingual education teachers to be certified in (i) bilingual education and achieve a satisfactory evaluation on the appropriate State Board of Education approved assessment for elementary education, or (ii) elementary education and have completed six semester hours of credit in English as a second language course work as approved by the State Board of Education, and (B) secondary level bilingual education teachers to be certified in (i) bilingual education and achieve a satisfactory evaluation on the appropriate State Board of Education approved subject area assessment, or (ii) the subject area they will teach and have completed six semester hours of credit in English as a second language course work as approved by the State Board of Education. Such certificates shall be valid for subject-specific bilingual education. Certification in elementary bilingual education shall be valid for grades kindergarten to eight, inclusive, and certification in secondary subject-specific bilingual education shall be valid for grades seven to twelve, inclusive.

Sec. 16. Section 10-262r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

The Department of Education may establish, within available

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appropriations, a pilot program for the use of technology in providing computer-assisted writing, instruction and testing, in [the ninth and tenth] grades six to twelve, inclusive, in [the] public schools, including the regional vocational-technical schools. The Commissioner of Education, for purposes of the program, may award grants to local and regional boards of education and regional vocational-technical schools for demonstration projects. Boards of education and vocational-technical schools seeking to participate in the pilot program shall apply to the department at such time and in such form as the commissioner prescribes. The commissioner shall select a diverse group of participants based on the population, geographic location and economic characteristics of the school district or school. Local and regional boards of education and regional vocational-technical schools awarded grants under the program may use grant funds for expenses for computer hardware, computer software, professional development, technical consulting assistance and other related activities.

Sec. 17. Subsection (j) of section 10-264l of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(j) (1) After accommodating students from participating districts in accordance with [the] an approved enrollment agreement, an interdistrict magnet school operator that has unused student capacity may enroll directly into its program any interested student. A student from a district that is not participating in [the] an interdistrict magnet school or the interdistrict student attendance program pursuant to section 10-266aa of the 2008 supplement to the general statutes, as amended by this act, to an extent determined by the Commissioner of Education shall be given preference. The local or regional board of education otherwise responsible for educating such student shall contribute funds to support the operation of the interdistrict magnet school in an amount equal to the per student tuition, if any, charged to

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participating districts.

(2) For the fiscal year ending June 30, 2009, [such tuition shall be in an amount that is equal to seventy-five per cent of the difference between the average per pupil expenditure of the magnet school for the prior fiscal year and the amount of any per pupil state subsidy calculated under subsection (c) of this section. If any such board of education fails to pay such tuition, the commissioner may withhold from such school district a sum payable under section 10-262h in an amount not to exceed the amount of the unpaid tuition to the magnet school and transfer such money to the fiscal agent for the interdistrict magnet school as a supplementary grant for the operation of the interdistrict magnet school program. For purposes of calculating grants pursuant to subsection (c) of this section, "participating district" includes districts whose students enroll directly in interdistrict magnet schools pursuant to this subsection] any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school shall be in an amount equal to at least seventy-five per cent of the difference between (A) the average per pupil expenditure of the magnet school for the prior fiscal year, and (B) the amount of any per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources calculated on a per pupil basis, provided no increase in tuition charged on a per pupil basis shall be more than ten per cent of that charged for the previous fiscal year. If any such board of education fails to pay such tuition, the commissioner may withhold from such board's town or towns a sum payable under section 10-262i of the 2008 supplement to the general statutes in an amount not to exceed the amount of the unpaid tuition to the magnet school and pay such money to the fiscal agent for the magnet school as a supplementary grant for the operation of the interdistrict magnet school program.

(3) A participating district shall provide opportunities for its

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students to attend an interdistrict magnet school in a number that is at least equal to the number specified in any written agreement with an interdistrict magnet school operator or in a number that is at least equal to the average number of students that the participating district enrolled in such magnet school during the previous three school years.

Sec. 18. (*Effective from passage*) Notwithstanding the provisions of subsections (a) and (b) of section 10-264l of the 2008 supplement to the general statutes, for the fiscal years ending June 30, 2008, and June 30, 2009, the requirement that no more than seventy-five per cent of the pupils attending an approved interdistrict magnet school program be from a participating town and the requirement that the pupils enrolled in such programs who are pupils of racial minorities, as defined in section 10-226a of the general statutes, comprise at least twenty-five per cent but not more than seventy-five per cent of the total pupil enrollment shall not apply to the approved interdistrict magnet school program operated by Bloomfield, provided for the fiscal year ending June 30, 2008, the grant pursuant to subdivision (1) of subsection (c) of section 10-264l of the 2008 supplement to the general statutes, for said program shall be reduced by fifty per cent.

Sec. 19. Section 10-64 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) Any local or regional board of education may enter into agreements with other such boards of education to establish a regional [vocational agriculture] agricultural science and technology education center in conjunction with its regular public school system, provided such center shall have a regional [vocational agriculture] agricultural science and technology education consulting committee which shall advise the operating board of education but shall have no legal authority with respect to such center. Such agreements may include matters pertaining to the admission of students, including the establishment of a reasonable number of available program

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acceptances and the criteria for program acceptance. Each board of education shall appoint to said committee two representatives, who have a competent knowledge of agriculture or aquaculture, as appropriate, and who need not be members of such board.

(b) No new [vocational agriculture] agricultural science and technology education center shall be approved by the State Board of Education pursuant to section 10-65 of the 2008 supplement to the general statutes, as amended by this act, during the three-year period from July 1, 1993, to June 30, 1996, except that the State Board of Education may approve such a center if it is to be operated by the board of education of a local or regional school district with fifteen thousand or more resident students, as defined in subdivision (19) of section 10-262f of the 2008 supplement to the general statutes. If a new regional [vocational agriculture] agricultural science and technology education center is established for a school district pursuant to this subsection, any resident student of such school district who, during the school year immediately preceding the initial operation of such center, was enrolled in grades 10 to 12, inclusive, in a regional [vocational agriculture] agricultural science and technology education center operated by another local or regional board of education, may continue to be enrolled in such regional [vocational agriculture] agricultural science and technology education center.

(c) For purposes of this section and sections 10-65 of the 2008 supplement to the general statutes, as amended by this act, and 10-66 as amended by this act, the term ["vocational agriculture"] "agricultural science and technology education" includes vocational aquaculture and marine-related employment.

(d) Any local or regional board of education which does not furnish [vocational agricultural training] agricultural science and technology education approved by the State Board of Education shall designate a school or schools having such a course approved by the State Board of

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Education as the school which any person may attend who has completed an elementary school course through the eighth grade. The board of education shall pay the tuition and reasonable and necessary cost of transportation of any person under twenty-one years of age who is not a graduate of a high school or vocational school or an agricultural science and technology center and who attends the designated school, provided transportation services may be suspended in accordance with the provisions of section 10-233c of the 2008 supplement to the general statutes. Each such board's reimbursement percentage pursuant to section 10-266m for expenditures in excess of eight hundred dollars per pupil incurred in the fiscal year beginning July 1, 2004, and in each fiscal year thereafter, shall be increased by an additional twenty percentage points.

Sec. 20. Section 10-65 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

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

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(b) Each local or regional board of education not maintaining [a vocational agricultural] an agricultural science and technology education center shall provide opportunities for its students to enroll in [such a center] one or more such centers in a number that is at least equal to the number specified in any written agreement with [a vocational agricultural center] each such center or centers, or in the absence of such an agreement, a number that is at least equal to the average number of its students that the board of education enrolled in [a vocational agricultural center] each such center or centers during the previous three school years, provided, in addition to such number, each such board of education shall provide opportunities for its students to enroll in the ninth grade in a number that is at least equal to the number specified in any written agreement with each such center or centers, or in the absence of such an agreement, a number that is at least equal to the average number of students that the board of education enrolled in the ninth grade in each such center or centers during the previous three school years. If a local or regional board of education provided opportunities for students to enroll in more than one center for the school year commencing July 1, 2007, such board of education shall continue to provide such opportunities to students in accordance with this subsection. The board of education operating [a vocational agriculture] an agricultural science and technology education center may charge, subject to the provisions of section 10-65b, as amended by this act, tuition for a school year in an amount not to exceed eighty-two and five-tenths per cent of the foundation level pursuant to subdivision (9) of section 10-262f of the 2008 supplement to the general statutes, per student for the fiscal year in which the tuition is paid, except that such board may charge tuition for (1) students enrolled under shared-time arrangements on a pro rata basis, and (2) special education students which shall not exceed the actual costs of educating such students minus the amounts received pursuant to subdivision (2) of subsection (a) of this section and subsection (c) of this section. Any tuition paid by such board for special education

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students in excess of the tuition paid for non-special-education students shall be reimbursed pursuant to section 10-76g.

(c) In addition to the grants described in subsection (a) of this section, within available appropriations, (1) each local or regional board of education operating [a vocational agriculture] an agricultural science and technology education center in which more than one hundred and fifty of the students in the prior school year were out-of-district students shall be eligible to receive, a grant in an amount equal to five hundred dollars for every secondary school student enrolled in such center on October first of the previous year, (2) on and after July 1, 2000, if a local or regional board of education operating [a vocational agriculture] an agricultural science and technology education center that received a grant pursuant to subdivision (1) of this subsection, no longer qualifies for such a grant, such local or regional board of education shall receive a grant in an amount determined as follows: (A) For the first fiscal year such board of education does not qualify for a grant under said subdivision (1), a grant in the amount equal to four hundred dollars for every secondary school student enrolled in its [vocational agriculture] agricultural science and technology education center on October first of the previous year, (B) for the second successive fiscal year such board of education does not so qualify, a grant in an amount equal to three hundred dollars for every such secondary school student enrolled in such center on said date, (C) for the third successive fiscal year such board of education does not so qualify, a grant in an amount equal to two hundred dollars for every such secondary school student enrolled in such center on said date, and (D) for the fourth successive fiscal year such board of education does not so qualify, a grant in an amount equal to one hundred dollars for every such secondary school student enrolled in such center on said date, and (3) each local and regional board of education operating [a vocational agriculture] an agricultural science and technology education center [which] that does not receive a grant pursuant to

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subdivision (1) or (2) of this subsection shall receive a grant in an amount equal to sixty dollars for every secondary school student enrolled in such center on said date.

(d) (1) If there are any remaining funds after the amount of the grants described in subsections (a) and (c) of this section are calculated, within available appropriations, each local or regional board of education operating [a vocational agriculture] an agricultural science and technology education center shall be eligible to receive a grant in an amount equal to one hundred dollars for each student enrolled in such center on October first of the previous school year. (2) If there are any remaining funds after the amount of the grants described in subdivision (1) of this subsection are calculated, within available appropriations, each local or regional board of education operating [a vocational agriculture] an agricultural science and technology education center that had more than one hundred and fifty out-of-district students enrolled in such center on October first of the previous school year shall be eligible to receive a grant based on the ratio of the number of out-of-district students in excess of one hundred and fifty out-of-district students enrolled in such center on said date to the total number of out-of-district students in excess of one hundred and fifty out-of-district students enrolled in all [vocational agriculture] agricultural science and technology education centers that had in excess of one hundred and fifty out-of-district students enrolled on said date.

Sec. 21. Section 10-65a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) Each local and regional board of education which operates [a vocational agriculture] an agricultural science and technology education center shall establish and implement a five-year plan to increase racial and ethnic diversity at such center. The plan shall reasonably reflect the racial and ethnic diversity of the area of the state

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in which the center is located.

(b) Each local and regional board of education which operates [a vocational agriculture] an agricultural science and technology education center shall conduct an annual study to ascertain the educational and vocational activities in which graduates of such center are engaged five years after graduation and shall submit the study to the State Board of Education.

Sec. 22. Section 10-65b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

A local or regional board of education [which] that operates a regional [vocational agriculture] agricultural science and technology education center shall provide to each student enrolled in such center all of the student's nonagricultural academic courses, provided [that] any such board which, on or before July 1, 1993, entered into an agreement to offer shared-time arrangements and any such board [which] that operates a regional vocational aquaculture program may offer or continue to offer such shared-time arrangements unless the Commissioner of Education determines that such shared-time arrangements are not in substantial compliance with the provisions of sections 10-64, as amended by this act, and 10-65 of the 2008 supplement to the general statutes, as amended by this act, and any regulations adopted pursuant to section 10-66, as amended by this act. For purposes of this section and said section 10-65 of the 2008 supplement to the general statutes, as amended by this act, "shared-time arrangements" means the enrollment of students in a regional [vocational agriculture] agricultural science and technology education center while such students receive nonagricultural academic courses in a school district under the jurisdiction of a local or regional board of education other than the board of education operating such center.

Sec. 23. Section 10-66 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective July 1, 2008*):

The State Board of Education may adopt, in accordance with the provisions of chapter 54, such regulations as are necessary to carry out the purposes of this part and to insure reasonable economy in the [vocational agriculture] agricultural science and technology centers.

Sec. 24. Section 10-97 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) The board of education of any town or, where the boards of education of constituent towns have so agreed, any regional school district shall provide the reasonable and necessary transportation, except as provided in section 10-233c of the 2008 supplement to the general statutes, for any student under twenty-one years of age who is not a graduate of a high school or vocational school and who resides with a parent or guardian in such town or regional school district or who belongs to such town, and who attends a state or state-approved vocational secondary school within such local or regional school district as a regular all-day student or as a high school cooperative student, and for any such student who attends any such school in a town other than the town of his residence. When the cost of such transportation out-of-town would exceed the sum of two hundred dollars per year, said board of education may elect to maintain such student in the town where he or she attends such vocational school and for the cost of such maintenance the local or regional school district shall be reimbursed in the same manner and to the same extent as in the case of payment for transportation. Each such board's reimbursement percentage pursuant to section 10-266m of the 2008 supplement to the general statutes, for expenditures in excess of eight hundred dollars per pupil incurred in the fiscal year beginning July 1, 1987, and in each fiscal year thereafter, shall be increased by an additional twenty percentage points.

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(b) Any local or regional board of education which does not furnish [vocational agricultural training] agricultural science and technology education approved by the State Board of Education shall designate a school or schools having such a course approved by the State Board of Education as the school which any person may attend who has completed an elementary school course through the eighth grade. The board of education shall pay the tuition and reasonable and necessary cost of transportation of any person under twenty-one years of age who is not a graduate of a high school or vocational school and who attends the designated school, provided transportation services may be suspended in accordance with the provisions of section 10-233c of the 2008 supplement to the general statutes. Each such board's reimbursement percentage pursuant to section 10-266m for expenditures in excess of eight hundred dollars per pupil incurred in the fiscal year beginning July 1, 1987, and in each fiscal year thereafter, shall be increased by an additional twenty percentage points.

(c) Any local or regional board of education which transports students to a state or state-approved vocational secondary school, or school furnishing [vocational agricultural training] agricultural science and technology education shall be reimbursed for a portion of such pupil transportation annually in accordance with the provisions of section 10-266m of the 2008 supplement to the general statutes, and the provisions of subsections (a) and (b) of this section relating to reimbursement percentages, provided the reimbursement for transportation costs to a school furnishing vocational agricultural training shall not exceed an amount equal to such reimbursement of the costs of transporting such pupils to the school furnishing a full program of vocational agricultural training nearest to the sending school district at the time of the pupil's initial enrollment in the program. Application for such reimbursement shall be made by the board of education to the State Board of Education at such time and in such manner as said state board prescribes. The provisions of this

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section shall apply to a veteran who served in time of war, as defined by section 27-103, without regard to age or whether or not such veteran resides with a parent or guardian provided such veteran is attending a state or state-approved vocational secondary school.

(d) The parents or guardian of any student or any veteran over twenty-one who is denied the reasonable and necessary transportation required in this section may appeal such lack of transportation in the same manner as is provided in sections 10-186 and 10-187.

(e) For purposes of this section, a local or regional board of education shall not be required to expend for transporting a student to a regional vocational-technical school or [a vocational-agriculture] an agricultural science and technology education center an amount greater than six thousand dollars, except that a board of education shall continue to pay the reasonable and necessary costs of transporting a student who is enrolled in such a school or center on July 1, 1996, until such student completes the program at such school or center.

Sec. 25. Section 10-220d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

Each local and regional board of education shall provide full access to regional vocational-technical schools, regional [vocational agriculture] agricultural science and technology education centers, interdistrict magnet schools, charter schools and interdistrict student attendance programs for the recruitment of students attending the schools under the board's jurisdiction, provided such recruitment is not for the purpose of interscholastic athletic competition.

Sec. 26. Subsection (a) of section 10-231b of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

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(a) No person, other than a pesticide applicator with supervisory certification under section 22a-54 or a pesticide applicator with operational certification under section 22a-54 under the direct supervision of a supervisory pesticide applicator, may apply pesticide within any building or on the grounds of any school, other than a regional [vocational agriculture] agricultural science and technology education center. This section shall not apply in the case of an emergency application of pesticide to eliminate an immediate threat to human health where it is impractical to obtain the services of any such applicator provided such emergency application does not involve a restricted use pesticide, as defined in section 22a-47.

Sec. 27. Subsection (a) of section 10-231c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) As used in this section, "local or regional board of education" means a local or regional board of education that does not have an integrated pest management plan for the schools under its control that is consistent with an applicable model plan provided by the Commissioner of Environmental Protection under section 22a-66l of the 2008 supplement to the general statutes and "school" means a school, other than a regional [vocational agriculture] agricultural science and technology education center, under the control of a local or regional board of education.

Sec. 28. Subsection (a) of section 10-231d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) As used in this section, "local or regional board of education" means a local or regional board of education which has an integrated pest management plan for the schools under its control that is consistent with an applicable model plan provided by the

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Commissioner of Environmental Protection under section 22a-66l of the 2008 supplement to the general statutes and "school" means a school, other than a regional [vocational agriculture] agricultural science and technology education center, under the control of a local or regional board of education.

Sec. 29. Subdivision (2) of section 10-282 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(2) "Secondary school building" means any public school building designed to house any combination of grades seven through twelve or any regional [vocational agriculture] agricultural science and technology education center established under the provisions of part IV of chapter 164, and may also include any separate combination of grades five and six or grade six with grades seven and eight in a program approved by the State Board of Education when the use of special facilities generally associated with secondary schools is an essential part of the program for all grades included in such school.

Sec. 30. Subdivision (15) of section 10-282 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(15) ["Vocational agriculture"] "Agricultural science and technology education" includes vocational aquaculture and marine-related employment.

Sec. 31. Subdivision (4) of subsection (a) of section 10-286 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(4) In the case of a regional [vocational agriculture] agricultural science and technology education center or the purchase of equipment pursuant to subsection (a) of section 10-65 of the 2008 supplement to

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the general statutes, as amended by this act, or a regional special education facility pursuant to section 10-76e, an amount equal to the eligible cost of such project, as determined by the Commissioner of Education.

Sec. 32. Subsection (a) of section 10-287 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) A grant for a school building project under this chapter to meet project costs not eligible for state financial assistance under section 10-287a shall be paid in installments, the number and time of payment of which shall correspond to the number and time of principal installment payments on municipal bonds, including principal payments to retire temporary notes renewed for the third and subsequent years pursuant to section 7-378a of the 2008 supplement to the general statutes or 7-378e, issued for the purpose of financing such costs and shall be equal to the state's share of project costs per principal installment on municipal bonds or notes, except in cases where the project has been fully paid for, in which case the number of installments shall be five or, in the case of a regional [vocational agriculture] agricultural science and technology education center or a cooperative regional special educational facility, shall be one; provided final payment shall not be made prior to an audit conducted by the State Board of Education for each project for which a final calculation was not made prior to July 31, 1983. Grants under twenty-five thousand dollars shall be paid in one lump sum. The Commissioner of Education shall certify to the State Comptroller, upon completion of the issuance of bonds or such renewal of temporary notes to finance each school building project, the dates and amounts of grant payments to be made pursuant to this chapter and the State Comptroller shall draw an order on the State Treasurer upon such certification to pay the amounts so certified when due. All site acquisition and project cost

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grant payments shall be made at least ten days prior to the principal payment on bonds or temporary notes related thereto or short-term financing issued to finance such site acquisition or project. Annual grant installments paid pursuant to this section on principal installment payments to retire temporary notes renewed pursuant to section 7-378a of the 2008 supplement to the general statutes or 7-378e shall be based each year on the amount required to be retired pursuant to said sections, as adjusted for any ineligible project costs, and shall be paid only if at the time such temporary notes are renewed the rate of interest applicable to such notes is less than the rate of interest that would be applicable with respect to twenty-year bonds if issued at the time of such renewal. The determination related to such rates of interest pursuant to this subsection may be reviewed and shall be subject to approval by the Commissioner of Education prior to renewal of such notes. In the event that a school building project is not completed at the time bonds or temporary notes related thereto are issued to finance the project, the certification of the grant payments made pursuant to this section by the Commissioner of Education may be based on estimates, provided upon completion of such project and notification of final acceptance to the state, the Commissioner of Education shall adjust and recertify the dates and amounts of subsequent grant payments based on the state's share of final eligible costs.

Sec. 33. Section 10-288a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

When the secondary school with which an approved [vocational agriculture] agricultural science and technology education center has been associated is to be replaced or relocated within a town or regional school district, the Commissioner of Education may require the relocation of the equipment and program in a building approximately equal to that serving as a center for [vocational agriculture]

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agricultural science and technology education. Such new facilities shall be included in or adjacent to the high school which is to serve the needs of the [vocational agriculture] agricultural science and technology education pupils and shall conform to requirements of the Commissioner of Education with respect to location, design and construction. Said town or regional school district may receive a grant for the construction of such replaced or relocated [vocational agriculture] agricultural science and technology education center as provided in subsection (e) of section 10-286 for a secondary regional school district or subsection (f) of section 10-286, whichever may be appropriate. Upon final approval by the Commissioner of Education of the replacement or relocation of such [vocational agriculture] agricultural science and technology education center the town or regional school district may use the facilities which had previously served as such center for such purposes as it determines advisable."

Sec. 34. (*Effective from passage*) The unexpended balance of funds appropriated to the Department of Education, for education equalization grants, in section 1 of public act 07-1 of the June special session, for the purpose described in subdivision (3) of subsection (c) of section 10-223e of the 2008 supplement to the general statutes, shall not lapse on June 30, 2008, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2009.

Sec. 35. Subsection (k) of section 10-16p of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(k) [Notwithstanding subsection (c) of this section, three million four hundred eighty-three thousand seven hundred fifty dollars of the school readiness appropriation for priority school districts shall only go to school readiness programs in the following towns: Bridgeport, Hartford, New Britain, New Haven, New London, Waterbury and

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Windham] Up to two per cent of the amount of the appropriation for this section may be allocated to the competitive grant program pursuant to subsection (d) of this section. The determination of the amount of such allocation shall be made on or before August first.

Approved June 12, 2008