



Senate Bill No. 2053

September Special Session, Public Act No. 09-6

AN ACT IMPLEMENTING THE PROVISIONS OF THE BUDGET CONCERNING EDUCATION, AUTHORIZING STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS, AND MAKING CHANGES TO THE STATUTES CONCERNING SCHOOL BUILDING PROJECTS AND OTHER EDUCATION STATUTES.

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

Section 1. (*Effective from passage*) The Commissioner of Education, having reviewed applications for state grants for public school building projects in accordance with section 10-283 of the general statutes 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 the estimated grant with respect to each eligible project, and having submitted such listing of eligible projects, prior to December 15, 2008, to a committee of the General Assembly established under section 10-283a of the general statutes for the purpose of reviewing such listing, is hereby authorized to enter into grant commitments on behalf of the state in accordance with said section 10-283 with respect to the priority listing of such projects and in such estimated amounts as

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approved by said committee prior to February 1, 2009, as follows:

(1) Estimated Grant Commitments.

School District School Project Number	Estimated Project Costs	Estimated Grant
BRIDGEPORT		
Longfellow School 0167 EA	\$ 27,689,933	\$ 22,052,263
HARTFORD		
Barbour School conv. to Journalism High School 0296 EA/RR	37,450,000	29,960,000
NEWINGTON		
Newington High Sch. (Field House) 0096 EA	1,150,000	624,335
NEWTOWN		
Newtown High School 0112 EA	47,621,454	14,967,423
BRIDGEPORT		
Roosevelt School 0166 N	44,739,945	35,630,892
HARTFORD		
Quirk Middle Sch. Conv. to Baccalaureate School 0294 A/EC	55,050,000	44,040,000

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MANCHESTER		
Highland Park School		
0224 EA/RR	8,490,000	5,518,500
NAUGATUCK		
Naugatuck High School		
0062 A	1,880,000	1,410,000
WATERBURY		
Wilby High/North End Middle Schs.		
0274 A/EC	6,700,000	5,264,190
WATERBURY		
Carrington School		
0275 EA	34,700,000	27,263,790
WATERBURY		
Allied Health Mfg. & Mech. Arts		
0276 N	63,846,000	50,163,802
REGIONAL SCHOOL DISTRICT 14		
Nonnewaug High School (Vo-Ag)		
0089 VE	246,725	234,389
BRIDGEPORT		
Cross School		
0165 A/EC	7,396,762	5,890,781
CROMWELL		
Cromwell Middle School		
0048 A/EC/RR	2,463,000	1,248,987

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CROMWELL		
Edna C. Stevens School		
0049 A/EC/RR	3,695,000	1,873,735

FAIRFIELD		
Riverfield School		
0117 EC	527,775	135,691

FAIRFIELD		
Dwight Elementary School		
0118 EC	475,000	120,460

FRANKLIN		
Franklin Elementary School		
0011 A/EC/RR	1,588,527	890,687

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

School District	Authorized	Requested
School		
Project Number		

BLOOMFIELD		
Laurel School		
011-0076 EA		
Estimated...		
Total Project Costs	\$ 11,027,600	\$ 17,014,800
Total Grant	5,474,101	8,446,147

BLOOMFIELD
Metacomet School

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011-0078 EA

Estimated...

Total Project Costs	9,683,300	12,837,100
Total Grant	4,806,790	6,372,336

COVENTRY

George Hersey Robertson School

032-0055 CV

Estimated...

Total Project Costs	317,358	421,858
Total Grant	194,953	259,147

COVENTRY

Coventry Grammar School

032-0056 CV

Estimated...

Total Project Costs	215,359	370,159
Total Grant	132,295	227,389

DANBURY

Danbury Head Start Center

034-0133 PF/EA

Estimated...

Total Project Costs	7,500,000	8,934,851
Total Grant	4,017,750	4,786,400

EAST LYME

Lillie B. Haynes School

045-0057 EC

Estimated...

Total Project Costs	500,000	792,083
Total Grant	244,650	387,566

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Crystal Lake School
048-0054 CV

Estimated...

Total Project Costs	300,000	460,000
Total Grant	181,080	277,656

GREENWICH
Hamilton Avenue School
057-0109 EA

Estimated...

Total Project Costs	24,410,000	30,205,000
Total Grant	4,882,000	6,041,000

HARTFORD
Capital College Prep Magnet
064-0290 MAG/EA

Estimated...

Total Project Costs	41,070,000	41,070,000
Total Grant	39,016,500	39,016,500

HARTFORD
Fisher Magnet School
064-0291 MAG/EA

Estimated...

Total Project Costs	38,438,000	45,500,000
Total Grant	36,516,100	43,225,000

MILFORD
Joseph A. Foran High School
084-0174 A/EC

Estimated...

Total Project Costs	3,800,000	8,000,000
Total Grant	1,493,020	3,143,200

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MILFORD

Jonathan Law High School
084-0175 A/EC

Estimated...

Total Project Costs	2,400,000	4,800,000
Total Grant	942,960	1,885,920

NEW HAVEN

Metropolitan Business Magnet
093-0350 MAG/N

Estimated...

Total Project Costs	34,204,450	42,700,000
Total Grant	32,494,228	40,565,000

NEW HAVEN

Davis Street Magnet School
093-0354 MAG/N

Estimated...

Total Project Costs	30,400,000	45,500,000
Total Grant	28,880,000	43,225,000

NORWALK

Ponus Ridge Middle School
103-0238 A/EC

Estimated...

Total Project Costs	6,803,658	7,610,000
Total Grant	2,332,974	2,609,469

(3) Previously Authorized Project That Has Changed Substantially
in Scope or Cost which is Seeking Second Reauthorization.

School District	Authorized	Requested
School		
Project Number		

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DANBURY
Roberts Avenue Elementary School
034-0130 N

Estimated...		
Total Project Costs	\$ 20,600,000	\$ 27,100,000
Total Grant	10,153,740	13,357,590

NEW HAVEN
Sheriden (PK-8) Interdistrict Magnet
093-0349 MAG/EA

Estimated...		
Total Project Costs	39,000,000	47,500,000
Total Grant	39,000,000	47,500,000

(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 (Waterbury)
W. F. Kaynor
900-0006 VT/EA

Estimated...		
Total Project Costs	\$ 60,070,645	\$ 67,770,645
Total Grant	60,070,645	67,770,645

CTHSS (Stamford)
J. M. Wright
900-0010 VT/EA

Estimated...

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Total Project Costs	40,023,991	90,230,942
Total Grant	40,023,991	90,230,942

CTHSS (Meriden)
H. C. Wilcox
900-0011 VT/EA

Estimated...		
Total Project Costs	60,265,000	77,568,765
Total Grant	60,265,000	77,568,765

CTHSS (Ansonia)
Emmett O'Brien
900-0012 VT/EA

Estimated...		
Total Project Costs	52,367,000	77,746,501
Total Grant	52,367,000	77,746,501

Sec. 2. Subdivision (1) of subsection (a) of section 10-264h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) For the fiscal year ending June 30, 1996, until the fiscal year ending June 30, 2003, a local or regional board of education, regional educational service center or a cooperative arrangement pursuant to section 10-158a for purposes of an interdistrict magnet school may be eligible for reimbursement up to the full reasonable cost of any capital expenditure for the purchase, construction, extension, replacement, leasing or major alteration of interdistrict magnet school facilities, including any expenditure for the purchase of equipment, in accordance with this section. (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

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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 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. On and after July 1, 2009, applications for reimbursement under this section for the construction of new interdistrict magnet schools shall not be accepted until the commissioner develops a comprehensive state-wide interdistrict magnet school plan, in accordance with the provisions of subdivision (1) of subsection (b) of section 10-264l, as amended by this act, unless the commissioner determines that such construction 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.

Sec. 3. Subsection (c) of section 10-286 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) In the computation of grants pursuant to this section for any school building project authorized by the General Assembly pursuant to section 10-283 (1) after January 1, 1993, any maximum square

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footage per pupil limit established pursuant to this chapter or any regulation adopted by the State Board of Education pursuant to this chapter shall be increased by twenty-five per cent for a building constructed prior to 1950; (2) after January 1, 2004, any maximum square footage per pupil limit established pursuant to this chapter or any regulation adopted by the State Board of Education pursuant to this chapter shall be increased by up to one per cent to accommodate a heating, ventilation or air conditioning system, if needed; [and] (3) [after] for the period from July 1, 2006, to June 30, 2009, inclusive, for projects with total authorized project costs greater than ten million dollars, if total construction change orders or other change directives otherwise eligible for grant assistance under this chapter exceed five per cent of the authorized total project cost, only fifty per cent of the amount of such change order or other change directives in excess of five per cent shall be eligible for grant assistance; and (4) after July 1, 2009, for projects with total authorized project costs greater than ten million dollars, if total construction change orders or other change directives otherwise eligible for grant assistance exceed five per cent of the total authorized project cost, such change order or other change directives in excess of five per cent shall be ineligible for grant assistance.

Sec. 4. Section 10-284 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Education shall have authority to receive, review and approve applications for state grants under this chapter, or to disapprove any such application if (1) it does not comply with the requirements of the State Fire Marshal or the Department of Public Health, (2) it is not accompanied by a life-cycle cost analysis approved by the Commissioner of Public Works pursuant to section 16a-38, (3) it does not comply with the provisions of sections 10-290d and 10-291, [or] (4) it does not meet the standards or school building priorities

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established by the State Board of Education, or (5) the commissioner determines that the proposed educational specifications for or theme of the project for which the applicant requests a state grant duplicates a program offered by a vocational-technical school or an interdistrict magnet school in the same region.

(b) (1) The Commissioner of Education may also disapprove such a grant application: (A) For a project for which the General Assembly authorized a grant commitment prior to June 14, 1984, if the town or regional school district has not begun construction, as defined in section 10-282, by July 1, 1987; or (B) for any other project if the town or regional school district has not begun construction, as defined in section 10-282, within 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 projects as provided in sections 10-283 and 10-283a.

(2) Prior to disapproval of an application under the provisions of subparagraph (A) of subdivision (1) of this subsection, the commissioner shall give written notice of the pending disapproval by mail to (A) the school building committee formed in connection with the application, (B) the local or regional board of education, and (C) if the applicant is a local board, to the chief executive officer of the town or if the applicant is a regional board, to the chief executive officer of each of the district's member towns. The notice shall be given twice. The first such notice shall be mailed not later than September 1, 1986, and the second notice shall be mailed not later than March 1, 1987.

(c) When any such application is approved, said commissioner shall certify to the Comptroller the amount of the grant for which the town or regional school district is eligible under this chapter and the amount and time of the payment thereunder. Upon receipt of such certification, the Comptroller is authorized and directed to draw his order on the Treasurer in such amount and at such time as certified by said

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commissioner.

Sec. 5. (*Effective from passage*) (a) Notwithstanding the provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education pursuant to said chapter, any recipient of a grant for a school construction project under said chapter 173 (1) for which a payment request for such grant was approved by the Department of Education during the period beginning July 1, 2009, and ending December 31, 2009, (2) that had such payment delayed due to unavailability of state bond funds for such payment, and (3) that incurred fees, interest and other costs or lost income associated with short-term borrowing, as described in subsection (b) of this section, used to cover the amount of the payment that was delayed, may, not later than March 31, 2010, apply to the Department of Education, in such manner as the Commissioner of Education prescribes, for reimbursement of such fees, interest and other costs or lost income. The Department of Education shall reimburse the applicant in an amount that is equal to one hundred per cent of the amount of the fees, interest and other costs or lost income associated with such borrowing that the commissioner deems reasonable.

(b) As used in subsection (a) of this section, other costs or lost income associated with short-term borrowing shall include, but not be limited to, costs incurred or income lost by the applicant resulting from the diversion of funds to cover payments for school construction projects when such funds were previously budgeted for or allocated to another purpose or were diverted from a reserve fund. Such costs or lost income shall be reimbursed at a rate that equals the rate of interest for investments in the Short Term Investment Fund under section 3-27a of the general statutes for the period of time during which school construction payments pursuant to chapter 173 of the general statutes were delayed during the fiscal year ending June 30, 2010, due to the unavailability of state bond funds for such payments.

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(c) Notwithstanding the provisions of section 10-287d of the general statutes, reimbursements pursuant to subsection (a) of this section shall be funded through the issuance of bonds pursuant to said section 10-287d.

(d) The official intent of the state required pursuant to 26 CFR 1.150-2, with respect to the use of funds as provided in this section, is that the state reasonably expects to reimburse from the proceeds of borrowings any and all expenditures paid as provided in this section and the amounts of such reimbursements is not anticipated to exceed the amount of the funds authorized to be spent under this section. The Secretary of the Office of Policy and Management and the Treasurer are authorized to amend this declaration of official intent on behalf of the state.

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 Bureau of School Facilities, the town of West Hartford may let out for bid on and commence a project for portable classrooms (Project Number 155-0224 RE) at Braeburn Elementary School and shall be eligible to subsequently be considered for a grant commitment from the state, provided plans and specifications have been approved by the Department of Education's Bureau of School Facilities.

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 Bureau of School Facilities, the town of West Hartford may let out for bid on and commence a project for interior modification for rest room accessibility that was not included in the educational specification for athletic field accessibility improvements (Project

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Number 155-0221 CV) at Hall 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 Bureau of School Facilities.

Sec. 8. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's Bureau of School Facilities, the town of Manchester may let out for bid on and commence a project for the purchase of playground equipment (Project Number 077-0207 N) at the New Bentley Head Start Center 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 Bureau of School Facilities.

Sec. 9. (*Effective from passage*) Notwithstanding the provisions of subsection (d) of section 10-286 of the general statutes or any regulation adopted by the State Board of Education requiring that 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, the town of Manchester may submit change orders executed after July 1, 2008, but prior to July 1, 2009, for the project at the Bennet Middle School (Project Number 077-0209 PS/EA) and shall be eligible to subsequently be considered for a grant commitment from the state, provided change orders have been approved by the Department of Education's Bureau of School Facilities.

Sec. 10. (*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

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Education's Bureau of School Facilities, the town of Groton may let out for bid on and commence a project for extension and alteration (Project Number 059-0178 EA) at Fitch Senior 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 Bureau of School Facilities.

Sec. 11. (*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 Bureau of School Facilities, the town of Greenwich may let out for bid on and commence a project for demolition and abatement (Project Number 057-0109 EA) at the Hamilton Avenue 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 Bureau of School Facilities.

Sec. 12. (*Effective from passage*) Notwithstanding any provision of section 10-283 of the general statutes, as amended, 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 Waterbury may expand the scope of the alteration project (Project Number 151-0263 A) at the Enlightenment and Special Education Program Center to include an elevator and egress stair.

Sec. 13. (*Effective from passage*) Notwithstanding the provisions of subdivision (4) of subsection (b) of section 10-286 of the general statutes or any regulations adopted by the State Board of Education concerning school district enrollment and state standard space specifications, the town of Franklin may use two hundred twenty-five as its enrollment in grades kindergarten to grade eight, inclusive, in connection with its school building project for the Franklin Elementary

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School (Project Number 053-0011 A/EC/RR) to qualify for the exception to the state standard space specifications requirement in the calculation of school construction project grants.

Sec. 14. (*Effective from passage*) Notwithstanding the acreage limitations pursuant to the provisions of chapter 173 of the general statutes and the regulations adopted by the State Board of Education pursuant to said chapter, the Killingly Regional Vocational Agriculture Center (Project Number 069-0060 VA/N) shall be allowed to purchase approximately twenty-five acres in addition to the current site acreage and subsequently be eligible for grant reimbursement.

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 Bureau of School Facilities, the board of education for Regional School District 19 may expand the scope of a project for vocational agriculture equipment and building modifications (Project Number 219-0014 VE) to include an air handling system and to allow Regional School District 19 to let out for bid on and commence a project for vocational agriculture equipment and building modifications. Regional School District 19 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 Bureau of School Facilities.

Sec. 16. (*Effective from passage*) Notwithstanding the provisions of section 10-292 of the general statutes or any regulation adopted by the State Board of Education requiring that a bid not be let out until plans and specifications have been approved by the Department of Education's Bureau of School Facilities, the town of Mansfield may let out for bid on and commence a project for alteration (Project Number 078-0066 A) at the Mansfield Middle School 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 Bureau of School Facilities.

Sec. 17. (*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 Bureau of School Facilities, the town of New Haven may let out for bid on and commence a project for new construction (Project Number 093-0350) for the Metropolitan Business Academy 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 Bureau of School Facilities.

Sec. 18. (*Effective from passage*) (a) Notwithstanding any provision of chapter 173 of the general statutes or any regulation adopted by the State Board of Education pursuant to said chapter 173, (1) the grant for the Pathways Magnet School (Project Number 064-0286 N) previously awarded to the town of Hartford pursuant to public act 03-2, public act 05-6 and public act 06-158, is hereby awarded and reassigned to Goodwin College and the subject school shall be located on the Goodwin campus; (2) pursuant to subsection (a) of section 10-264h of the general statutes, as amended by this act, one hundred per cent of the total estimated project costs up to thirty-eight million eight hundred thirty thousand dollars, except as increased pursuant to subsection (b) of this section, shall be eligible for reimbursement, minus costs reimbursed to the town of Hartford representing reasonable and necessary costs previously expended by Hartford and deemed eligible by the Commissioner of Education. No additional architectural design costs shall be eligible for reimbursement to Goodwin College, except for those costs deemed necessary for the

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placement of the previously designed building on the Goodwin campus; and (3) the commissioner may disapprove the project if construction has not commenced by the date two years after the effective date of this section.

(b) Notwithstanding the provisions of section 10-283 of the general statutes, or any regulation adopted pursuant to said section, requiring projects to be resubmitted to the legislature for authorization if there has been a significant change in either cost or scope, up to seven million dollars in previously authorized total project costs for the construction of the Goodwin College-Connecticut River Academy for Earth and Space Science Magnet School, pursuant to public act 08-169, may be reassigned by the commissioner to the project for the construction of the Pathways Magnet School to be constructed on the campus of Goodwin College without further legislative authorization, provided there is a commensurate reduction in authorized total project costs for the Connecticut River Academy for Earth and Space Science Magnet School construction project.

(c) Notwithstanding the provisions of section 10-283 of the general statutes, or any regulation adopted pursuant to said section, requiring that no school building project be added to the list in subdivision (1) of section 6 of this act, the project for the construction of a new early childhood education magnet facility at Goodwin College with an estimated total project cost of sixteen million dollars 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 Goodwin College on behalf of Goodwin College files an application for a school building project prior to June 30, 2010, and meets all other provisions of chapter 173 of the general statutes and any regulation adopted by the State Board of Education. Previously authorized total project costs for the Goodwin College-Connecticut River Academy for Earth and Space Science Magnet School, pursuant

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to public act 08-169, shall be reduced by such estimated total project cost of sixteen million dollars.

Sec. 19. (*Effective from passage*) Notwithstanding the provisions of sections 10-283 and 10-292 of the general statutes, as amended, or any regulation adopted by the State Board of Education pursuant to said sections 10-283 and 10-292 requiring that a bid may not be let out until plans and specifications have been approved by the Department of Education's school facilities unit and concerning ineligible costs, the town of Ledyard may let out for bid on and commence a project for the replacement of floor covering (Project Number 072-0076) at the Ledyard Middle School and shall be eligible to receive reimbursement for costs associated with such project.

Sec. 20. (*Effective from passage*) Notwithstanding the provisions of section 10-283 of the general statutes, as amended, or any regulation adopted by the State Board of Education pursuant to said section 10-283 concerning ineligible costs, the town of Ledyard shall be eligible to receive reimbursement for costs associated with the construction of a pump station for the Ledyard High School Water Project (Project Number 072-0071).

Sec. 21. (*Effective from passage*) Notwithstanding chapter 173 of the general statutes or any regulation adopted by the State Board of Education concerning site acquisition costs, the land area donated to the town of Suffield for the Suffield High School (Project Number 139-0037 N) and Suffield Vocational Agriculture Facility (Project Number 139-0046 VA/N) shall be excluded from the calculation of site acquisition costs and calculation of site acreage limitations.

Sec. 22. Section 10-264*l* of the general statutes, as amended by section 4 of public act 09-45 and section 24 of public act 09-1 of the June 19 special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(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 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, (C) the Board of Trustees of 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 (i) supports racial, ethnic and economic diversity, (ii) offers a special and high quality curriculum, and (iii) requires students who are enrolled to attend at least half-time. An interdistrict magnet school program does not include a regional agricultural science and technology school, a regional vocational-technical school or a regional 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 restrict the number of students

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that may enroll in the program from a participating district to seventy-five per cent of the total enrollment of the program, and 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) (1) 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, except that on and after July 1, 2009, applications for such operating grants for new interdistrict magnet schools, other than those that the commissioner determines 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 not be accepted until the commissioner develops a comprehensive state-wide interdistrict magnet school plan. The commissioner shall submit such comprehensive state-wide interdistrict magnet school plan on or before January 1, 2011, to the joint standing committee of the General Assembly having cognizance of matters relating to education.

(2) 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)] (A) Whether the program offered by the school is likely to increase student achievement; [(2)] (B) whether the program is likely to reduce racial, ethnic and economic isolation; [(3)] (C) the percentage of the student enrollment in the program from each participating district; and [(4)] (D) the proposed operating budget and the sources of funding for the interdistrict magnet school. For a magnet school not operated by a local or regional board of education, the commissioner shall only approve a proposed operating budget that, on a per pupil basis, does not exceed the maximum allowable threshold established in accordance with this subdivision. The maximum allowable threshold

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shall be an amount equal to one hundred twenty per cent of the state average of the quotient obtained by dividing net current expenditures, as defined in section 10-261, by average daily membership, as defined in said section, for the fiscal year two years prior to the fiscal year for which the operating grant is requested. The Department of Education shall establish the maximum allowable threshold no later than December fifteenth of the fiscal year prior to the fiscal year for which the operating grant is requested. If requested by an applicant that is not a local or regional board of education, the commissioner may approve a proposed operating budget that exceeds the maximum allowable threshold if the commissioner determines that there are extraordinary programmatic needs. 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 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.

(3) 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

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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'Neill, 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)] to (F), inclusive, 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, and (B) six thousand seven hundred thirty dollars for the fiscal [year] years ending June 30, 2009, [(C) seven thousand four hundred forty dollars for the fiscal year ending June 30, 2010, and (D) eight thousand one hundred fifty-eight dollars for the fiscal year ending June 30, 2011] to June 30, 2011, inclusive. 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

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commissioner has [reviewed] conducted a comprehensive financial review and approved the total operating budget for such schools, including all revenue and expenditure estimates.

(3) (A) [Each] Except as otherwise provided in subparagraphs (C) to (F), inclusive, of this subdivision, 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, and (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] and each fiscal year thereafter.

(B) [Each] Except as otherwise provided in subparagraphs (C) to (F), inclusive, of this subdivision, 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. 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, and (ii) six thousand seven hundred thirty dollars for the fiscal year ending June 30, 2009, [(iii) seven thousand four hundred forty

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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] and each fiscal year thereafter. 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 began operations for the school year commencing July 1, 1998, and that for the school year commencing July 1, 2008, enrolled at least fifty-five per cent, but no more than seventy per cent of the school's students from a single town shall receive a per pupil grant for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but no more than seventy per cent of the school's students in the amount of four thousand eight hundred ninety-four dollars, and a per pupil grant for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but no more than seventy per cent of the school's students in the amount of six thousand seven hundred thirty dollars for the fiscal year ending June 30, 2010, and each fiscal year thereafter.

(D) Each interdistrict magnet school operated by a regional educational service center that began operations for the school year commencing July 1, 2001, and that for the school year commencing July 1, 2008, enrolled at least fifty-five per cent, but no more than eighty per cent of the school's students from a single town shall receive a per pupil grant for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but no more than eighty per cent of the school's students in the amount of four thousand two hundred fifty dollars, and a per pupil grant for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but no more than eighty per cent of the school's students in the amount of six thousand seven hundred thirty dollars for the fiscal year

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ending June 30, 2010, and each fiscal year thereafter.

(E) Each interdistrict magnet school operated by (i) a regional educational service center, (ii) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (iii) the Board of Trustees of the Connecticut State University System on behalf of a state university, (iv) the Board of Trustees for The University of Connecticut on behalf of the university, (v) 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, (vi) cooperative arrangements pursuant to section 10-158a, and (vii) any other third-party not-for-profit corporation approved by the commissioner 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) nine thousand six hundred ninety-five dollars for the fiscal year ending June 30, 2010, and (II) ten thousand four hundred forty-three dollars for the fiscal year ending June 30, 2011.

(F) Each interdistrict magnet school operated by the Hartford school district, 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 for each enrolled student who is not a resident of the district in the amount of (i) twelve thousand dollars for the fiscal year ending June 30, 2010, and (ii) thirteen thousand fifty-four dollars for the fiscal year ending June 30, 2011.

(G) In addition to the grants described in subparagraph (F) of this subdivision, for the fiscal year ending June 30, 2010, the commissioner may, subject to the approval of the Secretary of the Office of Policy and Management and the Finance Advisory Committee, established pursuant to section 4-93, provide supplemental grants to the Hartford school district of up to one thousand fifty-four dollars for each student

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enrolled at an interdistrict magnet school operated by the Hartford school district who is not a resident of such district.

(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 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 participating in 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

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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 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.

(e) The Department of Education may retain up to one-half of one per cent of the amount appropriated for purposes of this section for program evaluation and administration.

(f) Each local or regional school district in which an interdistrict magnet school is located shall provide the same kind of transportation to its children enrolled in such interdistrict magnet school as it provides to its children enrolled in other public schools in such local or regional school district. The parent or guardian of a child denied the

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transportation services required to be provided pursuant to this subsection may appeal such denial in the manner provided in sections 10-186 and 10-187.

(g) On or before October fifteenth of each year, the Commissioner of Education shall determine if interdistrict magnet school enrollment is below the number of students for which funds were appropriated. If the commissioner determines that the enrollment is below such number, the additional funds shall not lapse but shall be used by the commissioner for grants for interdistrict cooperative programs pursuant to section 10-74d.

(h) In the case of a student identified as requiring special education, the school district in which the student resides shall: (1) Hold the planning and placement team meeting for such student and shall invite representatives from the interdistrict magnet school to participate in such meeting; and (2) pay the interdistrict magnet school an amount equal to the difference between the reasonable cost of educating such student and the sum of the amount received by the interdistrict magnet school for such student pursuant to subsection (c) of this section and amounts received from other state, federal, local or private sources calculated on a per pupil basis. Such school district shall be eligible for reimbursement pursuant to section 10-76g, as amended by this act. If a student requiring special education attends an interdistrict magnet school on a full-time basis, such interdistrict magnet school shall be responsible for ensuring that such student receives the services mandated by the student's individualized education program whether such services are provided by the interdistrict magnet school or by the school district in which the student resides.

(i) Nothing in this section shall be construed to prohibit the enrollment of nonpublic school students in an interdistrict magnet school program that operates less than full-time, provided (1) such

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students constitute no more than five per cent of the full-time equivalent enrollment in such magnet school program, and (2) such students are not counted for purposes of determining the amount of grants pursuant to this section and section 10-264i, as amended by this act.

(j) [(1)] After accommodating students from participating districts in accordance with 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 an interdistrict magnet school or the interdistrict student attendance program pursuant to section 10-266aa 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 participating districts.

[(2)] (k) For the fiscal year ending June 30, 2009, 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)] (1) the average per pupil expenditure of the magnet school for the prior fiscal year, and [(B)] (2) 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.] For the fiscal year ending June 30, 2010, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school for any student enrolled in such interdistrict magnet school shall be in an amount equal to at least

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ninety 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. For the fiscal year ending June 30, 2011, and each fiscal year thereafter, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school for any student enrolled in such interdistrict magnet school shall be in an amount equal to the difference between (i) the average per pupil expenditure of the magnet school for the prior fiscal year, and (ii) 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. 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, 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. In no case shall the sum of such tuitions exceed the difference between (I) the total expenditures of the magnet school for the prior fiscal year, and (II) the total per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources. The commissioner may conduct a comprehensive financial review of the operating budget of a magnet school to verify such tuition rate.

[(3)] (1) A participating district shall provide opportunities for its 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.

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[(4)] (m) On or before May 15, 2010, and annually thereafter, each interdistrict magnet school operator shall provide written notification to any school district that is otherwise responsible for educating a student who resides in such school district and will be enrolled in an interdistrict magnet school under the operator's control for the following school year. Such notification shall include the number of any such students, by grade, who will be enrolled in an interdistrict magnet school under the control of such operator, the name of the school in which such student has been placed and the amount of tuition to be charged to the local or regional board of education for such student. Such notification shall represent an estimate of the number of students expected to attend such interdistrict magnet schools in the following school year, but shall not be deemed to limit the number of students who may enroll in such interdistrict magnet schools for such year.

[(k)] (n) (1) Each interdistrict magnet school operated by a regional educational service center shall annually file with the Commissioner of Education a financial audit in such form as prescribed by the commissioner.

(2) Annually, the commissioner shall randomly select one interdistrict magnet school operated by a regional educational service center to be subject to a comprehensive financial audit conducted by an auditor selected by the commissioner. The regional educational service center shall be responsible for all costs associated with the audit conducted pursuant to the provisions of this subdivision.

(o) For the school years commencing July 1, 2009, and July 1, 2010, the Hartford school district shall not charge tuition for any student enrolled in an interdistrict magnet school operated by such school district.

Sec. 23. Subsection (a) of section 10-266m of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A local or regional board of education providing transportation in accordance with the provisions of sections 10-54, 10-66ee, as amended by this act, 10-97, 10-158a, 10-273a, 10-277 and 10-281, as amended by this act, shall be reimbursed for a percentage of such transportation costs as follows:

(1) The percentage of pupil transportation costs reimbursed to a local board of education shall be determined by (A) ranking each town in the state in descending order from one to one hundred sixty-nine according to such town's adjusted equalized net grand list per capita, as defined in section 10-261; (B) based upon such ranking, and notwithstanding the provisions of section 2-32a, (i) except as otherwise provided in this subparagraph, a percentage of zero shall be assigned to towns ranked from one to thirteen and a percentage of not less than zero nor more than sixty shall be determined for the towns ranked from fourteen to one hundred sixty-nine on a continuous scale, except that any such percentage shall be increased by twenty percentage points in accordance with section 10-97, where applicable, and (ii) for the fiscal year ending June 30, 1997, and for each fiscal year thereafter, a percentage of zero shall be assigned to towns ranked from one to seventeen and a percentage of not less than zero nor more than sixty shall be determined for the towns ranked from eighteen to one hundred sixty-nine on a continuous scale.

(2) The percentage of pupil transportation costs reimbursed to a regional board of education shall be determined by its ranking. Such ranking shall be determined by (A) multiplying the total population, as defined in section 10-261, of each town in the district by such town's ranking, as determined in subdivision (1) of this section, (B) adding together the figures determined under subparagraph (A) of this subdivision, and (C) dividing the total computed under subparagraph

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(B) of this subdivision by the total population of all towns in the district. The ranking of each regional board of education shall be rounded to the next higher whole number and each such board shall receive the same reimbursement percentage as would a town with the same rank, provided such percentage shall be increased in the case of a secondary regional school district by an additional five percentage points and, in the case of any other regional school district by an additional ten percentage points.

(3) Notwithstanding the provisions of subdivisions (1) and (2) of this section, for the fiscal year ending June 30, 1997, and for each fiscal year thereafter, no local or regional board of education shall receive a grant of less than one thousand dollars.

(4) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, [2009] 2011, inclusive, the amount of transportation grants payable to local or regional boards of education shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

(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 (A) out-of-district students to technical high schools located in Hartford, or (B) Hartford students [out-of-district to a regional vocational-technical] attending a technical high school or a regional agricultural science and technology education center outside of the district, 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.

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Sec. 24. Section 10-264o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a)] Notwithstanding any provision of this chapter, 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 through a lottery designated by the commissioner. [Any] For the fiscal year ending June 30, 2009, 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, as amended by this act, and any revenue from other sources as determined by the interdistrict magnet school operator. For the fiscal year ending June 30, 2010, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school for any student enrolled in such interdistrict magnet school shall be in an amount equal to at least ninety per cent of the difference between (1) the average per pupil expenditure of the magnet school for the prior fiscal year, and (2) 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. For the fiscal year ending June 30, 2011, and each fiscal year thereafter, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school for any student enrolled in such interdistrict magnet school shall be in an amount equal to 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

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any revenue from other sources calculated on a per pupil basis. 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, 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. In no case shall the sum of such tuitions exceed the difference between (i) the total expenditures of the magnet school for the prior fiscal year, and (ii) the total per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources. The commissioner may conduct a comprehensive review of the operating budget of a magnet school to verify such tuition rate.

[(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. 25. Section 10-264i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a)(1) (A) A local or regional board of education, ~~[(2)]~~ (B) regional educational service center, ~~[(3)]~~ (C) the Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College, ~~[(4)]~~ (D) cooperative arrangement pursuant to section 10-158a, or ~~[(5)]~~ (E) 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)]~~ (i) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, ~~[(B)]~~ (ii) the Board of Trustees of the Connecticut State University System on behalf of a state university, ~~[(C)]~~ (iii) the Board of Trustees for The University of Connecticut on behalf of the university, ~~[(D)]~~ (iv) the board of governors for an

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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)]~~ (v) 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, as amended by this act, 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]~~ (2) Except as provided in subdivisions (3) and (4) of this subsection, the amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by one thousand three hundred dollars.

(3) For districts 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, (i) for the fiscal year ending June 30, 2010, the amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by one thousand four hundred dollars, and (ii) for the fiscal year ending June 30, 2011, the amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by two thousand dollars.

(4) For the fiscal year ending June 30, 2009, in addition to the grants otherwise provided pursuant to this section, the Commissioner of Education may provide supplemental transportation grants to regional educational service centers for the purposes of transportation to interdistrict magnet schools. Any such grant shall be provided within available appropriations and after the commissioner has reviewed and approved the total interdistrict magnet school transportation budget for a regional education service center, including all revenue and expenditure estimates.

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(5) 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, as amended by this act, 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] entities identified in subdivision (1) of subsection (a) of this section 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] eligible entity identified in subdivision (1) of subsection (a) of this section 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.

Sec. 26. Subdivision (25) of section 10-262f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(25) "Total need students" means the sum of (A) the number of resident students of the town for the school year, [except that for the fiscal year commencing July 1, 2008, such number shall be reduced by one-quarter of the number resident students of the town for the school year enrolled in full-time approved interdistrict magnet school programs pursuant to section 10-264l,] (B) (i) for any school year commencing prior to July 1, 1998, one-quarter the number of children under the temporary family assistance program for the prior fiscal year, and (ii) for the school years commencing July 1, 1998, to July 1, 2006, inclusive, one-quarter the number of children under the temporary family assistance program for the fiscal year ending June 30, 1997, (C) for school years commencing July 1, 1995, to July 1, 2006, inclusive, one-quarter of the mastery count for the school year, (D) for school years commencing July 1, 1995, to July 1, 2006, inclusive, ten per cent of the number of eligible children, as defined in subdivision (1) of section 10-17e, for whom the board of education is not required to provide a program pursuant to section 10-17f, (E) for the school year commencing July 1, 2007, and each school year thereafter, fifteen per cent of the number of eligible students, as defined in subdivision (1) of section 10-17e, for whom the board of education is not required to provide a program pursuant to section 10-17f, and (F) for the school year commencing July 1, 2007, and each school year thereafter, thirty-three per cent of the number of children below the level of poverty.

Sec. 27. (*Effective from passage*) The Commissioner of Education may transfer funds appropriated in sections 1 and 11 of public act 09-3 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 general statutes, grants for the interdistrict public school attendance program pursuant to section 10-266aa of the general statutes, grants for interdistrict magnet schools pursuant to section 10-264l of the general statutes, as amended by this act, and to technical

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high 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.

Sec. 28. (*Effective from passage*) The unexpended balance of funds appropriated to the Department of Education, for education equalization grants, in section 11 of public act 07-1 of the June special session, for the purpose described in subdivision (4) of subsection (c) of section 10-223e of the general statutes, shall not lapse on June 30, 2009, and such funds shall continue to be available for expenditure for such purpose during the fiscal year ending June 30, 2010.

Sec. 29. Section 18 of public act 08-170 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding the provisions of subsections (a) and (b) of section 10-264l, [of the 2008 supplement to the general statutes] of the general statutes, as amended by this act, for the fiscal years ending June 30, 2008, [and June 30, 2009] to June 30, 2011, inclusive, 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] that began operations prior to July 1, 2008. On or before July 1, 2010, such interdistrict magnet school program operated by Bloomfield shall submit to the Commissioner of Education a plan on how such interdistrict magnet school can enroll at least twenty-five per cent but not more than seventy-five per cent of pupils

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of racial minorities, as defined in section 10-226a of the general statutes. On or before January 1, 2011, the commissioner may approve said plan and shall report, in accordance with section 11-4a of the general statutes, on the plan developed pursuant to this section to the joint standing committee of the General Assembly having cognizance of matters relating to education.

Sec. 30. Section 10-262i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For the fiscal year ending June 30, 1990, and for each fiscal year thereafter, each town shall be paid a grant equal to the amount the town is entitled to receive under the provisions of section 10-262h, as calculated using the data of record as of the December first prior to the fiscal year such grant is to be paid, adjusted for the difference between the final entitlement for the prior fiscal year and the preliminary entitlement for such fiscal year as calculated using the data of record as of the December first prior to the fiscal year when such grant was paid.

(b) The amount due each town pursuant to the provisions of subsection (a) of this section shall be paid by the Comptroller, upon certification of the Commissioner of Education, to the treasurer of each town entitled to such aid in installments during the fiscal year as follows: Twenty-five per cent of the grant in October, twenty-five per cent of the grant in January and the balance of the grant in April. The balance of the grant due towns under the provisions of this subsection shall be paid in March rather than April to any town which has not adopted the uniform fiscal year and which would not otherwise receive such final payment within the fiscal year of such town.

(c) All aid distributed to a town pursuant to the provisions of this section shall be expended for educational purposes only and shall be expended upon the authorization of the local or regional board of education. For the fiscal year ending June 30, 1999, and each fiscal year

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thereafter, if a town receives an increase in funds pursuant to this section over the amount it received for the prior fiscal year such increase shall not be used to supplant local funding for educational purposes. The budgeted appropriation for education in any town receiving an increase in funds pursuant to this section shall be not less than the amount appropriated for education for the prior year plus such increase in funds.

(d) For the fiscal years ending June 30, 2010, and June 30, 2011, the budgeted appropriation for education shall be no less than the budgeted appropriation for education for the fiscal year ending June 30, 2009, minus any reductions made pursuant to section 19 of public act 09-1 of the June 19 special session.

[(d)] (e) Notwithstanding the provisions of subsection (c) of this section, for the fiscal years ending June 30, 2008, and June 30, 2009, the budgeted appropriation for education in any town receiving an increase in funds pursuant to this section shall be not less than the amount appropriated for education for the prior year plus the percentage of such increase in funds as determined under subsection [(e)] (f) of this section.

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

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towns in this state, (ii) divided by the 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, (iii) multiplied by thirty per cent, (iv) plus fifty percentage points, and (C) (i) a town's grant mastery percentage pursuant to subdivision (12) of section 10-262f, subtracted from one, subtracted from one minus the grant mastery percentage of the town with the highest grant mastery percentage in this state, (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, (iii) multiplied by thirty per cent, (iv) plus 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, 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, 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)] (e) 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 ending June 30, 2008, and each fiscal year thereafter, any town that (A)

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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 subdivisions (2) and (3) of this subsection.

[(f)] (g) Upon a determination by the State Board of Education that a town or kindergarten to grade twelve, inclusive, regional school district failed in any fiscal year to meet the requirements pursuant to subsection (c), [or] (d) or (e) of this section, the town or kindergarten to grade twelve, inclusive, regional school district shall forfeit an amount equal to two times the amount of the shortfall. The amount so forfeited shall be withheld by the Department of Education from the grant payable to the town in the second fiscal year immediately following such failure by deducting such amount from the town's equalization aid grant payment pursuant to this section, except that in the case of a

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kindergarten to grade twelve, inclusive, regional school district, the amount so forfeited shall be withheld by the Department of Education from the grants payable pursuant to this section to the towns which are members of such regional school district. The amounts deducted from such grants to each member town shall be proportional to the number of resident students in each member town. Notwithstanding the provisions of this subsection, the State Board of Education may waive such forfeiture upon agreement with the town or kindergarten to grade twelve, inclusive, regional school district that the town or kindergarten to grade twelve, inclusive, regional school district shall increase its budgeted appropriation for education during the fiscal year in which the forfeiture would occur by an amount not less than the amount of said forfeiture or for other good cause shown. Any additional funds [expended] budgeted pursuant to such an agreement shall not be included in a district's [expenditures] budgeted appropriation for education for the purpose of establishing any future minimum [expenditure] budget requirement.

Sec. 31. Subsection (e) of section 10-16p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) (1) For the fiscal year ending June 30, 2009, and each fiscal year thereafter, priority school districts and former priority school districts shall receive grants based on the sum of the products obtained by (A) multiplying the district's number of contracted slots on March [30, 2008] thirtieth of the fiscal year prior to the fiscal year in which the grant is to be paid, by the per child cost pursuant to subdivision (2) of subsection (b) of section 10-16q, 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 or decreased slots the districts have requested for the fiscal year [ending June 30, 2009,] in which the grant is to be paid by the per child cost pursuant to

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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) 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. 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.

(3) Notwithstanding subdivision (2) of this subsection, for the fiscal years ending June 30, 2008, [and June 30, 2009] to June 30, 2011, inclusive, 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. 32. Subsection (g) of section 10-16p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(g) Subject to the provisions of this subsection, no funds received by a town pursuant to subsection (c) or (d) of this section or section 10-16u shall be used to supplant federal, state or local funding received by such town for early childhood education, provided [(1)] a town may use [the greater of (A) twenty-five thousand dollars, or (B) up to five per cent but no more than fifty thousand dollars of the amount received] an amount determined in accordance with this subsection for coordination, program evaluation and administration. Such amount shall be at least twenty-five thousand dollars but not more than seventy-five thousand dollars and shall be determined by the Department of Education, in consultation with the Department of Social Services, based on the school readiness grant award allocated to the town pursuant to subsection (c) or (d) of this section or section 10-16u [for coordination, program evaluation and administration, and (2) if a town provides twenty-five thousand dollars in] and the number of operating sites for coordination, program evaluation and administration. Such amount shall be increased by an amount equal to local funding provided for early childhood education coordination, program evaluation and administration, [such town may use up to ten per cent but no more than seventy-five thousand dollars of such amount for coordination, program evaluation and administration] not to exceed twenty-five thousand dollars. Each town that receives a grant pursuant to said subsection (c) or (d) or section 10-16u shall designate a person to be responsible for such coordination, program evaluation and administration and to act as a liaison between the town and the Departments of Education and Social Services. Each school readiness program that receives funds pursuant to this section or section 10-16u shall provide information to the department or the school readiness council, as requested, that is necessary for purposes of any school readiness program evaluation.

Sec. 33. Subsection (b) of section 10-16q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

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passage):

(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 the fiscal year ending June 30, 2009, and each fiscal year thereafter, the per child cost of the Department of Education school readiness program offered by a school readiness provider shall not exceed eight thousand three hundred forty-six dollars.

(3) Notwithstanding the provisions of subsection (e) of section 10-16p, as amended by this act, 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

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section 10-16p, as amended by this act.

(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. 34. Subsection (j) of section 32 of special act 05-1 of the June special session, as amended by section 211 of public act 07-7 of the June special session and section 62 of public act 09-2 of the September special session, is amended to read as follows (*Effective from passage*):

For the Department of Economic and Community Development:

(1) Grant-in-aid to Milford for the Devon Borough Revitalization Project, not exceeding \$2,500,000;

(2) Grant-in-aid to municipalities and organizations that are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, for cultural and entertainment-related economic development projects, including projects at museums, not exceeding \$4,000,000, provided \$625,000 shall be made available to the town of Norwalk for the Norwalk Maritime Museum;

(3) Grant-in-aid to the town of Derby, for downtown development, not exceeding \$250,000;

(4) Grant-in-aid to the town of Ansonia, for downtown development, not exceeding \$125,000;

(5) Grant-in-aid to the city of Norwich, for the harbor district project, not exceeding \$1,250,000;

(6) Grant-in-aid to the town of Thompson, for downtown revitalization, not exceeding \$1,000,000;

(7) Grant-in-aid to the town of Killingly, for downtown

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revitalization, not exceeding \$1,000,000;

(8) Grant-in-aid to the Goodspeed Opera House Foundation, Incorporated, for construction of a new facility in the town of East Haddam, not exceeding \$5,000,000;

(9) Grant-in-aid to the University of New Haven, for establishment and construction of the Henry Lee Institute, not exceeding \$2,000,000;

(10) Grant-in-aid to the city of New Haven, for rehabilitation and renovation of the Quinnipiac Terrace and Riverview projects, not exceeding \$2,000,000;

(11) Grant-in-aid to the city of Bridgeport, for revitalization of the Hollow Neighborhood, not exceeding \$500,000;

(12) Grant-in-aid to the Northeast Connecticut Economic Alliance, for a revolving loan fund to provide financial assistance to small businesses, not exceeding \$200,000;

(13) Grant-in-aid to the city of Bridgeport, for improvements to the Palace Theater, not exceeding \$250,000;

(14) Grant-in-aid to the East Hartford Housing Authority, for renovation of an existing building into a community center at Veterans Terrace, not exceeding \$350,000;

(15) Grant-in-aid to the town of Hamden, for revitalization of Highwood Square, not exceeding \$750,000;

(16) Grant-in-aid to the Waterbury Development Corporation, for lighting, grandstand seating and building improvements at Waterbury Municipal Stadium, not exceeding \$1,500,000;

(17) Grant-in-aid to the town of Cromwell, for downtown revitalization, not exceeding \$150,000;

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(18) Deleted by public act 07-7 of the June special session;

(19) Grant-in-aid to the city of Meriden, for a streetscape project, not exceeding \$250,000;

(20) Grant-in-aid to [The Children's Museum] the town of West Hartford, for [planning and development, including site acquisition, construction, renovation, capital equipment, improvements and relocation] site acquisition and improvements for the Science Center of Connecticut, not exceeding \$500,000;

(21) Grant-in-aid to Bridgeport for a feasibility study for the Congress Street Plaza urban renewal area in Bridgeport, not exceeding \$250,000;

(22) Grant-in-aid to the town of Bloomfield, for a façade improvement program, not exceeding \$500,000.

Sec. 35. Subsections (f) and (g) of section 10-266p of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) In addition to the amounts allocated in subsection (a), and subsections (c) to (e), inclusive, of this section, for the fiscal year ending June 30, 2006, the State Board of Education shall allocate two million thirty-nine thousand six hundred eighty-six dollars to the towns that rank one to three, inclusive, in population pursuant to subdivision (1) of said subsection (a), and for the fiscal years ending June 30, 2007, [June 30, 2008, and June 30, 2009] to June 30, 2011, the State Board of Education shall allocate two million six hundred ten thousand seven hundred ninety-eight dollars to the towns that rank one to three, inclusive, in population pursuant to subdivision (1) of said subsection (a).

(g) In addition to the amounts allocated in subsection (a) and

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subsections (c) to (f), inclusive, of this section, for the fiscal year ending June 30, 2009, and each fiscal year thereafter, the State Board of Education shall allocate [four million one hundred sixty thousand one hundred twenty-two] three million seven hundred forty thousand five hundred seventy-three 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. 36. Subsection (c) of section 10-66ee of the general statutes, as amended by section 22 of public act 09-1 of the June 19 special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) (1) The state shall pay in accordance with this subsection, to the fiscal authority for a state charter school for each student enrolled in such school, for the fiscal year ending June 30, 2006, seven thousand six hundred twenty-five dollars, for the fiscal year ending June 30, 2007, eight thousand dollars, for the fiscal year ending June 30, 2008, eight thousand six hundred fifty dollars, for the fiscal year ending June 30, 2009, and each fiscal year thereafter, nine thousand three hundred dollars. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July fifteenth and September fifteenth based on estimated student enrollment on May first, and twenty-five per cent of the amount not later than January fifteenth and the remaining amount not later than April fifteenth, each based on student enrollment on October first. If the total amount appropriated for grants pursuant to this subdivision exceeds eight thousand six hundred fifty dollars per student for the fiscal year ending June 30, 2008, and exceeds nine thousand three hundred dollars for the fiscal year ending June 30, 2009, the amount of such grants payable per student shall be increased

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proportionately, except that such per student increase shall not exceed seventy dollars. Any amount of such appropriation remaining after such per student increase may be used by the Department of Education for supplemental grants to interdistrict magnet schools pursuant to subdivision (2) of subsection (c) of section 10-264l, as amended by this act, to pay for a portion of the audit required pursuant to section 10-66ll, to pay for expenses incurred by the Department of Education to ensure the continuity of a charter school where required by a court of competent jurisdiction and, in consultation with the Secretary of the Office of Policy and Management, to pay expenses incurred in the creation of a school pursuant to section 10-74g. For the fiscal year ending June 30, 2005, such increase shall be limited to one hundred ten dollars per student.

(2) In the case of a student identified as requiring special education, the school district in which the student resides shall: (A) Hold the planning and placement team meeting for such student and shall invite representatives from the charter school to participate in such meeting; and (B) pay the state charter school, on a quarterly basis, an amount equal to the difference between the reasonable cost of educating such student and the sum of the amount received by the state charter school for such student pursuant to subdivision (1) of this subsection and amounts received from other state, federal, local or private sources calculated on a per pupil basis. Such school district shall be eligible for reimbursement pursuant to section 10-76g, as amended by this act. The charter school a student requiring special education attends shall be responsible for ensuring that such student receives the services mandated by the student's individualized education program whether such services are provided by the charter school or by the school district in which the student resides.

Sec. 37. (NEW) (*Effective from passage*) (a) The Department of Education, with cooperation from local and regional school districts, regional educational service centers, representatives of the exclusive

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bargaining representative for certified employees chosen pursuant to section 10-153b of the general statutes, and public institutions of higher education, shall establish and administer a teacher education and mentoring program that includes guided teacher support and coaching and the completion of instructional modules, pursuant to subsection (e) of this section, for beginning teachers. The program shall be aligned with the principles of teaching approved by the State Board of Education. As part of the program, each beginning teacher shall develop a two-year individualized mentoring plan.

(b) In administering the teacher education and mentoring program under this section:

(1) The Department of Education shall (A) develop a statement for the teacher education and mentoring program that includes the state's goals for state-wide teacher induction, mentoring, professional development and evaluation, using state-wide data and national research findings; (B) distribute state funding to local and regional school districts to assist with implementation of district teacher education and mentoring plans; (C) manage and make accessible to local and regional school districts the data systems needed to document that teachers and mentors have satisfactorily completed the instructional modules; (D) monitor district implementation of the teacher education and mentoring program to ensure fidelity to the program's plan and goals, including random district audits and observations by state personnel; (E) issue provisional educator certificates to teachers that have satisfactorily completed the induction program; (F) develop guidelines for the creation and approval of district teacher education and mentoring plans, based on input and recommendations from stakeholder groups; and (G) oversee an outside evaluation of the teacher education and mentoring program every three to five years;

(2) The Department of Education, in collaboration with

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EASTCONN, the RESC Alliance, institutions of higher education and other stakeholders, shall (A) develop instructional modules for beginning teachers to complete; (B) train mentors to carry out responsibilities at the district level; (C) provide professional development and training for regional mentors working at the district level; (D) provide professional development and training for district teams and principals in managing, designing and administering teacher education and mentoring plans; and (E) provide technical assistance to districts based on district size and needs;

(3) The Department of Education and public institutions of higher education shall (A) work with regional educational service centers to align modules with National Council for Accreditation of Teacher Education approved preservice teacher preparation programs; (B) develop and deliver regional strategies for supporting mentor assistance programs; and (C) train cooperating teachers to work with teacher preparation candidates during student teaching and internships;

(4) Local and regional boards of education shall (A) develop a three-year teacher education and mentoring plan in accordance with subsection (c) of this section; (B) form a local or regional coordinating committee or committees, with representatives of the exclusive bargaining representative for certified employees chosen pursuant to section 10-153b of the general statutes, based on district size, to guide the activities outlined in the three-year teacher education and mentoring plan; (C) develop an annual budget to support the activities detailed in the three-year teacher education and mentoring plan and submit such budget annually to the Department of Education to receive state assistance for such activities; (D) recruit and pair mentors from within and outside of the district to work with beginning teachers; (E) ensure substitute teacher coverage for mentors and beginning teachers to participate in the activities and modules

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required in the three-year teacher education and mentoring plan; (F) communicate regularly with beginning teachers about training opportunities, state-wide workshops and support group work; (G) coordinate the teacher education and mentoring program and teacher evaluation and supervision program, provided they are kept separate; (H) verify, through the local or regional coordinating committee, that the work of beginning teachers and instructional modules has been successfully completed to warrant provisional certification; (I) when a beginning teacher has satisfactorily completed all modules, attest to that fact and that the teacher is eligible for provisional certification; and (J) ensure that schools under the board's jurisdiction (i) administer the state's on-line needs assessment to establish the goals and priorities of each beginning teacher as such teacher develops an individualized mentoring plan, (ii) review and approve beginning teachers' individualized, two-year mentoring plan, (iii) organize mentoring opportunities by grade, department or specialty area, (iv) take steps to make time available, as needed, to help teachers achieve the goals of their mentoring plans, (v) coordinate the activities and schedules of mentors and beginning teachers to ensure faithful implementation of the district plan, and (vi) submit annual report on mentor-teacher activities to the district coordinating committee for review and approval.

(c) Local and regional school districts shall develop a three-year teacher education and mentoring plan that incorporates the Department of Education's goals and instructional priorities, as well as any local considerations based on community and student needs. Such plan shall include: (1) Background information about the district that includes a community profile, district profile, student profile, faculty profile, mentor profile and beginning teacher profile; (2) a statement of three-year objectives related to the state's goal statement for the teacher education and mentoring program; (3) a general timeline for district coordinating teams to meet with central office personnel, principals,

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mentors or district facilitators; (4) a description of the process used to select mentors and assign them to beginning teachers, based on subject areas, levels and need; (5) a description of the process used to train and update mentors in best practices and essential knowledge; (6) a timeline of district-wide mentoring days for observations, individual discussion, small group meetings, professional development days, regional educational service center training sessions and beginning teachers' completion of tasks associated with each module; (7) a description of the process used to collect, review and coordinate teachers' mentoring plans; (8) a description of the process to resolve internal disputes over the district's recommendations to the state concerning which individuals have satisfactorily completed the instructional modules; and (9) a description of the resources and budget needed to carry out the activities described in the plan.

(d) Local and regional boards of education shall not consider a teacher's completion of the teacher education and mentoring program as a factor in its decision to continue a teacher's employment in the district.

(e) (1) Beginning teachers shall satisfactorily complete instructional modules in the following areas: (A) Classroom management and climate; (B) lesson planning and unit design; (C) delivering instruction; (D) assessing student learning; and (E) professional practice. Beginning teachers shall complete two modules in their first year in the program and three modules in their second year in the program, except as otherwise provided by the Commissioner of Education, or as provided for in subsection (h) of this section.

(2) Beginning teachers shall work with their mentors in developing a planned set of activities, based on the topics offered within each instructional module, to complete each such instructional module, and such activities shall be reflected in the beginning teacher needs assessment. Such activities may be presented in person by mentors,

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offered in workshops, through online courses or through the completion of a set of readings. For each instructional module, beginning teachers shall (A) apply the knowledge gained through such activities in a lesson, project or demonstration of how the activity impacted student learning, and (B) submit a reflection paper or project, to be signed by the mentor, that summarizes, describes or analyzes what has been learned by the beginning teacher and their students throughout the module and how the learning contributed to the development of such beginning teacher. Such reflection paper or project shall be forwarded to the district's coordinating committee for approval.

(3) Upon successful completion of the instructional modules and final review by the coordinating committee, the superintendent of the school district shall submit the names of the beginning teachers eligible for receipt of a provisional educator certificate to the State Board of Education.

(f) Local and regional boards of education, in cooperation with the Department of Education, institutions of higher education and regional educational service centers, shall recruit mentors for their teacher education and mentoring program. Those persons eligible to serve as mentors for such programs shall hold a provisional educator certificate or a professional educator certificate and have at least three years teaching experience in Connecticut, including at least one year of experience in the district in which they are presently employed. Retired certified teachers may also serve as mentors, provided they successfully complete a mentor training program offered by a regional educational service center. Each mentor shall be assigned two beginning teachers, except that in certain circumstances, a mentor may be assigned three beginning teachers. Such assignment shall be reflected in each district's three-year plan. Each mentor shall provide fifty contact hours to each beginning teacher during the program, with

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the expectation of approximately ten contact hours per module. Mentors shall receive a minimum of a five-hundred-dollar annual stipend for each beginning teacher assigned to such mentor from the local or regional board of education for participation in the teacher education and mentoring program. Such stipend shall be included in a person's total earnings for purposes of retirement.

(g) Notwithstanding the provisions of subsection (h) of this section, for the school year commencing July 1, 2010, beginning teachers who hold an initial educator certificate and have not participated in any beginning educator program as of July 1, 2009, shall participate in the teacher education and mentoring programs as follows:

(1) Beginning teachers in the following subject areas and endorsement areas shall be required to successfully complete the teacher education and mentoring program in full: Elementary education, English and language arts, mathematics, science, social studies, special education, bilingual education, music, physical education, visual arts, world languages and teachers of English as a second language.

(2) Beginning teachers in any other endorsement area and whose primary function is providing direct instruction to students shall be required to successfully complete one year of mentorship and two instructional modules.

(h) Teachers who began in a beginning educator program, pursuant to section 10-145b of the general statutes, revision of 1958, revised to January 1, 2009, but have not completed that program as of July 1, 2009, and teach during the 2009-2010 school year, shall be granted a one-year extension of their initial educator certificates, if necessary, and shall participate in the teacher education and mentoring program, pursuant to this section, through the completion of two instructional modules during the 2010-2011 school year. Such teachers shall exit the

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program at the end of the 2010-2011 school year upon the successful completion of the two instructional modules.

(i) The Department of Education, in consultation with EASTCONN, shall create a data system for local and regional school districts to access the resources and record-keeping tools to manage the teacher education and mentoring program at the local level. Such data system shall include (1) templates for (A) writing and updating each district's plan, (B) recording each teacher's completion of each of the five instructional modules, and (C) teachers to record the completion of instructional module activities and submit written reflection papers or projects, and (2) links to on-line programs or workshops that are part of the five modules.

(j) Not later than July 1, 2010, the State Board of Education shall adopt guidelines to provide for the implementation of the teacher education and mentoring program in accordance with this section and the Report of the Beginning Educator Support and Training Program (BEST)/Mentor Assistance Program (MAP) Task Force dated December 29, 2008.

Sec. 38. (*Effective from passage*) (a) The Chancellor of the Connecticut State University System shall, after consultation with the Department of Education, the Department of Higher Education, the appropriate bargaining unit for the faculty of the Connecticut State University System and other stakeholders, develop a voluntary plan for beginning teachers participating in the Teacher Education and Mentoring Program to receive credits hours from one of the Connecticut state universities toward a master's degree upon successful completion of all five instructional modules, described in section 37 of this act. The plan shall include: (1) A process for awarding the credits; (2) costs associated with the administration of the program; and (3) potential sources of funding.

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(b) The Chancellor shall submit the plan on or before February 1, 2011, to the joint standing committees of the General Assembly having cognizance of matters relating to education and higher education and employment advancement. The plan shall take effect on July 1, 2011.

Sec. 39. Subdivision (3) of section 10-144o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) "Beginning educator program" means the support and [assessment] standards program established by the State Board of Education for holders of initial educator certificates. The program shall be designed to improve the quality of the first school years of teaching and to determine whether holders of initial educator certificates have achieved the level of competency, as defined by said board, to entitle them to provisional educator certificates.

Sec. 40. Subsection (i) of section 10-217a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(i) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2008, [and] to June 30, [2009] 2011, inclusive, the amount of the grants payable to local or regional boards of education in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for purposes of this section.

Sec. 41. Subsection (b) of section 10-281 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, [2009] 2011, inclusive, the amount of the grants payable to local or regional boards of education

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in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for purposes of this section.

Sec. 42. Subsection (d) of section 10-71 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, [2009] 2011, inclusive, the amount of the grants payable to towns, regional boards of education or regional educational service centers in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this section for such year.

Sec. 43. Section 10-17g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Annually, the board of education for each local and regional school district that is required to provide a program of bilingual education, pursuant to section 10-17f, may make application to the State Board of Education and shall thereafter receive a grant in an amount equal to the product obtained by multiplying the total appropriation available for such purpose by the ratio which the number of eligible children in the school district bears to the total number of such eligible children state-wide. The board of education for each local and regional school district receiving funds pursuant to this section shall annually, on or before September first, submit to the State Board of Education a progress report which shall include (1) measures of increased educational opportunities for eligible students, including language support services and language transition support services provided to such students, (2) program evaluation and measures of the effectiveness of its bilingual education and English as a second

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language programs, including data on students in bilingual education programs and students educated exclusively in English as a second language programs, and (3) certification by the board of education submitting the report that any funds received pursuant to this section have been used for the purposes specified. The State Board of Education shall annually evaluate programs conducted pursuant to section 10-17f. For purposes of this section, measures of the effectiveness of bilingual education and English as a second language programs include state-wide mastery examination results and graduation and school dropout rates. Notwithstanding the provisions of this section, for the fiscal [year] years ending June 30, 2009, to June 30, 2011, inclusive, the amount of grants payable to local or regional boards of education under this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Sec. 44. Subsection (f) of section 10-66j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, [2009] 2011, inclusive, the amount of grants payable to regional educational service centers shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Sec. 45. Subdivisions (2) and (3) of subsection (e) of section 10-76d of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) For purposes of this subdivision, "public agency" includes the offices of a government of a federally recognized Native American tribe. Notwithstanding any other provisions of the general statutes, for the fiscal year ending June 30, 1987, and each fiscal year thereafter,

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whenever a public agency, other than a local or regional board of education, the State Board of Education or the Superior Court acting pursuant to section 10-76h, places a child in a foster home, group home, hospital, state institution, receiving home, custodial institution or any other residential or day treatment facility, and such child requires special education, the local or regional board of education under whose jurisdiction the child would otherwise be attending school or, if no such board can be identified, the local or regional board of education of the town where the child is placed, shall provide the requisite special education and related services to such child in accordance with the provisions of this section. Within one business day of such a placement by the Department of Children and Families or offices of a government of a federally recognized Native American tribe, said department or offices shall orally notify the local or regional board of education responsible for providing special education and related services to such child of such placement. The department or offices shall provide written notification to such board of such placement within two business days of the placement. Such local or regional board of education shall convene a planning and placement team meeting for such child within thirty days of the placement and shall invite a representative of the Department of Children and Families or offices of a government of a federally recognized Native American tribe to participate in such meeting. (A) The local or regional board of education under whose jurisdiction such child would otherwise be attending school shall be financially responsible for the reasonable costs of such special education and related services in an amount equal to the lesser of one hundred per cent of the costs of such education or the average per pupil educational costs of such board of education for the prior fiscal year, determined in accordance with the provisions of subsection (a) of section 10-76f. The State Board of Education shall pay on a current basis, except as provided in subdivision (3) of this subsection, any costs in excess of such local or regional board's basic contributions paid by such board of education in

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accordance with the provisions of this subdivision. (B) Whenever a child is placed pursuant to this subdivision, on or after July 1, 1995, by the Department of Children and Families and the local or regional board of education under whose jurisdiction such child would otherwise be attending school cannot be identified, the local or regional board of education under whose jurisdiction the child attended school or in whose district the child resided at the time of removal from the home by said department shall be responsible for the reasonable costs of special education and related services provided to such child, for one calendar year or until the child is committed to the state pursuant to section 46b-129 or 46b-140 or is returned to the child's parent or guardian, whichever is earlier. If the child remains in such placement beyond one calendar year the Department of Children and Families shall be responsible for such costs. During the period the local or regional board of education is responsible for the reasonable cost of special education and related services pursuant to this subparagraph, the board shall be responsible for such costs in an amount equal to the lesser of one hundred per cent of the costs of such education and related services or the average per pupil educational costs of such board of education for the prior fiscal year, determined in accordance with the provisions of subsection (a) of section 10-76f. The State Board of Education shall pay on a current basis, except as provided in subdivision (3) of this subsection, any costs in excess of such local or regional board's basic contributions paid by such board of education in accordance with the provisions of this subdivision. The costs for services other than educational shall be paid by the state agency which placed the child. The provisions of this subdivision shall not apply to the school districts established within the Department of Children and Families, pursuant to section 17a-37, the Department of Correction, pursuant to section 18-99a, or the Department of Developmental Services, pursuant to section 17a-240, provided in any case in which special education is being provided at a private residential institution, including the residential components of regional educational service

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centers, to a child for whom no local or regional board of education can be found responsible under subsection (b) of this section, Unified School District #2 shall provide the special education and related services and be financially responsible for the reasonable costs of such special education instruction for such children. Notwithstanding the provisions of this subdivision, for the fiscal years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010, and June 30, 2011, the amount of the grants payable to local or regional boards of education in accordance with this subdivision shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this subdivision for such year.

(3) Payment for children who require special education and who reside on state-owned or leased property or in permanent family residences as defined in section 17a-154, and who are not the educational responsibility of the unified school districts established pursuant to section 17a-37, section 17a-240 or section 18-99a, shall be made in the following manner: The State Board of Education shall pay to the school district which is responsible for providing instruction for each such child pursuant to the provisions of this subsection one hundred per cent of the reasonable costs of such instruction. In the fiscal year following such payment, the State Board of Education shall deduct from the special education grant due the local or regional board of education under whose jurisdiction the child would otherwise be attending school, where such board has been identified, the amount for which such board would otherwise have been financially responsible pursuant to the provisions of subdivision (2) of this subsection. No such deduction shall be made for any school district which is responsible for providing special education instruction for children whose parents or legal guardians do not reside within such district. The amount deducted shall be included as a net cost of special education by the Department of Education for purposes of the state's

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special education grant calculated pursuant to section 10-76g. A school district otherwise eligible for reimbursement under the provisions of this subdivision for the costs of education of a child residing in a permanent family residence shall continue to be so eligible in the event that a person providing foster care in such residence adopts the child. Notwithstanding the provisions of this subdivision, for the fiscal years ending June 30, 2004, and June 30, 2005, the amount of the grants payable to local or regional boards of education in accordance with this subdivision shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this subdivision for such year.

Sec. 46. Subsection (d) of section 10-76g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010, and June 30, 2011, the amount of the grants payable to local or regional boards of education in accordance with this section, except grants paid in accordance with subdivision (2) of subsection (a) of this section, for the fiscal years ending June 30, 2006, and June 30, 2007, and for the fiscal years ending June 30, 2010, and June 30, 2011, shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this section for such year.

Sec. 47. Subsection (b) of section 10-253 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The board of education of the school district under whose jurisdiction a child would otherwise be attending school shall be financially responsible for the reasonable costs of education for a child

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placed out by the Commissioner of Children and Families or by other agencies, including, but not limited to, offices of a government of a federally recognized Native American tribe, in a private residential facility when such child requires educational services other than special education services. Such financial responsibility shall be the lesser of one hundred per cent of the costs of such education or the average per pupil educational costs of such board of education for the prior fiscal year, determined in accordance with subsection (a) of section 10-76f. Any costs in excess of the boards' basic contribution shall be paid by the State Board of Education on a current basis. The costs for services other than educational shall be paid by the state agency which placed the child. Application for the grant to be paid by the state for costs in excess of the local or regional board of education's basic contribution shall be made in accordance with the provisions of subdivision (5) of subsection (e) of section 10-76d. Notwithstanding the provisions of this subsection, for the fiscal years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010, and June 30, 2011, the amount of the grants payable to local or regional boards of education in accordance with this subsection shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this subsection for such year.

Sec. 48. Subsection (a) of section 10-145 of the general statutes, as amended by section 15 of public act 09-1 of the June 19 special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No teacher, supervisor, administrator, special service staff member or school superintendent, except as provided for in section 10-157, shall be employed in any of the schools of any local or regional board of education unless such person possesses an appropriate state certificate, nor shall any such person be entitled to any salary unless

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such person can produce such certificate dated previous to or the first day of employment, except as provided for in section 10-157; provided nothing herein contained shall be construed to prevent the board of education from prescribing qualifications additional to those prescribed by the regulations of the State Board of Education and provided nothing herein contained shall be construed to prevent any local or regional board of education from contracting with a licensed drivers' school approved by the Commissioner of Motor Vehicles for the behind-the-wheel instruction of a driver instruction course, to be given by driving instructors licensed by the Department of Motor Vehicles. No person shall be employed in any of the schools of any local or regional board of education as a substitute teacher unless such person holds a bachelor's degree, except that for the school year commencing July 1, 2009, such requirement shall not apply to those persons employed by a local or regional board of education in the same assignment for ten or fewer school days.

Sec. 49. (NEW) (*Effective from passage*) There shall be an Office of Early Childhood Planning, Outreach and Coordination within the Department of Education. The office shall be responsible for:

(1) Planning, developing and coordinating with other agencies the delivery of services to children birth to nine years of age, inclusive;

(2) Coordinating the enhancement and implementation of the Early Childhood Information System, in consultation with the Early Childhood Education Cabinet pursuant to section 4 of this act, with the capability of tracking: (A) The health, safety and school readiness of all children receiving early care and education from any local or regional board of education or any program receiving public funding, in a manner similar to the system described in section 10-10a of the general statutes; (B) the characteristics of the existing and potential workforce serving such children in any local or regional school district or in a program receiving any public funding; and (C) the characteristics of

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the programs in which such children are served. The Department of Education shall be responsible for assigning unique identifiers to all such children and staff and programs tracked by the Early Childhood Information System. Any local or regional board of education, school readiness program, as defined in subdivision (1) of subsection (a) of section 10-16p of the general statutes receiving any public funding, or any child day care center described in subdivision (1) of section 19a-77 of the general statutes and licensed by the Department of Public Health, including any participating in a program administered by the Department of Social Services pursuant to chapter 319rr of the general statutes, shall ensure that all children and all staff in such center or program are entered into the Early Childhood Information System;

(3) Developing and reporting on an early childhood accountability plan, in consultation with the Early Childhood Education Cabinet;

(4) Implementing a communications strategy for outreach to families, service providers and policymakers;

(5) Beginning a state-wide longitudinal evaluation of the school readiness program, not later than January 1, 2010, in consultation with the Department of Social Services, that examines the educational progress of children from prekindergarten programs to grade four, inclusive, including a study of the reliability and validity of the kindergarten assessment tool developed pursuant to subsection (h) of section 10-14n of the general statutes; and

(6) Developing, coordinating and supporting public and private partnerships to aid early childhood initiatives.

Sec. 50. (NEW) (*Effective from passage*) (a) There is established the Early Childhood Education Cabinet. The cabinet shall consist of: (1) The Commissioner of Education, or the commissioner's designee, (2) one representative from the Department of Education who is

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responsible for programs required under the Individuals With Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time, appointed by the Commissioner of Education, (3) the Commissioner of Social Services, or the commissioner's designee, (4) a representative from an institution of higher education in this state appointed by the Commissioner of Higher Education, (5) the Commissioner of Public Health, or the commissioner's designee, (6) the Commissioner of Developmental Services, or the commissioner's designee, (7) the Commissioner of Mental Health and Addiction Services, or the commissioner's designee, (8) the executive director of the Commission on Children, or the executive director's designee, (9) the project director of the Connecticut Head Start State Collaboration Office, (10) a representative from a Head Start program appointed by the minority leader of the House of Representatives, (11) a representative of a local provider of early childhood education appointed by the minority leader of the Senate, (12) two appointed by the speaker of the House of Representatives, one of whom is a member of the House of Representatives and one of whom is a parent who has a child attending a school in a priority school district, (13) two appointed by the president pro tempore of the Senate, one of whom is a member of the Senate and one of whom is a representative of a public elementary school with a prekindergarten program, (14) a representative of the business or philanthropic community in this state appointed by the Governor, and (15) the Secretary of the Office of Policy and Management, or the secretary's designee. The chairperson of the council shall be appointed from among its members by the Governor.

(b) Within available appropriations and such private funding as may be available, the Early Childhood Education Cabinet shall (1) coordinate among state agencies, as well as public and private partnerships, the development of services that enhance the health, safety and learning of children from birth to nine years of age,

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inclusive, (2) not later than December 1, 2009, and annually thereafter, develop an annual plan of action that assigns the appropriate state agency to complete the tasks specified in the federal Head Start Act of 2007, P.L. 110-134, as amended from time to time, and (3) not later than March 1, 2010, and annually thereafter, submit an annual state-wide strategic report, pursuant to said federal Head Start Act, in accordance with the provisions of section 11-4a of the general statutes, addressing the progress such agencies have made toward the completion of such tasks outlined under said federal Head Start Act and this subsection to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to education and human services.

(c) The Early Childhood Education Cabinet shall be within the Department of Education for administrative purposes only.

Sec. 51. Section 10-16s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioners of Education and Social Services shall develop an agreement to define the duties and responsibilities of their departments concerning school readiness programs. The commissioners shall consult with other affected state agencies. [and with the Early Childhood Education Cabinet.] The agreement shall include, but not be limited to, a multiyear interagency agreement to establish and implement an integrated school readiness plan. Functions to be described and responsibilities to be undertaken by the two departments shall be delineated in the agreement. On or before January 1, 2010, and annually thereafter, the Commissioners of Education and Social Services shall submit such agreement, in accordance with the provisions of section 11-4a, to the Early Childhood Education Cabinet, established pursuant to section 4 of this act, and to the joint standing committees of the General Assembly having cognizance of matters relating to education and human services.

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[(b) (1) There shall be an Early Childhood Education Cabinet. The cochairpersons of the cabinet shall be the Governor, or the Governor's designee, and the Commissioner of Education, or the commissioner's designee. The cabinet shall consist of the Secretary of the Office of Policy and Management or the secretary's designee, the Commissioners of Social Services, Higher Education, Public Health, Children and Families and Developmental Services or the commissioners' designees, the cochairpersons of each of the joint standing committees of the General Assembly having cognizance of matters relating to education and human services or the cochairpersons' designees, the executive director of the Commission on Children, or the director's designee, and one person representing a local or regional school readiness council appointed by the president pro tempore of the Senate, and a representative of the Connecticut Head Start Association appointed by the speaker of the House of Representatives. The Department of Education shall provide administrative services to the Early Childhood Education Cabinet and the Governor's Early Childhood Research and Policy Council established pursuant to Executive Order No. 13, issued by Governor M. Jodi Rell, on February 7, 2006.

(2) Within available appropriations, the Early Childhood Education Cabinet shall (A) advise the Commissioner of Education on policies and initiatives to meet the goals established in section 10-160, (B) no later than July 1, 2008, begin a state-wide longitudinal evaluation of the school readiness program, in consultation with the Department of Social Services and the Department of Education, that examines the educational progress of children from prekindergarten programs to grade three, inclusive, (C) develop budget requests for the early childhood program, and (D) promote consistency of quality and comprehensiveness of early childhood services.]

[(c)] (b) On or before January 1, 2008, the commissioners shall adopt

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assessment measures of school readiness programs for use by such programs in conducting their annual evaluations pursuant to section 10-16q. The commissioners may adopt the assessment measures used for Head Start programs.

[(d) (1) Not later than December 1, 2008, and annually thereafter, the Early Childhood Education Cabinet shall develop and implement an accountability plan for early child education services. The plan shall identify and define appropriate population indicators and program and system measures of the readiness of children to enter kindergarten. Not later than December 31, 2008, and annually thereafter, the cabinet shall report, in accordance with the provisions of section 11-4a, on the measures implemented in accordance with this subdivision to the Office of Policy and Management and to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, education, human services and higher education and employment advancement.

(2) As part of the plan implemented pursuant to subdivision (1) of this subsection, the Early Childhood Education Cabinet, in consultation with the Department of Education and the Office of Policy and Management, shall consider the development of data sharing agreements between state agencies and shall analyze whether the data can be combined to assess the progress of children toward school readiness.

(3) Providers of early childhood education that receive state funding shall employ the program measures developed pursuant to subdivision (1) of this subsection to evaluate the effectiveness of their services. Not later than June 30, 2009, and annually thereafter, each such provider shall report, in accordance with the provisions of section 11-4a, the results of such evaluation to the Early Childhood Education Cabinet.

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(e) The Early Childhood Education Cabinet established under this section shall develop minimum standards and a range of higher standards of quality for all early care and education programs receiving state funding. Not later than December 31, 2008, and annually thereafter, the cabinet shall report, in accordance with the provisions of section 11-4a, on the plan developed in accordance with this subsection to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, education, human services and higher education and employment advancement.

(f) The Early Childhood Education Cabinet established under this section shall, in consultation with the Office of Workforce Competitiveness, develop a quality workforce development plan for school readiness. Such plan shall explicitly address how to meet the requirements of subsection (b) of section 10-16p through a dual approach of: (1) Supporting the workforce in obtaining required degrees and credentials; and (2) encouraging students in institutions of higher education to pursue degrees in early childhood education. Not later than December 31, 2008, and annually thereafter, the cabinet shall report, in accordance with the provisions of section 11-4a, on the plan developed in accordance with this subsection to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, education, human services and higher education and employment advancement.]

Sec. 52. Subsection (a) of section 11-24b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each principal public library, as defined in section 11-24a, shall be eligible to receive a state grant in accordance with the provisions of subsections (b), (c) and (d) of this section provided the following requirements are met:

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(1) An annual statistical report which includes certification that the grant, when received, shall be used for library purposes is filed with the State Library Board in such manner as the board may require. The report shall include information concerning local library governance, hours of service, type of facilities, library policies, resources, programs and services available, measurement of levels of services provided, personnel and fiscal information concerning library receipts and expenditures;

(2) Documents certifying the legal establishment of the principal public library in accordance with the provisions of section 11-20 are filed with the board;

(3) The library is a participating library in the Connecticard program established pursuant to section 11-31b;

(4) [The] Except for the fiscal years ending June 30, 2010, and June 30, 2011, the principal public library shall not have had the amount of its annual tax levy or appropriation reduced to an amount which is less than the average amount levied or appropriated for the library for the three fiscal years immediately preceding the year of the grant, except that if the expenditures of the library in any one year in such three-year period are unusually high as compared with expenditures in the other two years, the library may request an exception to this requirement and the board, upon review of the expenditures for that year, may grant an exception;

(5) State grant funds shall be expended within two years of the date of receipt of such funds. If the funds are not expended in that period, the library shall submit a plan to the State Librarian for the expenditure of any unspent balance;

(6) Principal public libraries shall not charge individuals residing in the town in which the library is located or the town in which the

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contract library is located for borrowing and lending library materials, accessing information, advice and assistance and programs and services which promote literacy; and

(7) Principal public libraries shall provide equal access to library service for all individuals and shall not discriminate upon the basis of age, race, sex, religion, national origin, handicap or place of residency in the town in which the library is located or the town in which the contract library is located.

Sec. 53. Section 10-184 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

All parents and those who have the care of children shall bring them up in some lawful and honest employment and instruct them or cause them to be instructed in reading, writing, spelling, English grammar, geography, arithmetic and United States history and in citizenship, including a study of the town, state and federal governments. Subject to the provisions of this section and section 10-15c, each parent or other person having control of a child five years of age and over and under eighteen years of age shall cause such child to attend a public school regularly during the hours and terms the public school in the district in which such child resides is in session, unless such child is a high school graduate or the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools. [The] For the school year commencing July 1, 2011, and each school year thereafter, the parent or person having control of a child [sixteen or] seventeen years of age may consent, as provided in this section, to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form. [The] Such withdrawal form shall include an attestation from a guidance counselor or school administrator of the school that such school district [shall provide] has provided such parent or person with information

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on the educational options available in the school system and in the community. The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age and the parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The parent or person shall exercise such option by personally appearing at the school district office and signing an option form. The school district shall provide the parent or person with information on the educational opportunities available in the school system.

Sec. 54. Subsection (c) of section 10-220 of the general statutes, as amended by section 2 of public act 09-81 and section 1 of public act 09-143, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Annually, each local and regional board of education shall submit to the Commissioner of Education a strategic school profile report for each school under its jurisdiction and for the school district as a whole. The superintendent of each local and regional school district shall present the profile report at the next regularly scheduled public meeting of the board of education after each November first. The profile report shall provide information on measures of (1) student needs, (2) school resources, including technological resources and utilization of such resources and infrastructure, (3) student and school performance, including truancy, (4) the number of students enrolled in an adult high school credit diploma program, pursuant to section 10-69, operated by a local or regional board of education or a regional educational service center, (5) equitable allocation of resources among its schools, [(5)] (6) reduction of racial, ethnic and economic isolation, and [(6)] (7) special education. For purposes of this subsection, measures of special education include (A) special education identification rates by disability, (B) rates at which special education

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students are exempted from mastery testing pursuant to section 10-14q, (C) expenditures for special education, including such expenditures as a percentage of total expenditures, (D) achievement data for special education students, (E) rates at which students identified as requiring special education are no longer identified as requiring special education, (F) the availability of supplemental educational services for students lacking basic educational skills, (G) the amount of special education student instructional time with nondisabled peers, (H) the number of students placed out-of-district, and (I) the actions taken by the school district to improve special education programs, as indicated by analyses of the local data provided in subparagraphs (A) to (H), inclusive, of this subdivision. The superintendent shall include in the narrative portion of the report information about parental involvement and if the district has taken measures to improve parental involvement, including, but not limited to, employment of methods to engage parents in the planning and improvement of school programs and methods to increase support to parents working at home with their children on learning activities. For purposes of this subsection, measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to comply with federal reporting requirements. Such truancy data shall be considered a public record for purposes of chapter 14.

Sec. 55. Subsection (d) of section 10-186 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) [If] (1) For the school year commencing July 1, 2010, if a child sixteen years of age or older voluntarily terminates enrollment in a school district and subsequently seeks readmission, the local or regional board of education for the school district may deny school

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accommodations to such child for up to ninety school days from the date of such termination, unless such child seeks readmission to such school district not later than ten school days after such termination in which case such board shall provide school accommodations to such child not later than three school days after such child seeks readmission.

(2) For the school year commencing July 1, 2011, and each school year thereafter, if a child seventeen years of age or older voluntarily terminates enrollment in a school district and subsequently seeks readmission, the local or regional board of education for the school district may deny school accommodations to such child for up to ninety school days from the date of such termination, unless such child seeks readmission to such school district not later than ten school days after such termination in which case such board shall provide school accommodations to such child not later than three school days after such child seeks readmission.

Sec. 56. Section 10-233c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any local or regional board of education may authorize the administration of the schools under its direction to suspend from school privileges any pupil whose conduct on school grounds or at a school sponsored activity is violative of a publicized policy of such board or is seriously disruptive of the educational process or endangers persons or property or whose conduct off school grounds is violative of such policy and is seriously disruptive of the educational process. In making a determination as to whether conduct is seriously disruptive of the educational process, the administration may consider, but such consideration shall not be limited to: (1) Whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of

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violence or the unlawful use of a weapon, as defined in section 29-38, and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol. Any such board may authorize the administration to suspend transportation services for any pupil whose conduct while awaiting or receiving transportation to and from school endangers persons or property or is violative of a publicized policy of such board. Unless an emergency exists, no pupil shall be suspended without an informal hearing by the administration, at which such pupil shall be informed of the reasons for the disciplinary action and given an opportunity to explain the situation, provided nothing herein shall be construed to prevent a more formal hearing from being held if the circumstances surrounding the incident so require, and further provided no pupil shall be suspended more than ten times or a total of fifty days in one school year, whichever results in fewer days of exclusion, unless such pupil is granted a formal hearing pursuant to sections 4-176e to 4-180a, inclusive, and section 4-181a. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

(b) In determining the length of a suspension period, the administration may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of such pupil.

(c) Whenever any administration suspends a pupil, such administration shall not later than twenty-four hours after the suspension notify the superintendent or such superintendent's designee as to the name of the pupil against whom such disciplinary action was taken and the reason therefor.

(d) Any pupil who is suspended shall be given an opportunity to complete any classwork including, but not limited to, examinations which such pupil missed during the period of suspension.

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(e) For any pupil who is suspended for the first time pursuant to this section and who has never been expelled pursuant to section 10-233d, the administration may shorten the length of or waive the suspension period if the pupil successfully completes an administration-specified program and meets any other conditions required by the administration. Such administration-specified program shall not require the pupil or the parent or guardian of the pupil to pay for participation in the program.

(f) Whenever a pupil is suspended pursuant to the provisions of this section, notice of the suspension and the conduct for which the pupil was suspended shall be included on the pupil's cumulative educational record. Such notice shall be expunged from the cumulative educational record by the local or regional board of education if a pupil graduates from high school, or in the case of a suspension of a pupil for which the length of the suspension period is shortened or the suspension period is waived pursuant to subsection (e) of this section, such notice shall be expunged from the cumulative educational record by the local or regional board of education (1) if the pupil graduates from high school, or (2) if the administration so chooses, at the time the pupil completes the administration-specified program and meets any other conditions required by the administration pursuant to said subsection (e), whichever is earlier.

(g) On and after July 1, [2009] 2010, suspensions pursuant to this section shall be in-school suspensions, unless during the hearing held pursuant to subsection (a) of this section, the administration determines that the pupil being suspended poses such a danger to persons or property or such a disruption of the educational process that the pupil shall be excluded from school during the period of suspension. An in-school suspension may be served in the school that the pupil attends, or in any school building under the jurisdiction of the local or regional board of education, as determined by such board.

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Sec. 57. Section 25 of public act 09-3 of the June special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a) Notwithstanding the provisions of section 10a-40 of the general statutes, for the fiscal years ending June 30, 2010, and June 30, 2011, an independent college or university that meets full need and that bases its definition of need on a needs analysis system that results in determinations of need for individual students that are greater than the determinations of need for such students would be if made in accordance with section 10a-41 of the general statutes, shall not receive the amount of annual allocation computed for such college or university under said section 10a-40. For each such fiscal year, the Department of Higher Education shall redistribute two-thirds of such amount to all other eligible independent colleges or universities in accordance with the computation for allocation under said section 10a-40. The department shall set aside the remaining one-third of such amount for each such fiscal year for purposes set forth in subsections (b) and (c) of this section.]

[(b)] (a) Up to \$500,000 appropriated to the Department of Higher Education in section 1 of [this act] public act 09-3 of the June special session, for Connecticut Independent College Student Grant, and set aside pursuant to subsection [(a)] (c) of this section, shall be transferred to Opportunities for Veterinary Medicine, and such funds shall be available for such purpose during the fiscal year ending June 30, 2010.

[(c)] (b) Up to \$500,000 appropriated to the Department of Higher Education in section [9] (11) of [this act] public act 09-3 of the June special session, for Connecticut Independent College Student Grant, and set aside pursuant to subsection [(a)] (c) of this section, shall be transferred to Opportunities for Veterinary Medicine, and such funds shall be available for such purpose during the fiscal year ending June 30, 2011.

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(c) Notwithstanding the provisions of section 10a-40, for the fiscal years ending June 30, 2010, and June 30, 2011, the Department of Higher Education shall compute funding based on the unreduced appropriation and reduce the computed funding amount by \$500,000 for an independent college or university that returned a minimum of \$500,000 of its funding for fiscal year 2009 during said fiscal year.

Sec. 58. (*Effective from passage*) (a)(1) The sum of \$40,000 appropriated to the Department of Higher Education in section 1 of public act 09-3 of the June special session, for Alternate Route to Certification, shall be transferred to Minority Teacher Incentive Program, for the fiscal year ending June 30, 2010, for purposes of section 31 of public act 07-3.

(2) The sum of \$266,754 appropriated to the Department of Higher Education in section 1 of public act 09-3 of the June special session, for Alternate Route to Certification, shall be transferred to Regional Education Services, for the fiscal year ending June 30, 2010, for purposes of section 31 of public act 07-3.

(b) (1) The sum of \$40,000 appropriated to the Department of Higher Education in section 11 of public act 09-3 of the June special session, for Alternate Route to Certification, shall be transferred to Minority Teacher Incentive Program, for the fiscal year ending June 30, 2011, for purposes of section 31 of public act 07-3.

(2) The sum of \$313,181 appropriated to the Department of Higher Education in section 11 of public act 09-3 of the June special session, for Alternate Route to Certification, shall be transferred to Regional Education Services, for the fiscal year ending June 30, 2011, for purposes of section 31 of public act 07-3.

Sec. 59. (*Effective from passage*) The sum of \$5,000,000 appropriated to the Department of Education in section 1 of public act 09-3 of the June

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special session, for Sheff Settlement, shall be transferred to Magnet Schools, for the fiscal year ending June 30, 2010.

Sec. 60. (*Effective from passage*) Notwithstanding the provisions of section 10-145b of the general statutes, as amended by section 152 of public act 09-3 of the June special session, the amount of the fees in effect immediately prior to the effective date of said public act shall be charged until October 1, 2009.

Sec. 61. Section 10-292o of the general statutes is repealed. (*Effective from passage*)

Approved October 5, 2009