



General Assembly

Substitute Bill No. 6688

January Session, 2009

* HB06688ED_APP040209 *

AN ACT CONCERNING EDUCATION GRANTS.

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

1 Section 1. Subdivision (6) of subsection (a) of section 10-262h of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2009*):

4 (6) For the fiscal year ending June 30, 1996, and each fiscal year
5 thereafter, a grant in an amount equal to the amount of its target aid as
6 described in subdivision (32) of section 10-262f except that such
7 amount shall be capped in accordance with the following: (A) For the
8 fiscal years ending June 30, 1996, June 30, 1997, June 30, 1998, and June
9 30, 1999, for each town, the maximum percentage increase over its
10 previous year's base revenue shall be the product of five per cent and
11 the ratio of the wealth of the town ranked one hundred fifty-third
12 when all towns are ranked in descending order to each town's wealth,
13 provided no town shall receive an increase greater than five per cent.
14 (B) For the fiscal years ending June 30, 2000, June 30, 2001, June 30,
15 2002, June 30, 2003, and June 30, 2004, for each town, the maximum
16 percentage increase over its previous year's base revenue shall be the
17 product of six per cent and the ratio of the wealth of the town ranked
18 one hundred fifty-third when all towns are ranked in descending order
19 to each town's wealth, provided no town shall receive an increase
20 greater than six per cent. (C) No such cap shall be used for the fiscal

21 year ending June 30, 2005, or any fiscal year thereafter. (D) For the
22 fiscal year ending June 30, 1996, for each town, the maximum
23 percentage reduction from its previous year's base revenue shall be
24 equal to the product of three per cent and the ratio of each town's
25 wealth to the wealth of the town ranked seventeenth when all towns
26 are ranked in descending order, provided no town's grant shall be
27 reduced by more than three per cent. (E) For the fiscal years ending
28 June 30, 1997, June 30, 1998, and June 30, 1999, for each town, the
29 maximum percentage reduction from its previous year's base revenue
30 shall be equal to the product of five per cent and the ratio of each
31 town's wealth to the wealth of the town ranked seventeenth when all
32 towns are ranked in descending order, provided no town's grant shall
33 be reduced by more than five per cent. (F) For the fiscal year ending
34 June 30, 2000, and each fiscal year thereafter, no town's grant shall be
35 less than the grant it received for the prior fiscal year. (G) For each
36 fiscal year prior to the fiscal year ending June 30, 2008, except for the
37 fiscal year ending June 30, 2004, in addition to the amount determined
38 pursuant to this subdivision, a town shall be eligible for a density
39 supplement if the density of the town is greater than the average
40 density of all towns in the state. The density supplement shall be
41 determined by multiplying the density aid ratio of the town by the
42 foundation level and the town's total need students for the prior fiscal
43 year provided, for the fiscal year ending June 30, 2000, and each fiscal
44 year thereafter, no town's density supplement shall be less than the
45 density supplement such town received for the prior fiscal year. (H)
46 For the fiscal year ending June 30, 1997, the grant determined in
47 accordance with this subdivision for a town ranked one to forty-two
48 when all towns are ranked in descending order according to town
49 wealth shall be further reduced by one and two-hundredths of a per
50 cent and such grant for all other towns shall be further reduced by
51 fifty-six-hundredths of a per cent. (I) For the fiscal year ending June 30,
52 1998, and each fiscal year thereafter, no town whose school district is a
53 priority school district shall receive a grant pursuant to this
54 subdivision in an amount that is less than the amount received under
55 such grant for the prior fiscal year. (J) For the fiscal year ending June

56 30, 2000, and each fiscal year through the fiscal year ending June 30,
57 2003, no town whose school district is a priority school district shall
58 receive a grant pursuant to this subdivision that provides an amount of
59 aid per resident student that is less than the amount of aid per resident
60 student provided under the grant received for the prior fiscal year. (K)
61 For the fiscal year ending June 30, 1998, and each fiscal year thereafter,
62 no town whose school district is a priority school district shall receive a
63 grant pursuant to this subdivision in an amount that is less than
64 seventy per cent of the sum of (i) the product of a town's base aid ratio,
65 the foundation level and the town's total need students for the fiscal
66 year prior to the year in which the grant is to be paid, (ii) the product
67 of a town's supplemental aid ratio, the foundation level and the sum of
68 the portion of its total need students count described in subparagraphs
69 (B) and (C) of subdivision (25) of section 10-262f, as amended by this
70 act, for the fiscal year prior to the fiscal year in which the grant is to be
71 paid, and the adjustments to its resident student count described in
72 subdivision (22) of said section 10-262f relative to length of school year
73 and summer school sessions, and (iii) the town's regional bonus. (L)
74 For the fiscal year ending June 30, 2000, and each fiscal year thereafter,
75 no town whose school district is a transitional school district shall
76 receive a grant pursuant to this subdivision in an amount that is less
77 than forty per cent of the sum of (i) the product of a town's base aid
78 ratio, the foundation level and the town's total need students for the
79 fiscal year prior to the fiscal year in which the grant is to be paid, (ii)
80 the product of a town's supplemental aid ratio, the foundation level
81 and the sum of the portion of its total need students count described in
82 subparagraphs (B) and (C) of subdivision (25) of section 10-262f, as
83 amended by this act, for the fiscal year prior to the fiscal year in which
84 the grant is to be paid, and the adjustments to its resident student
85 count described in subdivision (22) of said section 10-262f relative to
86 length of school year and summer school sessions, and (iii) the town's
87 regional bonus. (M) For the fiscal year ending June 30, 2002, (i) each
88 town whose target aid is capped pursuant to this subdivision shall
89 receive a grant that includes a pro rata share of twenty-five million
90 dollars based on the difference between its target aid and the amount

91 of the grant determined with the cap, and (ii) all towns shall receive a
92 grant that is at least 1.68 per cent greater than the grant they received
93 for the fiscal year ending June 30, 2001. (N) For the fiscal year ending
94 June 30, 2003, (i) each town whose target aid is capped pursuant to this
95 subdivision shall receive a pro rata share of fifty million dollars based
96 on the difference between its target aid and the amount of the grant
97 determined with the cap, and (ii) each town shall receive a grant that is
98 at least 1.2 per cent more than its base revenue, as defined in
99 subdivision (28) of section 10-262f. (O) For the fiscal year ending June
100 30, 2003, each town shall receive a grant that is at least equal to the
101 grant it received for the prior fiscal year. (P) For the fiscal year ending
102 June 30, 2004, (i) each town whose target aid is capped pursuant to this
103 subdivision shall receive a grant that includes a pro rata share of fifty
104 million dollars based on the difference between its target aid and the
105 amount of the grant determined with the cap, (ii) each town's grant
106 including the cap supplement shall be reduced by three per cent, (iii)
107 the towns of Bridgeport, Hartford and New Haven shall each receive a
108 grant that is equal to the grant such towns received for the prior fiscal
109 year plus one million dollars, (iv) those towns described in clause (i) of
110 this subparagraph shall receive a grant that includes a pro rata share of
111 three million dollars based on the same pro rata basis as used in said
112 clause (i), (v) towns whose school districts are priority school districts
113 pursuant to subsection (a) of section 10-266p or transitional school
114 districts pursuant to section 10-263c or who are eligible for grants
115 under section 10-276a or 10-263d for the fiscal years ending June 30,
116 2002, to June 30, 2004, inclusive, shall receive grants that are at least
117 equal to the grants they received for the prior fiscal year, (vi) towns not
118 receiving funds under clause (iii) of this subparagraph shall receive a
119 pro rata share of any remaining funds based on their grant determined
120 under this subparagraph. (Q) For the fiscal year ending June 30, 2005,
121 (i) no town shall receive a grant pursuant to this subparagraph in an
122 amount that is less than sixty per cent of the amount determined
123 pursuant to the previous subparagraphs of this subdivision, (ii)
124 notwithstanding the provisions of subparagraph (B) of this
125 subdivision, each town shall receive a grant that is equal to the amount

126 the town received for the prior fiscal year increased by twenty-three
127 and twenty-seven hundredths per cent of the difference between the
128 grant amount calculated pursuant to this subdivision and the amount
129 the town received for the prior fiscal year, (iii) no town whose school
130 district is a priority school district pursuant to subsection (a) of section
131 10-266p shall receive a grant pursuant to this subdivision that is less
132 than three hundred seventy dollars per resident student, and (iv) each
133 town shall receive a grant that is at least the greater of the amount of
134 the grant it received for the fiscal year ending June 30, 2003, or the
135 amount of the grant it received for the fiscal year ending June 30, 2004,
136 increased by seven-tenths per cent, except that the town of Winchester
137 shall not receive less than its fixed entitlement for the fiscal year
138 ending June 30, 2003. (R) Notwithstanding the provisions of this
139 subdivision, for the fiscal years ending June 30, 2006, and June 30,
140 2007, each town shall receive a grant that is equal to the amount of the
141 grant the town received for the fiscal year ending June 30, 2005,
142 increased by two per cent plus the amount specified in section 33 of
143 public act 05-245*, provided for the fiscal year ending June 30, 2007, no
144 town shall receive a grant in an amount that is less than sixty per cent
145 of the amount of its target aid as described in subdivision (32) of
146 section 10-262f. (S) For the fiscal year ending June 30, 2008, a grant in
147 an amount equal to the sum of (i) the town's base aid, and (ii)
148 seventeen and thirty-one one-hundredths per cent of the difference
149 between the town's fully funded grant as described in subdivision (33)
150 of section 10-262f, and its base aid, except that such per cent shall be
151 adjusted for all towns so that no town shall receive a grant that is less
152 than the amount of the grant the town received for the fiscal year
153 ending June 30, 2007, increased by four and four-tenths per cent. (T)
154 For the fiscal year ending June 30, 2009, a grant in an amount equal to
155 the sum of (i) the town's base aid, and (ii) twenty-two and two one-
156 hundredths per cent of the difference between the fully funded grant
157 as described in said subdivision (33) of section 10-262f, and its base aid,
158 except that such per cent shall be adjusted for all towns so that no
159 town shall receive a grant that is less than the amount of the grant the
160 town received for the fiscal year ending June 30, 2008, increased by

161 four and four-tenths per cent. For the fiscal years ending June 30, 2010,
162 and June 30, 2011, a grant in an amount equal to the sum of (I) the
163 town's base aid, and (II) twenty-five and seventy-five one-hundredths
164 per cent of the difference between the fully funded grant as described
165 in said subdivision (33) of section 10-262f, and its base aid, except that
166 such per cent shall be adjusted for all towns so that no town shall
167 receive a grant that is less than the amount of the grant the town
168 received for the fiscal year ending June 30, 2009, increased by two per
169 cent.

170 Sec. 2. Subsection (c) of section 10-264l of the general statutes is
171 repealed and the following is substituted in lieu thereof (*Effective July*
172 *1, 2009*):

173 (c) (1) The maximum amount each interdistrict magnet school
174 program, except those described in subparagraphs (A) [and (B)] to (F),
175 inclusive, of subdivision (3) of this subsection, shall be eligible to
176 receive per enrolled student who is not a resident of the town
177 operating the magnet school shall be (A) six thousand sixteen dollars
178 for the fiscal year ending June 30, 2008, and (B) six thousand seven
179 hundred thirty dollars for the fiscal year ending June 30, 2009. [, (C)
180 seven thousand four hundred forty dollars for the fiscal year ending
181 June 30, 2010, and (D) eight thousand one hundred fifty-eight dollars
182 for the fiscal year ending June 30, 2011.] The per pupil grant for each
183 enrolled student who is a resident of the town operating the magnet
184 school program shall be three thousand dollars for the fiscal year
185 ending June 30, 2008, and each fiscal year thereafter.

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

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

207 (B) [Each] Except as otherwise provided in subparagraphs (C) and
208 (D) of this subdivision, each interdistrict magnet school operated by a
209 regional educational service center that enrolls at least fifty-five per
210 cent of the school's students from a single town [, or a regional
211 educational service center that enrolls at least sixty per cent of its
212 students from Hartford pursuant to the 2008 stipulation and order for
213 Milo Sheff, et al. v. William A. O'Neill, et al.,] shall receive a per pupil
214 grant for each enrolled student who is not a resident of the district that
215 enrolls at least fifty-five per cent of the school's students in the amount
216 of (i) six thousand sixteen dollars for the fiscal year ending June 30,
217 2008, and (ii) six thousand seven hundred thirty dollars for the fiscal
218 year ending June 30, 2009, [(iii) seven thousand four hundred forty
219 dollars for the fiscal year ending June 30, 2010, and (iv) eight thousand
220 one hundred fifty-eight dollars for the fiscal year ending June 30, 2011]
221 and each fiscal year thereafter. The per pupil grant for each enrolled
222 student who is a resident of the district that enrolls at least fifty-five
223 per cent of the school's students shall be three thousand dollars.

224 (C) Each interdistrict magnet school operated by a regional
225 educational service center that began operations for the school year
226 commencing July 1, 1998, and that for the school year commencing

227 July 1, 2008, enrolled no more than seventy per cent of the school's
228 students from a single town shall receive a per pupil grant in the
229 amount of six thousand seven hundred thirty dollars for the fiscal year
230 ending June 30, 2010, and each fiscal year thereafter. The per pupil
231 grant for each enrolled student who is a resident of the district that
232 enrolls more than seventy per cent of the school's students shall be
233 three thousand dollars.

234 (D) Each interdistrict magnet school operated by a regional
235 educational service center that began operations for the school year
236 commencing July 1, 2001, and that for the school year commencing
237 July 1, 2008, enrolled no more than eighty per cent of the school's
238 students from a single town shall receive a per pupil grant in the
239 amount of six thousand seven hundred thirty dollars for the fiscal year
240 ending June 30, 2010, and each fiscal year thereafter. The per pupil
241 grant for each enrolled student who is a resident of the district that
242 enrolls more than eighty per cent of the school's students shall be three
243 thousand dollars.

244 (E) Each interdistrict magnet school operated by a regional
245 educational service center that enrolls less than sixty per cent of its
246 students from Hartford pursuant to the 2008 stipulation and order for
247 Milo Sheff, et al. v. William A. O'Neill, et al., shall receive a per pupil
248 grant in the amount of (i) ten thousand four hundred forty-three
249 dollars for the fiscal year ending June 30, 2010, and (ii) ten thousand
250 four hundred forty-three dollars for the fiscal year ending June 30,
251 2011.

252 (F) Each interdistrict magnet school located in the Sheff region that
253 enrolls at least sixty per cent of its students from Hartford pursuant to
254 the 2008 stipulation and order for Milo Sheff, et al. v. William A.
255 O'Neill, et al., shall receive a per pupil grant for each enrolled student
256 who is not a resident of the district that enrolls sixty per cent of the
257 school's students in the amount of (i) thirteen thousand fifty-four
258 dollars for the fiscal year ending June 30, 2010, and (ii) thirteen
259 thousand fifty-four dollars for the fiscal year ending June 30, 2011.

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

268 (5) Within available appropriations, the commissioner may make
269 grants to the following entities that operate an interdistrict magnet
270 school that assists the state in meeting the goals of the 2008 stipulation
271 and order for Milo Sheff, et al. v. William A. O'Neill, et al., as
272 determined by the commissioner and that provide academic support
273 programs and summer school educational programs approved by the
274 commissioner to students participating in such interdistrict magnet
275 school program: (A) Regional educational service centers, (B) local and
276 regional boards of education, (C) the Board of Trustees of the
277 Community-Technical Colleges on behalf of a regional community-
278 technical college, (D) the Board of Trustees of the Connecticut State
279 University System on behalf of a state university, (E) the Board of
280 Trustees for The University of Connecticut on behalf of the university,
281 (F) the board of governors for an independent college or university, as
282 defined in section 10a-37, or the equivalent of such a board, on behalf
283 of the independent college or university, (G) cooperative arrangements
284 pursuant to section 10-158a, and (H) any other third-party not-for-
285 profit corporation approved by the commissioner.

286 (6) Within available appropriations, the Commissioner of Education
287 may make grants, in an amount not to exceed seventy-five thousand
288 dollars, for start-up costs associated with the development of new
289 interdistrict magnet school programs that assist the state in meeting
290 the goals of the 2008 stipulation and order for Milo Sheff, et al. v.
291 William A. O'Neill, et al., as determined by the commissioner, to the
292 following entities that develop such a program: (A) Regional
293 educational service centers, (B) local and regional boards of education,

294 (C) the Board of Trustees of the Community-Technical Colleges on
295 behalf of a regional community-technical college, (D) the Board of
296 Trustees of the Connecticut State University System on behalf of a state
297 university, (E) the Board of Trustees for The University of Connecticut
298 on behalf of the university, (F) the board of governors for an
299 independent college or university, as defined in section 10a-37, or the
300 equivalent of such a board, on behalf of the independent college or
301 university, (G) cooperative arrangements pursuant to section 10-158a,
302 and (H) any other third-party not-for-profit corporation approved by
303 the commissioner.

304 Sec. 3. Subdivision (25) of section 10-262f of the general statutes is
305 repealed and the following is substituted in lieu thereof (*Effective July*
306 *1, 2009*):

307 (25) "Total need students" means the sum of (A) the number of
308 resident students of the town for the school year, [except that for the
309 fiscal year commencing July 1, 2008, such number shall be reduced by
310 one-quarter of the number resident students of the town for the school
311 year enrolled in full-time approved interdistrict magnet school
312 programs pursuant to section 10-264l,] (B) (i) for any school year
313 commencing prior to July 1, 1998, one-quarter the number of children
314 under the temporary family assistance program for the prior fiscal
315 year, and (ii) for the school years commencing July 1, 1998, to July 1,
316 2006, inclusive, one-quarter the number of children under the
317 temporary family assistance program for the fiscal year ending June
318 30, 1997, (C) for school years commencing July 1, 1995, to July 1, 2006,
319 inclusive, one-quarter of the mastery count for the school year, (D) for
320 school years commencing July 1, 1995, to July 1, 2006, inclusive, ten per
321 cent of the number of eligible children, as defined in subdivision (1) of
322 section 10-17e, for whom the board of education is not required to
323 provide a program pursuant to section 10-17f, (E) for the school year
324 commencing July 1, 2007, and each school year thereafter, fifteen per
325 cent of the number of eligible students, as defined in subdivision (1) of
326 section 10-17e, for whom the board of education is not required to
327 provide a program pursuant to section 10-17f, and (F) for the school

328 year commencing July 1, 2007, and each school year thereafter, thirty-
329 three per cent of the number of children below the level of poverty.

330 Sec. 4. Subsection (g) of section 10-266aa of the general statutes is
331 repealed and the following is substituted in lieu thereof (*Effective July*
332 *1, 2009*):

333 (g) [The] (1) For the fiscal year ending June 30, 2010, the Department
334 of Education shall provide, within available appropriations, base
335 grants between thirty-five thousand dollars and seventy-five thousand
336 dollars that are based on a sliding scale of participation, and an annual
337 grant to the local or regional board of education for each receiving
338 district in an amount not to exceed [two thousand five hundred
339 dollars] (A) three thousand dollars for each out-of-district student who
340 attends school in the receiving district under the program if such out-
341 of-district students are less than two per cent of the total student
342 population of such receiving district, (B) four thousand dollars for each
343 out-of-district student who attends school in the receiving district
344 under the program if such out-of-district students are equal to or
345 greater than two per cent but less than three per cent of the total
346 student population of such receiving district, and (C) six thousand
347 dollars for each out-of-district student who attends school in the
348 receiving district under the program if such out-of-district students are
349 equal to or greater than three per cent of the total student population
350 of such receiving district. Each town which receives funds pursuant to
351 this subsection shall make such funds available to its local or regional
352 board of education in supplement to any other local appropriation,
353 other state or federal grant or other revenue to which the local or
354 regional board of education is entitled.

355 (2) For the fiscal year ending June 30, 2011, the Department of
356 Education shall provide, within available appropriations, base grants
357 between thirty-five thousand dollars and seventy-five thousand
358 dollars that are based on a sliding scale of participation, and an annual
359 grant to the local or regional board of education for each receiving
360 district in an amount not to exceed (A) three thousand five hundred

361 dollars for each out-of-district student who attends school in the
362 receiving district under the program if such out-of-district students are
363 less than two per cent of the total student population of such receiving
364 district, (B) five thousand dollars for each out-of-district student who
365 attends school in the receiving district under the program if such out-
366 of-district students are equal to or greater than two per cent but less
367 than three per cent of the total student population of such receiving
368 district, and (C) seven thousand dollars for each out-of-district student
369 who attends school in the receiving district under the program if such
370 out-of-district students are equal to or greater than three per cent of the
371 total student population of such receiving district. Each town which
372 receives funds pursuant to this subsection shall make such funds
373 available to its local or regional board of education in supplement to
374 any other local appropriation, other state or federal grant or other
375 revenue to which the local or regional board of education is entitled.

376 Sec. 5. Subsection (c) of section 10-223e of the general statutes is
377 repealed and the following is substituted in lieu thereof (*Effective July*
378 *1, 2009*):

379 (c) (1) Any school or school district identified as in need of
380 improvement pursuant to subsection (a) of this section and requiring
381 corrective action pursuant to the requirements of the No Child Left
382 Behind Act, P.L. 107-110, shall be designated and listed as a low
383 achieving school or school district and shall be subject to intensified
384 supervision and direction by the State Board of Education.

385 (2) Notwithstanding any provision of this title or any regulation
386 adopted pursuant to said statutes, except as provided in subdivision
387 (3) of this subsection, in carrying out the provisions of subdivision (1)
388 of this subsection, the State Board of Education shall take any of the
389 following actions to improve student performance and remove the
390 school or district from the list of schools or districts designated and
391 listed as a low achieving school or district pursuant to said subdivision
392 (1), and to address other needs of the school or district: (A) Require an
393 operations audit to identify possible programmatic savings and an

394 instructional audit to identify any deficits in curriculum and
395 instruction or in the learning environment of the school or district; (B)
396 require the local or regional board of education for such school or
397 district to use state and federal funds for critical needs, as directed by
398 the State Board of Education; (C) provide incentives to attract highly
399 qualified teachers and principals; (D) direct the transfer and
400 assignment of teachers and principals; (E) require additional training
401 and technical assistance for parents and guardians of children
402 attending the school or a school in the district and for teachers,
403 principals, and central office staff members hired by the district; (F)
404 require the local or regional board of education for the school or
405 district to implement model curriculum, including, but not limited to,
406 recommended textbooks, materials and supplies approved by the
407 Department of Education; (G) identify schools for reconstitution, as
408 may be phased in by the commissioner, as state or local charter
409 schools, schools established pursuant to section 10-74g, or schools
410 based on other models for school improvement, or for management by
411 an entity other than the local or regional board of education for the
412 district in which the school is located; (H) direct the local or regional
413 board of education for the school or district to develop and implement
414 a plan addressing deficits in achievement and in the learning
415 environment as recommended in the instructional audit; (I) assign a
416 technical assistance team to the school or district to guide school or
417 district initiatives and report progress to the Commissioner of
418 Education; (J) establish instructional and learning environment
419 benchmarks for the school or district to meet as it progresses toward
420 removal from the list of low achieving schools or districts; (K) provide
421 funding to any proximate district to a district designated as a low
422 achieving school district so that students in a low achieving district
423 may attend public school in a neighboring district; (L) direct the
424 establishment of learning academies within schools that require
425 continuous monitoring of student performance by teacher groups; (M)
426 require local and regional boards of education to (i) undergo training
427 to improve their operational efficiency and effectiveness as leaders of
428 their districts' improvement plans, and (ii) submit an annual action

429 plan to the Commissioner of Education outlining how, when and in
430 what manner their effectiveness shall be monitored; or (N) any
431 combination of the actions described in this subdivision or similar,
432 closely related actions.

433 (3) If a directive of the State Board of Education pursuant to
434 subparagraph (C), (D), (E) or (L) of subdivision (2) of this subsection or
435 a directive to implement a plan pursuant to subparagraph (H) of said
436 subdivision affects working conditions, such directive shall be carried
437 out in accordance with the provisions of sections 10-153a to 10-153n,
438 inclusive.

439 (4) The Comptroller shall, pursuant to the provisions of section 10-
440 262i, as amended by this act, withhold any grant funds that a town is
441 otherwise required to appropriate to a local or regional board of
442 education due to low academic achievement in the school district
443 pursuant to section 10-262h, as amended by this act, provided for any
444 fiscal year in which such town receives a grant pursuant to section 10-
445 262h, as amended by this act, the Comptroller shall withhold an
446 amount equal to the amount withheld in the prior fiscal year or twenty
447 per cent of the grant increase, whichever is greater. Said funds shall be
448 transferred to the Department of Education and shall be expended by
449 the department on behalf of the identified school district. Said funds
450 shall be used to implement the provisions of subdivision (2) of this
451 subsection and to offset such other local education costs that the
452 Commissioner of Education deems appropriate to achieve school
453 improvements. These funds shall be awarded by the commissioner to
454 the local or regional board of education for such identified school
455 district upon condition that said funds shall be spent in accordance
456 with the directives of the commissioner.

457 Sec. 6. Section 10-66dd of the general statutes is repealed and the
458 following is substituted in lieu thereof (*Effective July 1, 2009*):

459 (a) For purposes of this section, "school professional" means any
460 school teacher, administrator or other personnel certified by the State

461 Board of Education pursuant to section 10-145b.

462 (b) (1) Subject to the provisions of this subsection and except as may
463 be waived pursuant to subsection (d) of section 10-66bb, charter
464 schools shall be subject to all federal and state laws governing public
465 schools.

466 (2) At least one-half of the persons providing instruction or pupil
467 services in a charter school shall possess the proper certificate other
468 than (A) a certificate issued pursuant to subdivision (1) of subsection
469 (c) of section 10-145b, or (B) a temporary certificate issued pursuant to
470 subsection (c) of section 10-145f on the day the school begins operation
471 and the remaining persons shall possess a certificate issued pursuant
472 to said subdivision (1) or such temporary certificate on such day.

473 (3) The commissioner may not waive the provisions of chapters 163c
474 and 169 and sections 10-15c, 10-153a to 10-153g, inclusive, 10-153i, 10-
475 153j, 10-153m and 10-292.

476 (4) The state charter school governing council shall act as a board of
477 education for purposes of collective bargaining. The school
478 professionals employed by a local charter school shall be members of
479 the appropriate bargaining unit for the local or regional school district
480 in which the local charter school is located and shall be subject to the
481 same collective bargaining agreement as the school professionals
482 employed by said district. A majority of those employed or to be
483 employed in the local charter school and a majority of the members of
484 the governing council of the local charter school may modify, in
485 writing, such collective bargaining agreement, consistent with the
486 terms and conditions of the approved charter, for purposes of
487 employment in the charter school.

488 (c) School professionals employed by a local or regional board of
489 education shall be entitled to a two-year leave of absence, without
490 compensation, in order to be employed in a charter school provided
491 such leave shall be extended upon request for an additional two years.
492 At any time during or upon the completion of such a leave of absence,

493 a school professional may return to work in the school district in the
494 position in which he was previously employed or a comparable
495 position. Such leave of absence shall not be deemed to be an
496 interruption of service for purposes of seniority and teachers'
497 retirement, except that time may not be accrued for purposes of
498 attaining tenure. A school professional who is not on such a leave of
499 absence and is employed for forty school months of full-time
500 continuous employment by the charter school and is subsequently
501 employed by a local or regional board of education shall attain tenure
502 after the completion of twenty school months of full-time continuous
503 employment by such board of education in accordance with section 10-
504 151.

505 (d) [An otherwise qualified school professional employed in a
506 charter school may] A person employed by a charter school that holds
507 a certificate or permit issued by the State Board of Education, as
508 described in subdivision (26) of section 10-183b, shall participate in the
509 state teacher retirement system under chapter 167a on the same basis
510 as if such professional were employed by a local or regional board of
511 education. The governing council of a charter school shall make the
512 contributions, as defined in subdivision (7) of section 10-183b for such
513 professional.

514 Sec. 7. Section 10-264i of the general statutes is repealed and the
515 following is substituted in lieu thereof (*Effective July 1, 2009*):

516 (a) (1) A local or regional board of education, (2) regional
517 educational service center, (3) the Board of Trustees of the
518 Community-Technical Colleges on behalf of Quinebaug Valley
519 Community College, (4) cooperative arrangement pursuant to section
520 10-158a, or (5) to assist the state in meeting the goals of the 2008
521 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
522 as determined by the Commissioner of Education, (A) the Board of
523 Trustees of the Community-Technical Colleges on behalf of a regional
524 community-technical college, (B) the Board of Trustees of the
525 Connecticut State University System on behalf of a state university, (C)

526 the Board of Trustees for The University of Connecticut on behalf of
527 the university, (D) the board of governors for an independent college
528 or university, as defined in section 10a-37, or the equivalent of such a
529 board, on behalf of the independent college or university, and (E) any
530 other third-party not-for-profit corporation approved by the
531 commissioner which transports a child to an interdistrict magnet
532 school program, as defined in section 10-264l, as amended by this act,
533 in a town other than the town in which the child resides shall be
534 eligible pursuant to section 10-264e to receive a grant for the cost of
535 transporting such child in accordance with this section. [The] For the
536 fiscal year ending June 30, 2010, the amount of such grant shall not
537 exceed an amount equal to the number of such children transported
538 multiplied by [one thousand three hundred dollars] two thousand five
539 hundred dollars. For the fiscal year ending June 30, 2011, the amount
540 of such grant shall not exceed an amount equal to the number of such
541 children transported multiplied by three thousand dollars. The
542 Department of Education shall provide such grants within available
543 appropriations. Nothing in this subsection shall be construed to
544 prevent a local or regional board of education, regional educational
545 service center or cooperative arrangement from receiving
546 reimbursement under section 10-266m for reasonable transportation
547 expenses for which such board, service center or cooperative
548 arrangement is not reimbursed pursuant to this section.

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

557 (c) Each local and regional board of education, regional educational
558 service center and cooperative arrangement participating in the grant
559 program shall prepare a financial statement of expenditures which

560 shall be submitted to the Department of Education on or before
561 September first of the fiscal year immediately following each fiscal
562 year in which the school district, regional educational service center or
563 cooperative arrangement participates in the grant program. Based on
564 such statement, any underpayment or overpayment may be calculated
565 and adjusted by the Department of Education in the grant for any
566 subsequent year.

567 Sec. 8. Section 10-262i of the general statutes is repealed and the
568 following is substituted in lieu thereof (*Effective July 1, 2009*):

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

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

588 (c) All aid distributed to a town pursuant to the provisions of this
589 section shall be expended for educational purposes only and shall be
590 expended upon the authorization of the local or regional board of
591 education. For the fiscal year ending June 30, [1999] 2010, and each

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

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

606 *(e) The percentage of the increase in aid pursuant to this section
607 applicable under subsection (d) shall be the average of the results of (1)
608 (A) a town's current program expenditures per resident student
609 pursuant to subdivision (36) of section 10-262f, subtracted from the
610 highest current program expenditures per resident student in this
611 state, (B) divided by the difference between the highest current
612 program expenditures per resident student in this state and the lowest
613 current program expenditures per resident student in this state, (C)
614 multiplied by fifty per cent, (D) plus fifteen percentage points, (2) (A) a
615 town's wealth pursuant to subdivision (26) of section 10-262f,
616 subtracted from the wealth of the town with the highest wealth of all
617 towns in this state, (B) divided by the difference between the wealth of
618 the town with the highest wealth of all towns in this state and the
619 wealth of the town with the lowest wealth of all towns in this state, (C)
620 multiplied by fifty per cent, (D) plus fifteen percentage points, and (3)
621 (A) a town's grant mastery percentage pursuant to subdivision (12) of
622 section 10-262f, subtracted from one, subtracted from one minus the
623 grant mastery percentage of the town with the highest grant mastery
624 percentage in this state, (B) divided by the difference between one
625 minus the grant mastery percentage of the town with the highest grant

626 mastery percentage in this state and one minus the grant mastery
627 percentage of the town with the lowest grant mastery percentage in
628 this state, (C) multiplied by fifty per cent, (D) plus fifteen percentage
629 points. For any town whose school district is in its third year or more
630 of being identified as in need of improvement pursuant to section 10-
631 223e, as amended by this act, and has failed to make adequate yearly
632 progress in mathematics or reading at the whole district level, the
633 percentage determined pursuant to this subsection for such town shall
634 be increased by an additional twenty percentage points.
635 Notwithstanding any provision of the general statutes, charter, special
636 act or home rule ordinance, on or before September 15, 2007, for the
637 fiscal year ending June 30, 2008, a town may request the Commissioner
638 of Education to defer a portion of the town's increase in aid over the
639 prior fiscal year pursuant to this section to be expended in the
640 subsequent fiscal year. If the commissioner approves such request, the
641 deferred amount shall be credited to the increase in aid for the fiscal
642 year ending June 30, 2009, rather than the fiscal year ending June 30,
643 2008. Such funds shall be expended in the fiscal year ending June 30,
644 2009, in accordance with the provisions of this section. In no case shall
645 a town be allowed to defer increases in aid required to be spent for
646 education as a result of failure to make adequate yearly progress in
647 accordance with the provisions of this subdivision. Notwithstanding
648 the provisions of this section, for the fiscal years ending June 30, 2008,
649 and June 30, 2009, any town that (i) is a member of a regional school
650 district that serves only grades seven to twelve, inclusive, or grades
651 nine to twelve, inclusive, (ii) appropriates at least the minimum
652 percentage of increase in aid pursuant to the provisions of this section,
653 and (iii) has a reduced assessment from the previous fiscal year for
654 students enrolled in such regional school district, excluding debt
655 service for such students, shall be considered to be in compliance with
656 the provisions of this section.

657 (f) Upon a determination by the State Board of Education that a
658 town or kindergarten to grade twelve, inclusive, regional school
659 district failed in any fiscal year to meet the requirements pursuant to

660 subsection (c) or (d) of this section, the town or kindergarten to grade
 661 twelve, inclusive, regional school district shall forfeit an amount equal
 662 to two times the amount of the shortfall. The amount so forfeited shall
 663 be withheld by the Department of Education from the grant payable to
 664 the town in the second fiscal year immediately following such failure
 665 by deducting such amount from the town's equalization aid grant
 666 payment pursuant to this section, except that in the case of a
 667 kindergarten to grade twelve, inclusive, regional school district, the
 668 amount so forfeited shall be withheld by the Department of Education
 669 from the grants payable pursuant to this section to the towns which
 670 are members of such regional school district. The amounts deducted
 671 from such grants to each member town shall be proportional to the
 672 number of resident students in each member town. Notwithstanding
 673 the provisions of this subsection, the State Board of Education may
 674 waive such forfeiture upon agreement with the town or kindergarten
 675 to grade twelve, inclusive, regional school district that the town or
 676 kindergarten to grade twelve, inclusive, regional school district shall
 677 increase its budgeted appropriation during the fiscal year in which the
 678 forfeiture would occur by an amount not less than the amount of said
 679 forfeiture or for other good cause shown. Any additional funds
 680 expended pursuant to such an agreement shall not be included in a
 681 district's expenditures for the purpose of establishing any future
 682 minimum expenditure requirement.

683 Sec. 9. Section 13 of public act 08-170 is repealed. (*Effective from*
 684 *passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	10-262h(a)(6)
Sec. 2	<i>July 1, 2009</i>	10-264l(c)
Sec. 3	<i>July 1, 2009</i>	10-262f(25)
Sec. 4	<i>July 1, 2009</i>	10-266aa(g)
Sec. 5	<i>July 1, 2009</i>	10-223e(c)
Sec. 6	<i>July 1, 2009</i>	10-66dd
Sec. 7	<i>July 1, 2009</i>	10-264i

Sec. 8	<i>July 1, 2009</i>	10-262i
Sec. 9	<i>from passage</i>	Repealer section

ED

Joint Favorable Subst. C/R

APP