



General Assembly

**Substitute Bill No. 5490**

February Session, 2010

\* \_\_\_\_\_HB05490ED\_APP032410\_\_\_\_\_\*

**AN ACT CONCERNING THE MINIMUM BUDGET REQUIREMENT AND  
VARIOUS EDUCATION GRANTS.**

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

1 Section 1. Section 10-262i of the 2010 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective from passage*):

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

13 (b) The amount due each town pursuant to the provisions of  
14 subsection (a) of this section shall be paid by the Comptroller, upon  
15 certification of the Commissioner of Education, to the treasurer of each  
16 town entitled to such aid in installments during the fiscal year as  
17 follows: Twenty-five per cent of the grant in October, twenty-five per  
18 cent of the grant in January and the balance of the grant in April. The  
19 balance of the grant due towns under the provisions of this subsection

20 shall be paid in March rather than April to any town which has not  
21 adopted the uniform fiscal year and which would not otherwise  
22 receive such final payment within the fiscal year of such town.

23 (c) All aid distributed to a town pursuant to the provisions of this  
24 section shall be expended for educational purposes only and shall be  
25 expended upon the authorization of the local or regional board of  
26 education. For the fiscal year ending June 30, 1999, and each fiscal year  
27 thereafter, if a town receives an increase in funds pursuant to this  
28 section over the amount it received for the prior fiscal year such  
29 increase shall not be used to supplant local funding for educational  
30 purposes. The budgeted appropriation for education in any town  
31 receiving an increase in funds pursuant to this section shall be not less  
32 than the amount appropriated for education for the prior year plus  
33 such increase in funds.

34 (d) For the fiscal years ending June 30, 2010, and June 30, 2011, the  
35 budgeted appropriation for education shall be no less than the  
36 budgeted appropriation for education for the fiscal year ending June  
37 30, 2009, minus any reductions made pursuant to section 19 of public  
38 act 09-1 of the June 19 special session, except that those districts whose  
39 number of resident students for the school year commencing July 1,  
40 2009, is lower than such district's number of resident students for the  
41 school year commencing July 1, 2008, may reduce such district's  
42 budgeted appropriation for education by the difference in number of  
43 resident students for such school years multiplied by three thousand.

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

51 (f) (1) Except as provided for in subdivisions (2), (3) and (4) of this

52 subsection, the percentage of the increase in aid pursuant to this  
53 section applicable under subsection (e) shall be the average of the  
54 results of (A) (i) a town's current program expenditures per resident  
55 student pursuant to subdivision (36) of section 10-262f, subtracted  
56 from the highest current program expenditures per resident student in  
57 this state, (ii) divided by the difference between the highest current  
58 program expenditures per resident student in this state and the lowest  
59 current program expenditures per resident student in this state, (iii)  
60 multiplied by thirty per cent, (iv) plus fifty percentage points, (B) (i) a  
61 town's wealth pursuant to subdivision (26) of section 10-262f,  
62 subtracted from the wealth of the town with the highest wealth of all  
63 towns in this state, (ii) divided by the difference between the wealth of  
64 the town with the highest wealth of all towns in this state and the  
65 wealth of the town with the lowest wealth of all towns in this state, (iii)  
66 multiplied by thirty per cent, (iv) plus fifty percentage points, and (C)  
67 (i) a town's grant mastery percentage pursuant to subdivision (12) of  
68 section 10-262f, subtracted from one, subtracted from one minus the  
69 grant mastery percentage of the town with the highest grant mastery  
70 percentage in this state, (ii) divided by the difference between one  
71 minus the grant mastery percentage of the town with the highest grant  
72 mastery percentage in this state and one minus the grant mastery  
73 percentage of the town with the lowest grant mastery percentage in  
74 this state, (iii) multiplied by thirty per cent, (iv) plus fifty percentage  
75 points.

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

83 (3) For the fiscal year ending June 30, 2010, any town whose school  
84 district is in its third year or more of being identified as in need of  
85 improvement pursuant to section 10-223e, and has failed to make

86 adequate yearly progress in mathematics or reading at the whole  
87 district level, the percentage of the increase in aid pursuant to this  
88 section applicable under subsection (e) of this section shall be the  
89 percentage of the increase determined under subdivision (1) of this  
90 section for such town, plus twenty percentage points, or eighty per  
91 cent, whichever is greater.

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

101 (5) Notwithstanding any provision of the general statutes, charter,  
102 special act or home rule ordinance, on or before September 15, 2007,  
103 for the fiscal year ending June 30, 2008, a town may request the  
104 Commissioner of Education to defer a portion of the town's increase in  
105 aid over the prior fiscal year pursuant to this section to be expended in  
106 the subsequent fiscal year. If the commissioner approves such request,  
107 the deferred amount shall be credited to the increase in aid for the  
108 fiscal year ending June 30, 2009, rather than the fiscal year ending June  
109 30, 2008. Such funds shall be expended in the fiscal year ending June  
110 30, 2009, in accordance with the provisions of this section. In no case  
111 shall a town be allowed to defer increases in aid required to be spent  
112 for education as a result of failure to make adequate yearly progress in  
113 accordance with the provisions of subdivisions (2) and (3) of this  
114 subsection.

115 (g) Upon a determination by the State Board of Education that a  
116 town or kindergarten to grade twelve, inclusive, regional school  
117 district failed in any fiscal year to meet the requirements pursuant to  
118 subsection (c), (d) or (e) of this section, the town or kindergarten to

119 grade twelve, inclusive, regional school district shall forfeit an amount  
120 equal to two times the amount of the shortfall. The amount so forfeited  
121 shall be withheld by the Department of Education from the grant  
122 payable to the town in the second fiscal year immediately following  
123 such failure by deducting such amount from the town's equalization  
124 aid grant payment pursuant to this section, except that in the case of a  
125 kindergarten to grade twelve, inclusive, regional school district, the  
126 amount so forfeited shall be withheld by the Department of Education  
127 from the grants payable pursuant to this section to the towns which  
128 are members of such regional school district. The amounts deducted  
129 from such grants to each member town shall be proportional to the  
130 number of resident students in each member town. Notwithstanding  
131 the provisions of this subsection, the State Board of Education may  
132 waive such forfeiture upon agreement with the town or kindergarten  
133 to grade twelve, inclusive, regional school district that the town or  
134 kindergarten to grade twelve, inclusive, regional school district shall  
135 increase its budgeted appropriation for education during the fiscal  
136 year in which the forfeiture would occur by an amount not less than  
137 the amount of said forfeiture or for other good cause shown. Any  
138 additional funds budgeted pursuant to such an agreement shall not be  
139 included in a district's budgeted appropriation for education for the  
140 purpose of establishing any future minimum budget requirement.

141 Sec. 2. Subdivision (3) of subsection (c) of section 10-262h of the 2010  
142 supplement to the general statutes is repealed and the following is  
143 substituted in lieu thereof (*Effective from passage*):

144 (3) The town of East Hartford shall not receive less than its fixed  
145 entitlement [pursuant to this subsection] for the fiscal year ending June  
146 30, 2009.

147 Sec. 3. Subdivision (4) of subsection (a) of section 10-264i of the 2010  
148 supplement to the general statutes is repealed and the following is  
149 substituted in lieu thereof (*Effective from passage*):

150 (4) For the fiscal [year] years ending June 30, 2009, and June 30,

151 2010, in addition to the grants otherwise provided pursuant to this  
152 section, the Commissioner of Education may provide supplemental  
153 transportation grants to regional educational service centers for the  
154 purposes of transportation to interdistrict magnet schools. Any such  
155 grant shall be provided within available appropriations and after the  
156 commissioner has reviewed and approved the total interdistrict  
157 magnet school transportation budget for a regional education service  
158 center, including all revenue and expenditure estimates.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-262i
Sec. 2	<i>from passage</i>	10-262h(c)(3)
Sec. 3	<i>from passage</i>	10-264i(a)(4)

**ED**

*Joint Favorable Subst. C/R*

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