

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 12-179—HB 5358

Education Committee

Finance, Revenue and Bonding Committee

AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND CONCERNING CHANGES TO THE STATUTES CONCERNING SCHOOL BUILDING PROJECTS

SUMMARY:

This act authorizes \$344.5 million in grant commitments for 20 local school construction, vocational agriculture (vo-ag), and interdistrict magnet school projects. It also reauthorizes and changes grant commitments for three previously authorized projects with significant changes in cost and scope. Of the three reauthorizations, two are reauthorized at reduced, and one at increased, cost. The total net increase in grant commitments for the reauthorizations is \$8.82 million.

Furthermore, the act approves various exemptions, waivers, and changes for either new authorizations or changes to previous authorizations for an additional state cost of \$141.3 million. It also makes changes to the diversity school construction grant program.

EFFECTIVE DATE: Upon passage

§ 1 — NEW AUTHORIZATIONS

Table 1: New School Construction Projects Authorized

<i>District</i>	<i>School</i>	<i>Project</i>	<i>Estimated Cost</i>	<i>Estimated Grant</i>	<i>State Reimbursement</i>
Berlin	Berlin High School	Extension & alteration/roof replacement	\$69,950,000	\$32,974,430	47.14%
Brooklyn	Brooklyn Middle School	Extension & alteration	1,700,000	1,250,690	73.57%
Danbury	Danbury High School	Energy conservation	4,073,767	2,196,983	53.93%
Eastford	Eastford Elementary School	Energy conservation	150,000	90,000	60.00%
Guilford	Guilford High School	New school	92,220,800	28,653,003	31.07%
Hartford	West Middle School	Extension & alteration/roof replacement	54,600,000	43,680,000	80.0%
Hartford	Hartford Magnet Middle School*	Extension & alteration/magnet school	29,440,000	23,552,000	80.0%
Hartford	Burns Academy for Latino Studies	Alteration	700,000	557,480	79.64%
Meriden	Maloney High School	Extension & alteration/roof replacement	107,500,000	82,925,500	77.14%
Meriden	Platt High School	Extension &	111,800,000	86,242,520	77.14%

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<i>District</i>	<i>School</i>	<i>Project</i>	<i>Estimated Cost</i>	<i>Estimated Grant</i>	<i>State Reimbursement</i>
		alteration/roof replacement			
Middletown	Middletown Vo-Ag Center	Vo-ag equipment	50,000	47,500	95.00%
Region 6	Wamogo Regional High School (Vo-Ag)	Vo-ag equipment	309,800	294,310	95.00%
Region 14	Nonnewaug High School (Vo-Ag)	Vo-ag equipment/construction	246,101	233,796	95.00%
Region 14	Nonnewaug High School (Vo-Ag)	Vo-ag equipment	246,508	234,183	95.00%
Southington	Carl M. Small Regional Vo-Ag Center	Vo-ag equipment	259,753	246,765	95.00%
Stratford	Stratford High School	Extension & alteration/roof replacement	56,115,586	28,057,793	50.00%
Vernon	Rockville High Vo-Ag Center	Vo-ag equipment	154,095	146,390	95.00%
Waterbury	Bucks Hill School	Alteration	500,000	394,650	78.93%
Waterbury	Cross School	Alteration	450,000	355,185	78.93%
Waterbury	Wallace Middle/Crosby High	Extension & alteration	15,758,000	12,381,061	78.57%

*See § 14 of notwithstanding provisions for more on this project.

§ 1 — REAUTHORIZED PROJECTS

Table 2 lists the projects proposed for reauthorization because of significant (more than 10%) changes in cost or scope.

Table 2: Reauthorization of Previously Authorized Projects

<i>District</i>	<i>School</i>	<i>Project</i>	<i>Previous Grant Authorization</i>	<i>New Grant Authorization</i>	<i>Change</i>
Griswold	Griswold Middle School	Extension & alteration/roof replacement	\$25,013,800	\$22,584,018	(\$2,429,782)
Milford	Jonathan Law High School	Extension & alteration/ energy conservation	2,141,150	1,620,839	(520,311)
Capitol Region Education Council (CREC)	Medical professions & Teacher Preparation Magnet Academy	New magnet school/site purchase	49,509,654	61,281,840	11,772,186

SCHOOL CONSTRUCTION “NOTWITHSTANDINGS”

The act exempts certain school construction projects from various statutory and regulatory requirements to allow them to (1) qualify for state grants or (2) waive a repayment (i.e., “clawback”) requirement due to the project failing to meet an existing requirement. These exemptions are referred to as “notwithstanding” provisions. Table 3 summarizes each exemption and any applicable conditions.

Table 3. Notwithstanding Provisions for Local School Projects

<i>§</i>	<i>District</i>	<i>Project</i>	<i>Exemption, Waiver, or Other Change</i>
2	Griswold	Griswold Elementary School	Space specification waiver.
3	Colchester	William J Johnston Middle School	Application deadline extension until November 30, 2012.

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4	Bethel	Bethel High School	Waives repayment of funds by allowing enrollment figure of 1,140.
5	Meriden	Francis T. Maloney High School & Orville H. Platt High School	Changes extension and alteration projects to renovation projects: space specification waivers; provides full rather than one-half reimbursement for natatorium or auditorium.
6	North Branford	North Branford High School	Permits bid prior to plan approval
7	Windham	Windham Magnet School	Changes use of site acquisition grant for other construction purposes.
8	West Hartford	Aiken Elementary School	Permits bid prior to plan approval
9	West Hartford	Bugbee Elementary School	Permits bid prior to plan approval
10	West Hartford	Conard High School	Provides reimbursement eligibility for \$250,000 athletic field illumination
11	West Hartford	Hall High School	Provides reimbursement eligibility for \$250,000 athletic field illumination
13	Stamford	Rippowam Middle School	Waives repayment of funds by allowing enrollment figure of 1,400.
14	Hartford	Hartford Magnet Middle School	Sets reimbursement rate at 95% rather than 80%.
15	Region 14	Woodbury Middle School	Waives repayment of funds by allowing enrollment figure of 727 and a grade range of six to eight.
16	New London	New London High School	Application deadline extension until November 1, 2012.
17	Middletown	Lawrence Elementary School	Waives repayment of funds by allowing enrollment figure of 475.
18	Middletown	Wesley Elementary School	Waives repayment of funds by allowing enrollment figure of 450.
19	New London	Magnet District	Maintains per pupil magnet grant eligibility by waiving minimum student population requirement of students from outside magnet host town
20	Guilford	Guilford Public High School	Eliminates clawback of up to \$615,000 for building redirection for non-education purpose.
21	Waterford	Waterford High School	Changes extension and alteration project to renovation project; permits bid prior to plan approval.
22	Fairfield	Warde High School	Waives roof replacement requirements and permits bid prior to plan approval.
23	Bridgeport	Longfellow School	Changes project description from extension and renovation to new construction provided the increase in the grant commitment is not more than \$23.2 million and construction begins by June 30, 2014.
24	Bridgeport	Columbus School	Increases project cost eligibility up to \$1.5 million to meet removal cost of PCB contamination.

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25	New Haven	Engineering and Science University Magnet School	Maintains reimbursement rate at 95% rather than 80% as long as construction begins by June 30, 2014.
26	Achievement First	Achievement First Amistad High School	Makes project eligible for state aid provided project cost is not above \$35 million and application is submitted before June 30, 2013. Reimbursement rate is 68.93% of eligible costs.
27	CREC	Various projects	Increases eligible cost of various projects and changes project descriptions.
28	CREC	Various projects	Makes cost of short-term financing eligible for state reimbursement.
29	Common Ground	Common Ground High School	Makes project eligible for state aid provided project cost is not above \$4 million and application is submitted before June 30, 2013.
30	Hartford	Weaver High School	Allows project eligibility provided cost is not above \$2.1 million and grant application is submitted before June 30, 2013.

§ 12 — DIVERSITY SCHOOL PROJECT GRANTS

By law, the Department of Construction Services commissioner, in consultation with the State Department of Education must provide special school construction grants for school districts that have one or more schools with minority enrollments that exceed the district-wide average percentage of minority enrollment by more than 25% for the same grades (i.e., schools that have a disproportionately high minority population). The grants reimburse these districts for 80% of the reasonable capital costs for school renovation and construction projects, which for all districts except Hartford is higher than the standard reimbursement.

The law sets requirements for the grant including: (1) the diversity school must be open to all students living in the district for the purpose of correcting the existing minority enrollment disparity and (2) the school board must demonstrate that it has made a good faith effort to correct the disparity, as determined by the education commissioner.

The act repeals the requirements that the education commissioner (1) conduct a programmatic audit of each diversity school and (2) require the district to pay back over 20 years any reimbursement above the district's standard rate if the school has not made any significant progress to correct the school or schools' minority enrollment disparity. The act adds a requirement that the application for the grant must include a plan to correct the existing minority enrollment disparity.

OLR Tracking: JM:JR:PF:eh