



General Assembly

Amendment

January Session, 2015

LCO No. 8449



Offered by:

REP. MILLER, 36th Dist.
REP. WILLIS, 64th Dist.
REP. CASE, 63rd Dist.
SEN. WITKOS, 8th Dist.
SEN. LINARES, 33rd Dist.

To: Subst. House Bill No. 7023

File No. 770

Cal. No. 389

**"AN ACT CONCERNING VARIOUS REVISIONS AND ADDITIONS
TO THE EDUCATION STATUTES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 10-262j of the general statutes, as amended by
4 section 1 of substitute house bill 7019 of the current session, as
5 amended by House Amendment Schedule "A", is repealed and the
6 following is substituted in lieu thereof (*Effective July 1, 2015*):

7 (a) Except as otherwise provided under the provisions of
8 subsections (c) to (e), inclusive, of this section, for the fiscal year
9 ending June 30, 2016, the budgeted appropriation for education shall
10 be not less than the budgeted appropriation for education for the fiscal
11 year ending June 30, 2015, plus any aid increase described in

12 subsection (d) of section 10-262i, except that a town may reduce its
13 budgeted appropriation for education for the fiscal year ending June
14 30, 2016, by one or more of the following:

15 (1) Any district with (A) a resident student population in which the
16 number of students who are eligible for free or reduced price lunches
17 pursuant to federal law and regulations is equal to or greater than
18 twenty per cent, and (B) a resident student count for October 1, 2014,
19 using the data of record as of January 31, 2015, that is lower than such
20 district's resident student count for October 1, 2013, using the data of
21 record as of January 31, 2015, may reduce such district's budgeted
22 appropriation for education by the difference in the number of resident
23 students for such years multiplied by fifty per cent of the net current
24 expenditures per resident student of such district, provided such
25 reduction shall not exceed one and one-half per cent of the district's
26 budgeted appropriation for education for the fiscal year ending June
27 30, 2015, except that the Commissioner of Education may, following a
28 review of a town's proposed reductions to its budgeted appropriation
29 for education, permit a town to reduce its budgeted appropriation for
30 education in an amount greater than one and one-half per cent if the
31 board of education for such town has approved, by vote at a meeting
32 duly called, such proposed reductions;

33 (2) Any district with (A) a resident student population in which the
34 number of students who are eligible for free or reduced price lunches
35 pursuant to federal law and regulations is less than twenty per cent,
36 and (B) a resident student count for October 1, 2014, using the data of
37 record as of January 31, 2015, that is lower than such district's resident
38 student count for October 1, 2013, using the data of record as of
39 January 31, 2015, may reduce such district's budgeted appropriation
40 for education by the difference in the number of resident students for
41 such years multiplied by fifty per cent of the net current expenditures
42 per resident student of such district, provided such reduction shall not
43 exceed three per cent of the district's budgeted appropriation for
44 education for the fiscal year ending June 30, 2015, except that the

45 Commissioner of Education may, following a review of a town's
46 proposed reductions to its budgeted appropriation for education,
47 permit a town to reduce its budgeted appropriation for education in an
48 amount greater than three per cent if the board of education for such
49 town has approved, by vote at a meeting duly called, such proposed
50 reductions;

51 (3) Any district (A) that does not maintain a high school and pays
52 tuition to another school district pursuant to section 10-33 for resident
53 students to attend high school in another district, and (B) in which the
54 number of resident students attending high school for such district for
55 October 1, 2014, using the data of record as of January 31, 2015, is
56 lower than such district's number of resident students attending high
57 school for October 1, 2013, using the data of record as of January 31,
58 2015, may reduce such district's budgeted appropriation for education
59 by the difference in the number of resident students attending high
60 school for such years multiplied by the amount of tuition paid per
61 student pursuant to section 10-33; or

62 (4) Any district that realizes new and documentable savings
63 through increased district efficiencies approved by the Commissioner
64 of Education or through regional collaboration or cooperative
65 arrangements pursuant to section 10-158a may reduce such district's
66 budgeted appropriation for education in an amount equal to half of the
67 amount of savings experienced as a result of such district efficiencies,
68 regional collaboration or cooperative arrangement, provided such
69 reduction shall not exceed one-half of one per cent of the district's
70 budgeted appropriation for education for the fiscal year ending June
71 30, 2015.

72 (b) Except as otherwise provided under the provisions of
73 subsections (c) to (e), inclusive, of this section, for the fiscal year
74 ending June 30, 2017, the budgeted appropriation for education shall
75 be not less than the budgeted appropriation for education for the fiscal
76 year ending June 30, 2016, plus any aid increase received pursuant to
77 subsection (d) of section 10-262i, except that a town may reduce its

78 budgeted appropriation for education for the fiscal year ending June
79 30, 2017, by one or more of the following:

80 (1) Any district with (A) a resident student population in which the
81 number of students who are eligible for free or reduced price lunches
82 pursuant to federal law and regulations is equal to or greater than
83 twenty per cent, and (B) a resident student count for October 1, 2015,
84 using the data of record as of January 31, 2016, that is lower than such
85 district's resident student count for October 1, 2014, using the data of
86 record as of January 31, 2016, may reduce such district's budgeted
87 appropriation for education by the difference in the number of resident
88 students for such years multiplied by fifty per cent of the net current
89 expenditures per resident student of such district, provided such
90 reduction shall not exceed one and one-half per cent of the district's
91 budgeted appropriation for education for the fiscal year ending June
92 30, 2016, except that the Commissioner of Education may, following a
93 review of a town's proposed reductions to its budgeted appropriation
94 for education, permit a town to reduce its budgeted appropriation for
95 education in an amount greater than one and one-half per cent if the
96 board of education for such town has approved, by vote at a meeting
97 duly called, such proposed reductions;

98 (2) Any district with (A) a resident student population in which the
99 number of students who are eligible for free or reduced price lunches
100 pursuant to federal law and regulations is less than twenty per cent,
101 and (B) a resident student count for October 1, 2015, using the data of
102 record as of January 31, 2016, that is lower than such district's resident
103 student count for October 1, 2014, using the data of record as of
104 January 31, 2016, may reduce such district's budgeted appropriation
105 for education by the difference in the number of resident students for
106 such years multiplied by fifty per cent of the net current expenditures
107 per resident student, as defined in subdivision (45) of section 10-262f of
108 such district, provided such reduction shall not exceed three per cent
109 of the district's budgeted appropriation for education for the fiscal year
110 ending June 30, 2016, except that the Commissioner of Education may,

111 following a review of a town's proposed reductions to its budgeted
112 appropriation for education, permit a town to reduce its budgeted
113 appropriation for education in an amount greater than three per cent if
114 the board of education for such town has approved, by vote at a
115 meeting duly called, such proposed reductions;

116 (3) Any district (A) that does not maintain a high school and pays
117 tuition to another school district pursuant to section 10-33 for resident
118 students to attend high school in another district, and (B) in which the
119 number of resident students attending high school for such district for
120 October 1, 2015, using the data of record as of January 31, 2016, is
121 lower than such district's number of resident students attending high
122 school for October 1, 2014, using the data of record as of January 31,
123 2016, may reduce such district's budgeted appropriation for education
124 by the difference in the number of resident students attending high
125 school for such years multiplied by the amount of tuition paid per
126 student pursuant to section 10-33; or

127 (4) Any district that realizes new and documentable savings
128 through increased district efficiencies approved by the Commissioner
129 of Education or through regional collaboration or cooperative
130 arrangements pursuant to section 10-158a may reduce such district's
131 budgeted appropriation for education in an amount equal to half of the
132 amount of savings experienced as a result of such district efficiencies,
133 regional collaboration or cooperative arrangement, provided such
134 reduction shall not exceed one-half of one per cent of the district's
135 budgeted appropriation for education for the fiscal year ending June
136 30, 2015.

137 (c) For the fiscal years ending June 30, 2016, and June 30, 2017, the
138 Commissioner of Education may permit a town to reduce its budgeted
139 appropriation for education in an amount determined by the
140 commissioner if the school district in such town has permanently
141 ceased operations and closed one or more schools in the school district
142 due to declining enrollment at such closed school or schools in the
143 fiscal years ending June 30, 2013, to June 30, 2016, inclusive.

144 (d) For the fiscal years ending June 30, 2016, and June 30, 2017, a
145 town designated as an alliance district, as defined in section 10-262u,
146 shall not reduce its budgeted appropriation for education pursuant to
147 this section.

148 (e) For the fiscal years ending June 30, 2016, and June 30, 2017, the
149 provisions of this section shall not apply to any district that is in the
150 top ten per cent of school districts based on the district performance
151 index, as defined in section 10-262u.

152 (f) For the fiscal years ending June 30, 2016, and June 30, 2017, the
153 provisions of this section shall not apply to the member towns of a
154 regional school district during the first full fiscal year following the
155 establishment of the regional school district, provided the budgeted
156 appropriation for education for member towns of such regional school
157 district for each subsequent fiscal year shall be determined in
158 accordance with this section.

159 Sec. 502. Subsection (b) of section 10-51 of the general statutes is
160 repealed and the following is substituted in lieu thereof (*Effective July*
161 *1, 2015*):

162 (b) For the purposes of this section, "net expenses" means estimated
163 expenditures, including estimated capital expenditures, less estimated
164 receipts as presented in a regional school district budget. On the date
165 or dates fixed by the board, each town in the district shall pay a share
166 of the cost of capital outlay, including costs for school building projects
167 under chapter 173, and current expenditures necessary for the
168 operation of the district. The board shall determine the amount to be
169 paid by each member town [. Such amount shall bear] as follows: (1) In
170 an amount that bears the same ratio to the net expenses of the district
171 as the number of pupils resident in such town in average daily
172 membership in the regional school district during the preceding school
173 year bears to the total number of such pupils in all the member towns,
174 provided that the board may recalculate such amount based on the
175 number of pupils in average daily membership in the regional school

176 district for the current school year and may adjust each member town's
177 payment to the regional school district for the following fiscal year by
178 the difference between the last such payment and the recalculated
179 amount, or (2) in an amount established pursuant to an agreement,
180 approved by the State Board of Education, among such member
181 towns, provided that if the payment by any such member town
182 deviates in an amount that is greater than or equal to one per cent of
183 the amount established in such agreement, the state board shall review
184 and may approve or reject such deviation. Until the regional school
185 district has been in operation for one year, such amounts shall be
186 based on the average daily membership of pupils in like grades from
187 each of such towns at any school at which children were in attendance
188 at the expense of such towns during the preceding school year or in
189 accordance with the provisions of the agreement between the member
190 towns described in subdivision (2) of this subsection.

191 Sec. 503. Subdivision (6) of subsection (a) of section 10-151 of the
192 general statutes is repealed and the following is substituted in lieu
193 thereof (*Effective from passage*):

194 (6) "Tenure" means:

195 (A) The completion of forty school months of full-time continuous
196 employment for the same board of education, provided the
197 superintendent offers the teacher a contract to return for the following
198 school year on the basis of effective practice as informed by
199 performance evaluations conducted pursuant to section 10-151b. For
200 purposes of calculating continuous employment towards tenure, the
201 following shall apply: (i) For a teacher who has not attained tenure,
202 two school months of part-time continuous employment by such
203 teacher shall equal one school month of full-time continuous
204 employment except, for a teacher employed in a part-time position at a
205 salary rate of less than twenty-five per cent of the salary rate of a
206 teacher in such position, if such position were full-time, three school
207 months of part-time continuous employment shall equal one school
208 month of full-time continuous employment; (ii) a teacher who has not

209 attained tenure shall not count layoff time towards tenure, except that
210 if such teacher is reemployed by the same board of education within
211 five calendar years of the layoff, such teacher may count the previous
212 continuous employment immediately prior to the layoff towards
213 tenure; (iii) a teacher who has not attained tenure shall not count
214 authorized leave time towards tenure if such time exceeds ninety
215 student school days in any one school year, provided only the student
216 school days worked that year by such teacher shall count towards
217 tenure and shall be computed on the basis of eighteen student school
218 days or the greater fraction thereof equaling one school month; [and]
219 (iv) for a teacher who has not attained tenure and who is employed by
220 a local or regional board of education that enters into a cooperative
221 arrangement pursuant to section 10-158a, such teacher may count the
222 previous continuous employment with such board immediately prior
223 to such cooperative arrangement towards tenure; and (v) for a teacher
224 who has not attained tenure and who is employed by a local board of
225 education or as part of a cooperative arrangement, pursuant to section
226 10-158a, and such board or cooperative arrangement joins a regional
227 school district, such teacher may count the previous continuous
228 employment with such local board or cooperative arrangement
229 immediately prior to employment by the regional board of education
230 towards tenure.

231 (B) For a teacher who has attained tenure prior to layoff, tenure shall
232 resume if such teacher is reemployed by the same board of education
233 within five calendar years of the layoff.

234 (C) Except as provided in subparagraphs (B), (D) and (E) of this
235 subdivision, any teacher who has attained tenure with any one board
236 of education and whose employment with such board ends for any
237 reason and who is reemployed by such board or is subsequently
238 employed by any other board, shall attain tenure after completion of
239 twenty school months of continuous employment, provided the
240 superintendent offers the teacher a contract to return for the following
241 school year on the basis of effective practice as informed by

242 performance evaluations conducted pursuant to section 10-151b. The
 243 provisions of this subparagraph shall not apply if, (i) prior to
 244 completion of the twentieth school month following commencement of
 245 employment by such board such teacher has been notified in writing
 246 that his or her contract will not be renewed for the following school
 247 year, or (ii) for a period of five or more calendar years immediately
 248 prior to such subsequent employment, such teacher has not been
 249 employed by any board of education.

250 (D) Any certified teacher or administrator employed by a local or
 251 regional board of education for a school district identified as a priority
 252 school district pursuant to section 10-266p may attain tenure after ten
 253 months of employment in such priority school district, if such certified
 254 teacher or administrator previously attained tenure with another local
 255 or regional board of education in this state or another state.

256 (E) For a teacher who has attained tenure and is employed by a local
 257 or regional board of education that enters into a cooperative
 258 arrangement pursuant to section 10-158a, such teacher shall not
 259 experience a break in continuous employment for purposes of tenure
 260 as a result of such cooperative arrangement.

261 (F) For a teacher who has attained tenure and is employed by a local
 262 board of education or as part of a cooperative arrangement, pursuant
 263 to section 10-158a, and such board or cooperative arrangement joins a
 264 regional school district, such teacher shall not experience a break in
 265 continuous employment for purposes of tenure as a result of joining
 266 such regional school district."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>July 1, 2015</i>	10-262j
Sec. 502	<i>July 1, 2015</i>	10-51(b)
Sec. 503	<i>from passage</i>	10-151(a)(6)