



**New Copy**  
**House of Representatives**

General Assembly

**File No. 648**

January Session, 2021

Substitute House Bill No. 6618

*House of Representatives, May 10, 2021*

The Committee on Appropriations reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING FUNDING ISSUES RELATED TO PUBLIC EDUCATION IN CONNECTICUT.***

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

1 Section 1. Subsection (d) of section 10-262u of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2021*):

4 (d) The local or regional board of education for a town designated as  
5 an alliance district may apply to the Commissioner of Education, at such  
6 time and in such manner as the commissioner prescribes, to receive any  
7 increase in funds received over the amount the town received for the  
8 prior fiscal year pursuant to subsection (a) of section 10-262i.  
9 Applications pursuant to this subsection shall include objectives and  
10 performance targets and a plan that are developed, in part, on the  
11 strategic use of student academic performance data. Such plan may  
12 include, but not be limited to, the following: (1) A tiered system of  
13 interventions for the schools under the jurisdiction of such board based

14 on the needs of such schools, (2) ways to strengthen the foundational  
15 programs in reading, through the intensive reading instruction program  
16 pursuant to section 10-14u, to ensure reading mastery in kindergarten  
17 to grade three, inclusive, with a focus on standards and instruction,  
18 proper use of data, intervention strategies, current information for  
19 teachers, parental engagement, and teacher professional development,  
20 (3) additional learning time, including extended school day or school  
21 year programming administered by school personnel or external  
22 partners, (4) a talent strategy that includes, but is not limited to, teacher  
23 and school leader recruitment and assignment, career ladder policies  
24 that draw upon guidelines for a model teacher evaluation program  
25 adopted by the State Board of Education, pursuant to section 10-151b,  
26 and adopted by each local or regional board of education. Such talent  
27 strategy may include provisions that demonstrate increased ability to  
28 attract, retain, promote and bolster the performance of staff in  
29 accordance with performance evaluation findings and, in the case of  
30 new personnel, other indicators of effectiveness, (5) training for school  
31 leaders and other staff on new teacher evaluation models, (6) provisions  
32 for the cooperation and coordination with early childhood education  
33 providers to ensure alignment with district expectations for student  
34 entry into kindergarten, including funding for an existing local Head  
35 Start program, (7) provisions for the cooperation and coordination with  
36 other governmental and community programs to ensure that students  
37 receive adequate support and wraparound services, including  
38 community school models, (8) provisions for implementing and  
39 furthering state-wide education standards adopted by the State Board  
40 of Education and all activities and initiatives associated with such  
41 standards, (9) strategies for attracting and recruiting minority teachers  
42 and administrators, (10) provisions for the enhancement of bilingual  
43 education programs, pursuant to section 10-17f, or other language  
44 acquisition services to English language learners, including, but not  
45 limited to, participation in the English language learner pilot program,  
46 established pursuant to section 10-17n, (11) entering into the model  
47 school district responsibilities agreement, described in section 10-223l,  
48 (12) leadership succession plans that provide training and learning

49 opportunities for administrators and are designed to assist in the  
50 seamless transition of school and district personnel in and out of  
51 leadership positions in the school district and the continuous  
52 implementation of plans developed under this subsection, and (13) any  
53 additional categories or goals as determined by the commissioner. Such  
54 plan shall demonstrate collaboration with key stakeholders, as  
55 identified by the commissioner, with the goal of achieving efficiencies  
56 and the alignment of intent and practice of current programs with  
57 conditional programs identified in this subsection. The commissioner  
58 may (A) require changes in any plan submitted by a local or regional  
59 board of education before the commissioner approves an application  
60 under this subsection, [and] (B) permit a local or regional board of  
61 education, as part of such plan, to use a portion of any funds received  
62 under this section for the purposes of paying tuition charged to such  
63 board pursuant to subdivision (1) of subsection (k) of section 10-264l or  
64 subsection (b) of section 10-264o, or (C) permit a local or regional board  
65 of education to expend up to ten per cent of the portion of any increase  
66 of funds received under this section over the amount such board  
67 received for the prior fiscal year, in a manner not included in the plan  
68 submitted by such board or otherwise prescribed under this subsection,  
69 provided such board (i) expends such funds in accordance with the  
70 provisions of section 10-262i, as amended by this act, and (ii) increases  
71 its local appropriation for education for such fiscal year in an amount  
72 equal to the amount the commissioner permits such board expend  
73 under this subparagraph.

74 Sec. 2. (NEW) (*Effective from passage*) For the fiscal years ending June  
75 30, 2021, to June 30, 2023, inclusive, the balance of any remaining federal  
76 funds received by a local or regional board of education for the purpose  
77 of covering costs associated with COVID-19 expenditures, including,  
78 but not limited to, funds received pursuant to the Coronavirus Aid,  
79 Relief, and Economic Security Act, P.L. 116-136, as amended from time  
80 to time, and the Coronavirus Response and Relief Supplemental  
81 Appropriations Act, P.L. 116-260, as amended from time to time, that  
82 have not been expended by such board at the end of the fiscal year shall  
83 not lapse and shall be carried forward and used by such board in the

84 next fiscal year. As used in this section, "COVID-19" means the  
85 respiratory disease designated by the World Health Organization on  
86 February 11, 2020, as coronavirus 2019, and any related mutation thereof  
87 recognized by the World Health Organization as a communicable  
88 respiratory disease.

89 Sec. 3. Subdivision (2) of subsection (d) of section 10-51 of the general  
90 statutes is repealed and the following is substituted in lieu thereof  
91 (*Effective July 1, 2021*):

92 (2) On and after June 7, 2006, a regional board of education, by a  
93 majority vote of its members, may create a reserve fund for capital and  
94 nonrecurring expenditures. Such fund shall thereafter be termed  
95 "reserve fund for capital and nonrecurring expenditures". The aggregate  
96 amount of annual and supplemental appropriations by a district to such  
97 fund shall not exceed [one] two per cent of the annual district budget  
98 for such fiscal year. Annual appropriations to such fund shall be  
99 included in the share of net expenses to be paid by each member town.  
100 Supplemental appropriations to such fund may be made from estimated  
101 fiscal year end surplus in operating funds. Interest and investment  
102 earnings received with respect to amounts held in the fund shall be  
103 credited to such fund. The board shall annually submit a complete and  
104 detailed report of the condition of such fund to the member towns.  
105 Upon the recommendation and approval by the regional board of  
106 education, any part or the whole of such fund may be used for capital  
107 and nonrecurring expenditures, but such use shall be restricted to the  
108 funding of all or part of the planning, construction, reconstruction or  
109 acquisition of any specific capital improvement or the acquisition of any  
110 specific item of equipment. Upon the approval of any such expenditure  
111 an appropriation shall be set up, plainly designated for the project or  
112 acquisition for which it has been authorized, and such unexpended  
113 appropriation may be continued until such project or acquisition is  
114 completed. Any unexpended portion of such appropriation remaining  
115 after such completion shall revert to said fund. If any authorized  
116 appropriation is set up pursuant to the provisions of this subsection and  
117 through unforeseen circumstances the completion of the project or

118 acquisition for which such appropriation has been designated is  
119 impossible to attain the board, by a majority vote of its members, may  
120 terminate such appropriation which then shall no longer be in effect.  
121 Such fund may be discontinued, after the recommendation and  
122 approval by the regional board of education, and any amounts held in  
123 the fund shall be transferred to the general fund of the district.

124 Sec. 4. Section 10-262j of the general statutes is repealed and the  
125 following is substituted in lieu thereof (*Effective July 1, 2021*):

126 (a) Except as otherwise provided under the provisions of subsections  
127 [(c)] (b) to (h), inclusive, of this section, for [the] any fiscal year<sub>z</sub> [ending  
128 June 30, 2020,] the budgeted appropriation for education shall be not  
129 less than the budgeted appropriation for education for the prior fiscal  
130 year<sub>z</sub> [ending June 30, 2019,] plus any aid increase described in  
131 subsection (d) of section 10-262i, as amended by this act, except that a  
132 town may reduce its budgeted appropriation for education for the fiscal  
133 year<sub>z</sub> [ending June 30, 2020,] by one or more of the following:

134 (1) If a town experiences an aid reduction, as described in subsection  
135 (d) of section 10-262i, as amended by this act, such town may reduce its  
136 budgeted appropriation for education in an amount equal to the aid  
137 reduction;

138 (2) If a district experiences a net reduction in its resident student  
139 count during a period that may include any of the five fiscal years  
140 immediately prior to the fiscal year for which the budgeted  
141 appropriation for education is calculated, such district may reduce its  
142 budgeted appropriation for education in an amount equal to the  
143 number of such net reduction multiplied by fifty per cent of the net  
144 current expenditures per resident student of such district, provided no  
145 district may use the resident student count for any fiscal year that was  
146 previously used to reduce its budgeted appropriation for education in  
147 any calculation of a net reduction of resident students for purposes of  
148 reducing its budgeted appropriation for education pursuant to this  
149 subdivision for any subsequent fiscal year;

150 (3) Any district (A) that does not maintain a high school and pays  
151 tuition to another school district pursuant to section 10-33 for resident  
152 students to attend high school in another district, and (B) in which the  
153 number of resident students attending high school for such district for  
154 October [1, 2018] first of the prior school year, using the data of record  
155 as of January [31, 2019] thirty-first of the prior school year, is lower than  
156 such district's number of resident students attending high school for  
157 October [1, 2017] first of the school year before the prior school year,  
158 using the data of record as of January [31, 2019] thirty-first of the school  
159 year before the prior school year, may reduce such district's budgeted  
160 appropriation for education by the difference in the number of resident  
161 students attending high school for such years multiplied by the amount  
162 of tuition paid per student pursuant to section 10-33; or

163 (4) Any district that realizes new and documentable savings through  
164 (A) increased district efficiencies approved by the Commissioner of  
165 Education, including, but not limited to, (i) reductions in costs  
166 associated with transportation services, school district administration or  
167 contracts that are not the result of collective bargaining or other labor  
168 agreements, (ii) an agreement to provide medical or health care benefits  
169 pursuant to section 7-464b, (iii) a cooperative agreement relating to the  
170 performance of administrative and central office functions, such as  
171 business manager functions, for the municipality and the school district  
172 pursuant to section 10-241b, (iv) reductions in costs associated with the  
173 purchasing or joint purchasing of property insurance, casualty  
174 insurance and workers' compensation insurance, following the  
175 consultation with the legislative body of the municipality of such district  
176 pursuant to section 10-241c, (v) reductions in costs associated with the  
177 purchasing of payroll processing or accounts payable software systems,  
178 following the consultation with the legislative body of the municipality  
179 of such district to determine whether such systems may be purchased  
180 or shared on a regional basis pursuant to section 10-241e, (vi)  
181 consolidation of information technology services, and (vii) reductions in  
182 costs associated with the care and maintenance of athletic fields, or (B)  
183 regional collaboration or cooperative arrangements pursuant to section  
184 10-158a may reduce such district's budgeted appropriation for

185 education in an amount equal to half of the amount of savings  
186 experienced as a result of such district efficiencies, regional  
187 collaboration or cooperative arrangement, provided such reduction  
188 shall not exceed one-half of one per cent of the district's budgeted  
189 appropriation for education for the prior fiscal year. [ending June 30,  
190 2019.]

191 [(b) Except as otherwise provided under the provisions of subsections  
192 (c) to (h), inclusive, of this section, for the fiscal year ending June 30,  
193 2021, a town's budgeted appropriation for education shall be not less  
194 than the budgeted appropriation for education for the fiscal year ending  
195 June 30, 2020, plus any aid increase received pursuant to subsection (d)  
196 of section 10-262i, except that a town may reduce its budgeted  
197 appropriation for education for the fiscal year ending June 30, 2021, by  
198 one or more of the following:

199 (1) If a town experiences an aid reduction, as described in subsection  
200 (d) of section 10-262i, such town may reduce its budgeted appropriation  
201 for education in an amount equal to the aid reduction;

202 (2) If a district experiences a net reduction in its resident student  
203 count during a period that may include any of the five fiscal years  
204 immediately prior to the fiscal year for which the budgeted  
205 appropriation for education is calculated, such district may reduce its  
206 budgeted appropriation for education in an amount equal to the  
207 number of such net reduction multiplied by fifty per cent of the net  
208 current expenditures per resident student of such district, provided no  
209 district may use the resident student count for any fiscal year that was  
210 previously used to reduce its budgeted appropriation for education in  
211 any calculation of a net reduction of resident students for purposes of  
212 reducing its budgeted appropriation for education pursuant to this  
213 subdivision for any subsequent fiscal year;

214 (3) Any district (A) that does not maintain a high school and pays  
215 tuition to another school district pursuant to section 10-33 for resident  
216 students to attend high school in another district, and (B) in which the  
217 number of resident students attending high school for such district for

218 October 1, 2019, using the data of record as of January 31, 2020, is lower  
219 than such district's number of resident students attending high school  
220 for October 1, 2018, using the data of record as of January 31, 2020, may  
221 reduce such district's budgeted appropriation for education by the  
222 difference in the number of resident students attending high school for  
223 such years multiplied by the amount of tuition paid per student  
224 pursuant to section 10-33; or

225 (4) Any district that realizes new and documentable savings through  
226 (A) increased district efficiencies approved by the Commissioner of  
227 Education, including, but not limited to, (i) reductions in costs  
228 associated with transportation services, school district administration or  
229 contracts that are not the result of collective bargaining or other labor  
230 agreements, (ii) an agreement to provide medical or health care benefits  
231 pursuant to section 7-464b, (iii) a cooperative agreement relating to the  
232 performance of administrative and central office functions, such as  
233 business manager functions, for the municipality and the school district  
234 pursuant to section 10-241b, (iv) reductions in costs associated with the  
235 purchasing or joint purchasing of property insurance, casualty  
236 insurance and workers' compensation insurance, following the  
237 consultation with the legislative body of the municipality of such district  
238 pursuant to section 10-241c, (v) reductions in costs associated with the  
239 purchasing of payroll processing or accounts payable software systems,  
240 following the consultation with the legislative body of the municipality  
241 of such district to determine whether such systems may be purchased  
242 or shared on a regional basis pursuant to section 10-241e, (vi)  
243 consolidation of information technology services, and (vii) reductions in  
244 costs associated with the care and maintenance of athletic fields, or (B)  
245 regional collaboration or cooperative arrangements pursuant to section  
246 10-158a, may reduce such district's budgeted appropriation for  
247 education in an amount equal to half of the amount of savings  
248 experienced as a result of such district efficiencies, regional  
249 collaboration or cooperative arrangement, provided such reduction  
250 shall not exceed one-half of one per cent of the district's budgeted  
251 appropriation for education for the fiscal year ending June 30, 2020.]

252 [(c) For the fiscal years ending June 30, 2020, and June 30, 2021] (b)  
253 For any fiscal year, the Commissioner of Education may permit a town  
254 to reduce its budgeted appropriation for education in an amount  
255 determined by the commissioner if the school district in such town has  
256 permanently ceased operations and closed one or more schools in the  
257 school district due to declining enrollment at such closed school or  
258 schools in the [fiscal years ending June 30, 2013, to June 30, 2020,  
259 inclusive] seven fiscal years immediately prior to the fiscal year for  
260 which the budgeted appropriation for education is calculated.

261 [(d)] (c) Except as otherwise provided under the provisions of  
262 [subsection (h)] subsections (g) and (h) of this section, [for the fiscal  
263 years ending June 30, 2020, and June 30, 2021,] a town designated as an  
264 alliance district, as defined in section 10-262u, as amended by this act,  
265 shall not reduce its budgeted appropriation for education pursuant to  
266 this section.

267 [(e)] (d) [For the fiscal years ending June 30, 2020, and June 30, 2021,  
268 the] The provisions of this section shall not apply to any district that is  
269 in the top ten per cent of school districts based on the accountability  
270 index, as defined in section 10-223e.

271 [(f)] (e) [For the fiscal years ending June 30, 2020, and June 30, 2021,  
272 the] The provisions of this section shall not apply to the member towns  
273 of a regional school district during the first full fiscal year following the  
274 establishment of the regional school district, provided the budgeted  
275 appropriation for education for member towns of such regional school  
276 district for each subsequent fiscal year shall be determined in  
277 accordance with this section.

278 [(g)] (f) [For the fiscal years ending June 30, 2020, and June 30, 2021,  
279 any] Any district that has (1) elected to act as a self-insurer, pursuant to  
280 section 10-236, (2) experienced a loss incurred as a result of one or more  
281 catastrophic events, as declared by a nationally recognized catastrophe  
282 loss index provider, during the prior fiscal year, and (3) increased its  
283 budgeted appropriation for education during said prior fiscal year as a  
284 result of such loss, shall not be required to include the amount of such

285 increase in the calculation of such district's budgeted appropriation for  
286 education for the subsequent fiscal year.

287 [(h)] (g) For the fiscal years ending June 30, 2020, [and June 30, 2021]  
288 to June 30, 2023, inclusive, any district that has received (1) a  
289 supplemental appropriation from the board of finance for a town having  
290 a board of finance, the board of selectmen for a town having no board  
291 of finance or the authority making appropriations for the school district,  
292 for the purpose of covering costs associated with COVID-19  
293 expenditures because the budgeted appropriation for education for the  
294 district was insufficient to cover such costs, or (2) federal funds received  
295 pursuant to the Coronavirus Aid, Relief, and Economic Security Act,  
296 P.L. 116-136, as amended from time to time, and the Coronavirus  
297 Response and Relief Supplemental Appropriations Act, P.L. 116-260, as  
298 amended from time to time, shall not be required to include the amount  
299 of such supplemental appropriation or federal funds in the calculation  
300 of such district's budgeted appropriation for education for the  
301 subsequent fiscal year. As used in this subsection, "COVID-19" means  
302 the respiratory disease designated by the World Health Organization on  
303 February 11, 2020, as coronavirus 2019, and any related mutation thereof  
304 recognized by the World Health Organization as a communicable  
305 respiratory disease.

306 (h) For the fiscal years ending June 30, 2022, and June 30, 2023, any  
307 district that has been awarded a grant under the school security  
308 infrastructure competitive grant program, established pursuant to  
309 section 84 of public act 13-3, during the prior fiscal year, shall not be  
310 required to include the amount of such grant in the calculation of such  
311 district's budgeted appropriation for education for the subsequent fiscal  
312 year.

313 Sec. 5. Subsection (d) of section 10-262i of the general statutes is  
314 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
315 *2021*):

316 [(d) (1) For the fiscal year ending June 30, 2020, (A) if the amount of  
317 the equalization aid grant a town is entitled to pursuant to section 10-

318 262h is greater than such town's equalization aid grant amount for the  
319 prior fiscal year, the difference between the amount of such town's  
320 equalization aid grant for the fiscal year ending June 30, 2020, and such  
321 town's equalization aid grant amount for the prior fiscal year shall be  
322 the aid increase for such town for the fiscal year ending June 30, 2020,  
323 and (B) if the amount of the equalization aid grant a town is entitled to  
324 pursuant to section 10-262h is less than such town's equalization aid  
325 grant amount for the prior fiscal year, the difference between such  
326 town's equalization aid grant amount for the prior fiscal year and the  
327 amount of such town's equalization aid grant for the fiscal year ending  
328 June 30, 2020, shall be the aid reduction for such town for the fiscal year  
329 ending June 30, 2020.

330 (2) For the fiscal year ending June 30, 2021, (A) if the amount of the  
331 equalization aid grant a town is entitled to pursuant to section 10-262h  
332 is greater than such town's equalization aid grant amount for the prior  
333 fiscal year, the difference between the amount of such town's  
334 equalization aid grant for the fiscal year ending June 30, 2021, and such  
335 town's equalization aid grant amount for the prior fiscal year shall be  
336 the aid increase for such town for the fiscal year ending June 30, 2021,  
337 and (B) if the amount of the equalization aid grant a town is entitled to  
338 pursuant to section 10-262h is less than such town's equalization aid  
339 grant amount for the prior fiscal year, the difference between such  
340 town's equalization aid grant amount for the prior fiscal year and the  
341 amount of such town's equalization aid grant for the fiscal year ending  
342 June 30, 2021, shall be the aid reduction for such town for the fiscal year  
343 ending June 30, 2021.]

344 (d) For any fiscal year, (1) if the amount of the equalization aid grant  
345 a town is entitled to pursuant to section 10-262h is greater than such  
346 town's equalization aid grant amount for the prior fiscal year, the  
347 difference between the amount of such town's equalization aid grant for  
348 the fiscal year, and such town's equalization aid grant amount for the  
349 prior fiscal year shall be the aid increase for such town for the fiscal year,  
350 and (2) if the amount of the equalization aid grant a town is entitled to  
351 pursuant to section 10-262h is less than such town's equalization aid

352 grant amount for the prior fiscal year, the difference between such  
353 town's equalization aid grant amount for the prior fiscal year and the  
354 amount of such town's equalization aid grant for the fiscal year shall be  
355 the aid reduction for such town for the fiscal year.

356 Sec. 6. (NEW) (*Effective July 1, 2021*) (a) The Department of  
357 Agriculture, in consultation with the advisory committee described in  
358 subsection (c) of this section, shall administer the CT Grown for CT Kids  
359 Grant Program. Such program shall assist local and regional boards of  
360 education to develop farm-to-school programs that will increase the  
361 availability of local foods in child nutrition programs, allow educators  
362 to use hands-on educational techniques to teach students about  
363 nutrition and farm-to-school connections, sustain relationships with  
364 local farmers and producers, enrich the educational experience of  
365 students, improve the health of children in the state and enhance the  
366 state's economy.

367 (b) A local or regional board of education, regional educational  
368 service center, cooperative arrangement pursuant to section 10-158a of  
369 the general statutes, child care centers, group child care homes and  
370 family child care homes, as such terms are described in section 19a-77 of  
371 the general statutes, or any organization or entity administering or  
372 assisting in the development of a farm-to-school program, may apply,  
373 in a form and manner prescribed by the department, for a grant under  
374 this section. Such grant shall be used to develop or implement a school-  
375 to-farm program, which may include (1) the purchase of equipment,  
376 resources or materials, including, but not limited to, local food products,  
377 gardening supplies, field trips to farms, gleaning on farms and stipends  
378 to visiting farmers, (2) the provision of professional development and  
379 skills training for educators, school nutrition professionals, parents,  
380 caregivers, child care providers, and employees and volunteers of  
381 organizations administering or assisting in the development and  
382 implementation of farm-to-school programs, and (3) piloting new  
383 purchasing systems and programs.

384 (c) The department shall convene an advisory committee to assist in

385 the administration of the CT Grown for CT Kids Grant Program. The  
386 advisory committee shall consist of the Commissioner of Education, or  
387 the commissioner's designee, and individuals representing stakeholder  
388 groups that reflect the demographic and geographic diversity of the  
389 state, selected by the Commissioner of Agriculture. The advisory  
390 committee shall (1) assist the department in reviewing applications and  
391 awarding grants under this section, and (2) provide technical assistance  
392 to grant recipients in the development and implementation of farm-to-  
393 school programs.

394 (d) In awarding grants under this section, the department shall (1)  
395 give priority to applicants (A) located in alliance districts, as defined in  
396 section 10-262u of the general statutes, as amended by this act, or who  
397 are providers of school readiness programs, as defined in section 10-16p  
398 of the general statutes, and (B) who demonstrate broad commitment  
399 from school administrators, school nutrition professionals, educators  
400 and community stakeholders, and (2) not award a grant that is in an  
401 amount greater than ten per cent of the total amount available for the  
402 fiscal year.

403 (e) The department may accept gifts, grants and donations, including  
404 in-kind donations, for the administration of the CT Grown for CT Kids  
405 Grant Program and to implement the provisions of this section.

406 (f) Not later than January 1, 2023, and annually thereafter, the  
407 department shall submit a report on the CT Grown for CT Kids Grant  
408 Program to the joint standing committee of the General Assembly  
409 having cognizance of matters relating to education, in accordance with  
410 the provisions of section 11-4a of the general statutes. Such report shall  
411 include, but need not be limited to, an accounting of the funds  
412 appropriated and received by the department for the program,  
413 descriptions of each grant awarded under the program and how such  
414 grant was expended by the recipient, and an evaluation of the program  
415 and the success of local farm-to-school programs that have received  
416 grant awards under this section.

417 Sec. 7. Subdivision (4) of subsection (a) of section 10-264i of the

418 general statutes is repealed and the following is substituted in lieu  
419 thereof (*Effective July 1, 2021*):

420 (4) In addition to the grants otherwise provided pursuant to this  
421 section, the Commissioner of Education may provide supplemental  
422 transportation grants to regional educational service centers for the  
423 purposes of transportation to interdistrict magnet schools. Any such  
424 grant shall be provided within available appropriations and after the  
425 commissioner has reviewed and approved the total interdistrict magnet  
426 school transportation budget for a regional educational service center,  
427 including all revenue and expenditure estimates. For the fiscal years  
428 ending June 30, 2013, to June 30, 2018, inclusive, in addition to the grants  
429 otherwise provided pursuant to this section, the Commissioner of  
430 Education may provide supplemental transportation to interdistrict  
431 magnet schools that assist the state in meeting its obligations pursuant  
432 to the decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related  
433 stipulation or order in effect, as determined by the commissioner. Any  
434 such grant shall be provided within available appropriations and upon  
435 a comprehensive financial review, by an auditor selected by the  
436 Commissioner of Education, the costs of such review may be paid from  
437 funds that are part of the supplemental transportation grant. Any such  
438 grant shall be paid as follows: For the fiscal year ending June 30, 2013,  
439 up to fifty per cent of the grant on or before June 30, 2013, and the  
440 balance on or before September 1, 2013, upon completion of the  
441 comprehensive financial review; for the fiscal year ending June 30, 2014,  
442 up to fifty per cent of the grant on or before June 30, 2014, and the  
443 balance on or before September 1, 2014, upon completion of the  
444 comprehensive financial review; for the fiscal year ending June 30, 2015,  
445 up to fifty per cent of the grant on or before June 30, 2015, and the  
446 balance on or before September 1, 2015, upon completion of the  
447 comprehensive financial review; for the fiscal year ending June 30, 2016,  
448 up to fifty per cent of the grant on or before June 30, 2016, and the  
449 balance on or before September 1, 2016, upon completion of the  
450 comprehensive financial review; for the fiscal year ending June 30, 2017,  
451 up to seventy per cent of the grant on or before June 30, 2017, and the  
452 balance on or before May 30, 2018, upon completion of the

453 comprehensive financial review; for the fiscal year ending June 30, 2018,  
454 up to seventy per cent of the grant on or before June 30, 2018, and the  
455 balance on or before September 1, 2018, upon completion of the  
456 comprehensive financial review; and for the fiscal year ending June 30,  
457 2019, [and each fiscal year thereafter,] up to seventy per cent of the grant  
458 on or before June thirtieth of the fiscal year, and the balance on or before  
459 September first of the following fiscal year upon completion of the  
460 comprehensive financial review; and for the fiscal year ending June 30,  
461 2021, and each fiscal year thereafter, any unpaid balance of eligible  
462 transportation costs incurred on or before December thirty-first of the  
463 fiscal year based on documentation, including, but not limited to,  
464 vendor bills dated on or before February first of the fiscal year, and any  
465 unpaid balance of eligible transportation costs incurred on or before  
466 March thirty-first of the fiscal year based on documentation, including,  
467 but not limited to, vendor bills on or before May first of the fiscal year,  
468 and the balance of the grant on or before September first of the following  
469 fiscal year upon completion of the comprehensive financial review.

470 Sec. 8. Subdivision (1) of subsection (d) of section 10-66ee of the  
471 general statutes is repealed and the following is substituted in lieu  
472 thereof (*Effective July 1, 2021*):

473 (d) (1) The state shall pay in accordance with this subsection, to the  
474 fiscal authority for a state charter school for each student enrolled in  
475 such school, for the fiscal year ending June 30, 2013, ten thousand two  
476 hundred dollars, for the fiscal year ending June 30, 2014, ten thousand  
477 five hundred dollars, for the fiscal years ending June 30, 2015, to June  
478 30, 2018, inclusive, eleven thousand dollars, [and] for the fiscal [year]  
479 years ending June 30, 2019, [and each fiscal year thereafter] to June 30,  
480 2021, inclusive, eleven thousand two hundred fifty dollars, and for the  
481 fiscal year ending June 30, 2022, and each fiscal year thereafter, eleven  
482 thousand five hundred twenty-five dollars. Such payments shall be  
483 made as follows: Twenty-five per cent of the amount not later than July  
484 fifteenth and September first based on estimated student enrollment on  
485 May first, and twenty-five per cent of the amount not later than January  
486 first and the remaining amount not later than April first, each based on

487 student enrollment on October first.

488 Sec. 9. Section 10-17g of the general statutes is repealed and the  
489 following is substituted in lieu thereof (*Effective July 1, 2021*):

490 For the fiscal years ending June 30, 2016, to June 30, [2021] 2023,  
491 inclusive, the board of education for each local and regional school  
492 district that is required to provide a program of bilingual education,  
493 pursuant to section 10-17f, may make application to the State Board of  
494 Education and shall annually receive, within available appropriations,  
495 a grant in an amount equal to the product obtained by multiplying one  
496 million nine hundred sixteen thousand one hundred thirty by the ratio  
497 which the number of eligible children in the school district bears to the  
498 total number of such eligible children state-wide. The board of  
499 education for each local and regional school district receiving funds  
500 pursuant to this section shall annually, on or before September first,  
501 submit to the State Board of Education a progress report which shall  
502 include (1) measures of increased educational opportunities for eligible  
503 students, including language support services and language transition  
504 support services provided to such students, (2) program evaluation and  
505 measures of the effectiveness of its bilingual education and English as a  
506 second language programs, including data on students in bilingual  
507 education programs and students educated exclusively in English as a  
508 second language programs, and (3) certification by the board of  
509 education submitting the report that any funds received pursuant to this  
510 section have been used for the purposes specified. The State Board of  
511 Education shall annually evaluate programs conducted pursuant to  
512 section 10-17f. For purposes of this section, measures of the effectiveness  
513 of bilingual education and English as a second language programs  
514 include, but need not be limited to, mastery examination results, under  
515 section 10-14n, and graduation and school dropout rates. Any amount  
516 appropriated under this section in excess of one million nine hundred  
517 sixteen thousand one hundred thirty dollars shall be spent in accordance  
518 with the provisions of sections 10-17k, 10-17n and 10-66t. Any  
519 unexpended funds, as of November first, appropriated to the  
520 Department of Education for purposes of providing a grant to a local or

521 regional board of education for the provision of a program of bilingual  
522 education, pursuant to section 10-17f, shall be distributed on a pro rata  
523 basis to each local and regional board of education receiving a grant  
524 under this section. Notwithstanding the provisions of this section, for  
525 the fiscal years ending June 30, 2009, to June 30, [2021] 2023, inclusive,  
526 the amount of grants payable to local or regional boards of education  
527 for the provision of a program of bilingual education under this section  
528 shall be reduced proportionately if the total of such grants in such year  
529 exceeds the amount appropriated for such grants for such year.

530 Sec. 10. Subdivision (2) of subsection (e) of section 10-76d of the  
531 general statutes is repealed and the following is substituted in lieu  
532 thereof (*Effective July 1, 2021*):

533 (2) For purposes of this subdivision, "public agency" includes the  
534 offices of a government of a federally recognized Native American tribe.  
535 Notwithstanding any other provisions of the general statutes, for the  
536 fiscal year ending June 30, 1987, and each fiscal year thereafter,  
537 whenever a public agency, other than a local or regional board of  
538 education, the State Board of Education or the Superior Court acting  
539 pursuant to section 10-76h, places a child in a foster home, group home,  
540 hospital, state institution, receiving home, custodial institution or any  
541 other residential or day treatment facility, and such child requires  
542 special education, the local or regional board of education under whose  
543 jurisdiction the child would otherwise be attending school or, if no such  
544 board can be identified, the local or regional board of education of the  
545 town where the child is placed, shall provide the requisite special  
546 education and related services to such child in accordance with the  
547 provisions of this section. Within one business day of such a placement  
548 by the Department of Children and Families or offices of a government  
549 of a federally recognized Native American tribe, said department or  
550 offices shall orally notify the local or regional board of education  
551 responsible for providing special education and related services to such  
552 child of such placement. The department or offices shall provide written  
553 notification to such board of such placement within two business days  
554 of the placement. Such local or regional board of education shall

555 convene a planning and placement team meeting for such child within  
556 thirty days of the placement and shall invite a representative of the  
557 Department of Children and Families or offices of a government of a  
558 federally recognized Native American tribe to participate in such  
559 meeting. (A) The local or regional board of education under whose  
560 jurisdiction such child would otherwise be attending school shall be  
561 financially responsible for the reasonable costs of such special education  
562 and related services in an amount equal to the lesser of one hundred per  
563 cent of the costs of such education or the average per pupil educational  
564 costs of such board of education for the prior fiscal year, determined in  
565 accordance with the provisions of subsection (a) of section 10-76f. The  
566 State Board of Education shall pay on a current basis, except as provided  
567 in subdivision (3) of this subsection, any costs in excess of such local or  
568 regional board's basic contributions paid by such board of education in  
569 accordance with the provisions of this subdivision. (B) Whenever a child  
570 is placed pursuant to this subdivision, on or after July 1, 1995, by the  
571 Department of Children and Families and the local or regional board of  
572 education under whose jurisdiction such child would otherwise be  
573 attending school cannot be identified, the local or regional board of  
574 education under whose jurisdiction the child attended school or in  
575 whose district the child resided at the time of removal from the home  
576 by said department shall be responsible for the reasonable costs of  
577 special education and related services provided to such child, for one  
578 calendar year or until the child is committed to the state pursuant to  
579 section 46b-129 or 46b-140 or is returned to the child's parent or  
580 guardian, whichever is earlier. If the child remains in such placement  
581 beyond one calendar year the Department of Children and Families  
582 shall be responsible for such costs. During the period the local or  
583 regional board of education is responsible for the reasonable cost of  
584 special education and related services pursuant to this subparagraph,  
585 the board shall be responsible for such costs in an amount equal to the  
586 lesser of one hundred per cent of the costs of such education and related  
587 services or the average per pupil educational costs of such board of  
588 education for the prior fiscal year, determined in accordance with the  
589 provisions of subsection (a) of section 10-76f. The State Board of

590 Education shall pay on a current basis, except as provided in  
591 subdivision (3) of this subsection, any costs in excess of such local or  
592 regional board's basic contributions paid by such board of education in  
593 accordance with the provisions of this subdivision. The costs for services  
594 other than educational shall be paid by the state agency which placed  
595 the child. The provisions of this subdivision shall not apply to the school  
596 districts established within the Department of Children and Families,  
597 pursuant to section 17a-37 or the Department of Correction, pursuant to  
598 section 18-99a, provided in any case in which special education is being  
599 provided at a private residential institution, including the residential  
600 components of regional educational service centers, to a child for whom  
601 no local or regional board of education can be found responsible under  
602 subsection (b) of this section, Unified School District #2 shall provide  
603 the special education and related services and be financially responsible  
604 for the reasonable costs of such special education instruction for such  
605 children. Notwithstanding the provisions of this subdivision, for the  
606 fiscal years ending June 30, 2004, to June 30, 2007, inclusive, and for the  
607 fiscal years ending June 30, 2010, to June 30, [2021] 2023, inclusive, the  
608 amount of the grants payable to local or regional boards of education in  
609 accordance with this subdivision shall be reduced proportionately if the  
610 total of such grants in such year exceeds the amount appropriated for  
611 the purposes of this subdivision for such year.

612 Sec. 11. Subsection (d) of section 10-76g of the general statutes is  
613 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
614 *2021*):

615 (d) Notwithstanding the provisions of this section, for the fiscal years  
616 ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal years  
617 ending June 30, 2010, to June 30, [2021] 2023, inclusive, the amount of  
618 the grants payable to local or regional boards of education in accordance  
619 with this section, except grants paid in accordance with subdivision (2)  
620 of subsection (a) of this section, for the fiscal years ending June 30, 2006,  
621 and June 30, 2007, and for the fiscal years ending June 30, 2010, to June  
622 30, [2021] 2023, inclusive, shall be reduced proportionately if the total of  
623 such grants in such year exceeds the amount appropriated for the

624 purposes of this section for such year.

625 Sec. 12. Subsection (b) of section 10-253 of the general statutes is  
626 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
627 *2021*):

628 (b) The board of education of the school district under whose  
629 jurisdiction a child would otherwise be attending school shall be  
630 financially responsible for the reasonable costs of education for a child  
631 placed out by the Commissioner of Children and Families or by other  
632 agencies, including, but not limited to, offices of a government of a  
633 federally recognized Native American tribe, in a private residential  
634 facility when such child requires educational services other than special  
635 education services. Such financial responsibility shall be the lesser of  
636 one hundred per cent of the costs of such education or the average per  
637 pupil educational costs of such board of education for the prior fiscal  
638 year, determined in accordance with subsection (a) of section 10-76f.  
639 Any costs in excess of the board's basic contribution shall be paid by the  
640 State Board of Education on a current basis. The costs for services other  
641 than educational shall be paid by the state agency which placed the  
642 child. Application for the grant to be paid by the state for costs in excess  
643 of the local or regional board of education's basic contribution shall be  
644 made in accordance with the provisions of subdivision (5) of subsection  
645 (e) of section 10-76d. Notwithstanding the provisions of this subsection,  
646 for the fiscal years ending June 30, 2004, to June 30, 2007, inclusive, and  
647 for the fiscal years ending June 30, 2010, to June 30, [2021] 2023,  
648 inclusive, the amount of the grants payable to local or regional boards  
649 of education in accordance with this subsection shall be reduced  
650 proportionately if the total of such grants in such year exceeds the  
651 amount appropriated for the purposes of this subsection for such year.

652 Sec. 13. Subsection (i) of section 10-217a of the general statutes is  
653 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
654 *2021*):

655 (i) Notwithstanding the provisions of this section, for the fiscal years  
656 ending June 30, 2008, to June 30, [2021] 2023, inclusive, the amount of

657 the grants payable to local or regional boards of education in accordance  
658 with this section shall be reduced proportionately if the total of such  
659 grants in such year exceeds the amount appropriated for purposes of  
660 this section.

661 Sec. 14. Subsection (e) of section 10-66j of the general statutes is  
662 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
663 *2021*):

664 (e) Notwithstanding the provisions of this section, for the fiscal years  
665 ending June 30, 2004, to June 30, 2019, inclusive, and for the fiscal years  
666 ending June 30, 2022, and June 30, 2023, the amount of grants payable to  
667 regional educational service centers shall be reduced proportionately if  
668 the total of such grants in such year exceeds the amount appropriated  
669 for such grants for such year.

670 Sec. 15. Subsection (d) of section 10-71 of the general statutes is  
671 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
672 *2021*):

673 (d) Notwithstanding the provisions of this section, for the fiscal years  
674 ending June 30, 2004, to June 30, [2021] 2023, inclusive, the amount of  
675 the grants payable to towns, regional boards of education or regional  
676 educational service centers in accordance with this section shall be  
677 reduced proportionately if the total of such grants in such year exceeds  
678 the amount appropriated for the purposes of this section for such year.

679 Sec. 16. Section 10-266aa of the general statutes is repealed and the  
680 following is substituted in lieu thereof (*Effective July 1, 2021*):

681 (a) As used in this section:

682 (1) "Receiving district" means any school district that accepts students  
683 under the program established pursuant to this section;

684 (2) "Sending district" means any school district that sends students it  
685 would otherwise be legally responsible for educating to another school  
686 district under the program; and

687 (3) "Minority students" means students who are "pupils of racial  
688 minorities", as defined in section 10-226a.

689 (b) There is established, within available appropriations, an  
690 interdistrict public school attendance program. The purpose of the  
691 program shall be to: (1) Improve academic achievement; (2) reduce  
692 racial, ethnic and economic isolation or preserve racial and ethnic  
693 balance; and (3) provide a choice of educational programs. The  
694 Department of Education shall provide oversight for the program,  
695 including the setting of reasonable limits for the transportation of  
696 students participating in the program, and may provide for the  
697 incremental expansion of the program for the school year commencing  
698 in 2000 for each town required to participate in the program pursuant  
699 to subsection (c) of this section.

700 (c) The program shall be phased in as provided in this subsection. (1)  
701 For the school year commencing in 1998, and for each school year  
702 thereafter, the program shall be in operation in the Hartford, New  
703 Haven and Bridgeport regions. The Hartford program shall operate as  
704 a continuation of the program described in section 10-266j. Students  
705 who reside in Hartford, New Haven or Bridgeport may attend school in  
706 another school district in the region and students who reside in such  
707 other school districts may attend school in Hartford, New Haven or  
708 Bridgeport, provided, beginning with the 2001-2002 school year, the  
709 proportion of students who are not minority students to the total  
710 number of students leaving Hartford, Bridgeport or New Haven to  
711 participate in the program shall not be greater than the proportion of  
712 students who were not minority students in the prior school year to the  
713 total number of students enrolled in Hartford, Bridgeport or New  
714 Haven in the prior school year. The regional educational service center  
715 operating the program shall make program participation decisions in  
716 accordance with the requirements of this subdivision. (2) For the school  
717 year commencing in 2000, and for each school year thereafter, the  
718 program shall be in operation in New London, provided beginning with  
719 the 2001-2002 school year, the proportion of students who are not  
720 minority students to the total number of students leaving New London

721 to participate in the program shall not be greater than the proportion of  
722 students who were not minority students in the prior year to the total  
723 number of students enrolled in New London in the prior school year.  
724 The regional educational service center operating the program shall  
725 make program participation decisions in accordance with this  
726 subdivision. (3) The Department of Education may provide, within  
727 available appropriations, grants for the fiscal year ending June 30, 2003,  
728 to the remaining regional educational service centers to assist school  
729 districts in planning for a voluntary program of student enrollment in  
730 every priority school district, pursuant to section 10-266p, which is  
731 interested in participating in accordance with this subdivision. For the  
732 school year commencing in 2003, and for each school year thereafter, the  
733 voluntary enrollment program may be in operation in every priority  
734 school district in the state. Students from other school districts in the  
735 area of a priority school district, as determined by the regional  
736 educational service center pursuant to subsection (d) of this section, may  
737 attend school in the priority school district, provided such students  
738 bring racial, ethnic and economic diversity to the priority school district  
739 and do not increase the racial, ethnic and economic isolation in the  
740 priority school district. (4) For the school year commencing July 1, 2022,  
741 there shall be a pilot program in operation in Danbury and Norwalk.  
742 The pilot program shall serve (A) up to fifty students who reside in  
743 Danbury, and such students may attend school in the school districts for  
744 the towns of New Fairfield, Brookfield, Bethel, Ridgefield and Redding,  
745 and (B) up to fifty students who reside in Norwalk, and such students  
746 may attend school in the school districts for the towns of Darien, New  
747 Canaan, Wilton, Weston and Westport. School districts which receive  
748 students from Danbury and Norwalk under the pilot program during  
749 the school year commencing July 1, 2022, shall allow such students to  
750 attend school in the district until they graduate from high school.

751 (d) School districts which received students from New London under  
752 the program during the [2000-2001] school year commencing July 1,  
753 2000, shall allow such students to attend school in the district until they  
754 graduate from high school. The attendance of such students in such  
755 program shall not be supported by grants pursuant to subsections (f)

756 and (g) of this section but shall be supported, in the same amounts as  
757 provided for in said subsections, by interdistrict cooperative grants  
758 pursuant to section 10-74d to the regional educational service centers  
759 operating such programs.

760 (e) Once the program is in operation in the region served by a  
761 regional educational service center pursuant to subsection (c) of this  
762 section, the Department of Education shall provide an annual grant to  
763 such regional educational service center to assist school districts in its  
764 area in administering the program and to provide staff to assist students  
765 participating in the program to make the transition to a new school and  
766 to act as a liaison between the parents of such students and the new  
767 school district. Each regional educational service center shall determine  
768 which school districts in its area are located close enough to a priority  
769 school district to make participation in the program feasible in terms of  
770 student transportation pursuant to subsection (f) of this section,  
771 provided any student participating in the program prior to July 1, 1999,  
772 shall be allowed to continue to attend the same school such student  
773 attended prior to said date in the receiving district until the student  
774 completes the highest grade in such school. If there are more students  
775 who seek to attend school in a receiving district than there are spaces  
776 available, the regional educational service center shall assist the school  
777 district in determining attendance by the use of a lottery or lotteries  
778 designed to preserve or increase racial, ethnic and economic diversity,  
779 except that the regional educational service center shall give preference  
780 to siblings and to students who would otherwise attend a school that  
781 has lost its accreditation by the New England Association of Schools and  
782 Colleges or has been identified as in need of improvement pursuant to  
783 the No Child Left Behind Act, P.L. 107-110. The admission policies shall  
784 be consistent with section 10-15c and this section. No receiving district  
785 shall recruit students under the program for athletic or extracurricular  
786 purposes. Each receiving district shall allow out-of-district students it  
787 accepts to attend school in the district until they graduate from high  
788 school.

789 (f) The Department of Education shall provide grants to regional

790 educational service centers or local or regional boards of education for  
791 the reasonable cost of transportation for students participating in the  
792 program. For the fiscal [years ending June 30, 2015, to June 30, 2017,  
793 inclusive] year ending June 30, 2022, and each fiscal year thereafter, the  
794 department shall provide such grants within available appropriations,  
795 provided the state-wide average of such grants does not exceed an  
796 amount equal to three thousand two hundred fifty dollars for each  
797 student transported, except that the Commissioner of Education may  
798 grant to regional educational service centers or local or regional boards  
799 of education additional sums from funds remaining in the  
800 appropriation for such transportation services if needed to offset  
801 transportation costs that exceed such maximum amount. The regional  
802 educational service centers shall provide reasonable transportation  
803 services to high school students who wish to participate in supervised  
804 extracurricular activities. For purposes of this section, the number of  
805 students transported shall be determined on October first of each fiscal  
806 year.

807 (g) (1) Except as provided in [subdivision] subdivisions (2) and (3) of  
808 this subsection, the Department of Education shall provide, within  
809 available appropriations, an annual grant to the local or regional board  
810 of education for each receiving district in an amount not to exceed two  
811 thousand five hundred dollars for each out-of-district student who  
812 attends school in the receiving district under the program.

813 (2) For the fiscal year ending June 30, 2013, and each fiscal year  
814 thereafter, the department shall provide, within available  
815 appropriations, an annual grant to the local or regional board of  
816 education for each receiving district if one of the following conditions  
817 are met as follows: (A) Three thousand dollars for each out-of-district  
818 student who attends school in the receiving district under the program  
819 if the number of such out-of-district students is less than two per cent of  
820 the total student population of such receiving district, (B) four thousand  
821 dollars for each out-of-district student who attends school in the  
822 receiving district under the program if the number of such out-of-  
823 district students is greater than or equal to two per cent but less than

824 three per cent of the total student population of such receiving district,  
825 (C) six thousand dollars for each out-of-district student who attends  
826 school in the receiving district under the program if the number of such  
827 out-of-district students is greater than or equal to three per cent but less  
828 than four per cent of the total student population of such receiving  
829 district, (D) six thousand dollars for each out-of-district student who  
830 attends school in the receiving district under the program if the  
831 Commissioner of Education determines that the receiving district has an  
832 enrollment of greater than four thousand students and has increased the  
833 number of students in the program by at least fifty per cent from the  
834 previous fiscal year, or (E) eight thousand dollars for each out-of-district  
835 student who attends school in the receiving district under the program  
836 if the number of such out-of-district students is greater than or equal to  
837 four per cent of the total student population of such receiving district.

838 (3) (A) For the fiscal year ending June 30, 2023, the department shall  
839 provide a grant to the local or regional board of education for each  
840 receiving district described in subdivision (4) of subsection (c) of this  
841 section in an amount of four thousand dollars for each out-of-district  
842 student who resides in Danbury or Norwalk and attends school in the  
843 receiving district under the pilot program.

844 (B) For the fiscal year ending June 30, 2024, and each fiscal year  
845 thereafter, the department shall provide an annual grant to the local or  
846 regional board of education for each receiving district described in  
847 subdivision (4) of subsection (c) of this section for each out-of-district  
848 student who resides in Danbury or Norwalk and attends school in the  
849 receiving district under the pilot program in accordance with the  
850 provisions of subdivisions (1) and (2) of this subsection.

851 ~~[(3)]~~ (4) Each town which receives funds pursuant to this subsection  
852 shall make such funds available to its local or regional board of  
853 education in supplement to any other local appropriation, other state or  
854 federal grant or other revenue to which the local or regional board of  
855 education is entitled.

856 (h) Notwithstanding any provision of this chapter, each sending

857 district and each receiving district shall divide the number of children  
858 participating in the program who reside in such district or attend school  
859 in such district by two for purposes of the counts for subdivision (22) of  
860 section 10-262f and subdivision (2) of subsection (a) of section 10-261.

861 (i) In the case of an out-of-district student who requires special  
862 education and related services, the sending district shall pay the  
863 receiving district an amount equal to the difference between the  
864 reasonable cost of providing such special education and related services  
865 to such student and the amount received by the receiving district  
866 pursuant to subsection (g) of this section and in the case of students  
867 participating pursuant to subsection (d) of this section, the per pupil  
868 amount received pursuant to section 10-74d. The sending district shall  
869 be eligible for reimbursement pursuant to section 10-76g, as amended  
870 by this act.

871 (j) Nothing in this section shall prohibit school districts from charging  
872 tuition to other school districts that do not have a high school pursuant  
873 to section 10-33.

874 (k) On or before March first of each year, the Commissioner of  
875 Education shall determine if the enrollment in the program pursuant to  
876 subsection (c) of this section for the fiscal year is below the number of  
877 students for which funds were appropriated. If the commissioner  
878 determines that the enrollment is below such number, the additional  
879 funds shall not lapse but shall be used by the commissioner in  
880 accordance with this subsection.

881 (1) Any amount up to five hundred thousand dollars of such  
882 nonlapsing funds shall be used for supplemental grants to receiving  
883 districts on a pro rata basis for each out-of-district student in the  
884 program pursuant to subsection (c) of this section who attends the same  
885 school in the receiving district as at least nine other such out-of-district  
886 students, not to exceed one thousand dollars per student.

887 (2) Any amount of such nonlapsing funds equal to or greater than  
888 five hundred thousand dollars, but less than one million dollars, shall

889 be used for supplemental grants, in an amount determined by the  
890 commissioner, on a pro rata basis to receiving districts that report to the  
891 commissioner on or before March first of the current school year that the  
892 number of out-of-district students enrolled in such receiving district is  
893 greater than the number of out-of-district students enrolled in such  
894 receiving district from the previous school year.

895 (3) Any remaining nonlapsing funds shall be used by the  
896 commissioner to increase enrollment in the interdistrict public school  
897 attendance program described in this section.

898 (l) For purposes of the state-wide mastery examinations under  
899 section 10-14n, students participating in the program established  
900 pursuant to this section shall be considered residents of the school  
901 district in which they attend school.

902 (m) Within available appropriations, the commissioner may make  
903 grants to regional education service centers which provide summer  
904 school educational programs approved by the commissioner to students  
905 participating in the program.

906 (n) The Commissioner of Education may provide grants for children  
907 in the Hartford program described in this section to participate in  
908 preschool and all day kindergarten programs. In addition to the subsidy  
909 provided to the receiving district for educational services, such grants  
910 may be used for the provision of before and after-school care and  
911 remedial services for the preschool and kindergarten students  
912 participating in the program.

913 (o) Within available appropriations, the commissioner may make  
914 grants for academic student support for programs pursuant to this  
915 section that assist the state in meeting [the goals of the 2008 stipulation  
916 and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended,  
917 or the goals of the 2013 stipulation and order for Milo Sheff, et al. v.  
918 William A. O'Neill, et al., as extended, as determined by the  
919 commissioner] its obligations pursuant to the decision in Sheff v.  
920 O'Neill, 238 Conn. 1 (1996), or any related stipulation or order in effect,

921 as determined by the Commissioner of Education.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	10-262u(d)
Sec. 2	from passage	New section
Sec. 3	July 1, 2021	10-51(d)(2)
Sec. 4	July 1, 2021	10-262j
Sec. 5	July 1, 2021	10-262i(d)
Sec. 6	July 1, 2021	New section
Sec. 7	July 1, 2021	10-264i(a)(4)
Sec. 8	July 1, 2021	10-66ee(d)(1)
Sec. 9	July 1, 2021	10-17g
Sec. 10	July 1, 2021	10-76d(e)(2)
Sec. 11	July 1, 2021	10-76g(d)
Sec. 12	July 1, 2021	10-253(b)
Sec. 13	July 1, 2021	10-217a(i)
Sec. 14	July 1, 2021	10-66j(e)
Sec. 15	July 1, 2021	10-71(d)
Sec. 16	July 1, 2021	10-266aa

**ED** Joint Favorable Subst. C/R

APP

**APP** Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Education, Dept.	GF - See Below	See Below	See Below
Department of Agriculture	GF - Cost	250,000	250,000

Note: GF=General Fund

**Municipal Impact:**

Municipalities	Effect	FY 22 \$	FY 23 \$
Local and Regional School Districts	See Below	See Below	See Below

**Explanation**

The bill contains several provisions affecting town and state education spending.

**Alliance District Funds.** The bill allows the education commissioner to allow a board of education to spend up to 10% of any increase in Alliance District funds over the prior fiscal year in a way that was not included in the Alliance District plan, as long as the board (1) spends it for educational purposes only and not to supplant the local share of education funding and (2) increases the local education funding share for that fiscal year by the same amount. This change would increase the local board's minimum budget requirement (MBR) in the following year by the amount the local share is increased.

**Board Reserves.** The bill also increases the amount that a regional board of education can put into its reserve fund for capital and nonrecurring expenditures from 1% to 2% of the annual district budget for a fiscal year, which is procedural and does not result in a fiscal

impact.

**MBR.** The bill extends the MBR statutes to apply to all future years, which affects town education spending levels. The bill also clarifies that CRRSAA stimulus funds as well as school security infrastructure grants may be excluded from MBR calculations in the fiscal year following receipt of funds, which is potentially a savings to towns, to the extent these grants would have otherwise been included.

**CT Grown for CT Kids.** The bill requires the Department of Agriculture (DoAg) to administer the CT Grown for CT Kids Grant Program to help boards of education develop farm-to-school programs. This provision results in costs to DoAg of \$250,000 in each of FY 22 and FY 23, including 10% for administration of the grant program.

**Magnet School Transportation.** Under the bill the Commissioner of SDE is authorized to provide supplemental transportation grants to regional educational service centers (RESCs) for magnet school transportation for FY 21 and each following fiscal year. This results in SDE making payments totaling approximately \$5 million in FY 21 and potential payments in future years.

**Charter School Grants.** The bill raises the state charter school per-pupil grant from \$11,250 to \$11,525, which results in a cost of approximately \$3 million in both FY 22 and FY 23, and annually thereafter.

**Grant Caps.** The bill caps certain education grants to local or regional boards of education for FY 22 and FY 23, which results in a savings to the state, and a corresponding revenue loss to local and regional boards of education of approximately \$69.9 million in FY 22 and \$74.9 million in FY 23.

**Open Choice.** The substitute bill extends the Open Choice program to Danbury and Norwalk and allows for up to 50 students from each district to participate in the 2022-23 school year. This expansion results in a total cost of \$275,000 in FY 22 and \$900,000 in FY 23.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sHB 6618****AN ACT CONCERNING FUNDING ISSUES RELATED TO PUBLIC EDUCATION IN CONNECTICUT.**

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[§ 2 — FEDERAL COVID-19 FUNDS CARRYOVER](#)

*Allows the balance of any unspent federal funds that boards of education received for COVID-related expenditures (including funds from the federal CARES Act and the CRRSA) to carry forward to the next fiscal year*

[§ 3 — REGIONAL BOARDS OF EDUCATION CAPITAL RESERVE FUND](#)

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## § 16 — OPEN CHOICE PROGRAM

*Expands the Open Choice Program to Danbury and Norwalk for the 2022-23 school year*

## BACKGROUND

### **§ 1 — ALLIANCE DISTRICT FUNDS**

*Allows a board of education, with state approval, to spend up to 10% of any increase in alliance district funds in a way that was not included in the district's alliance district plan, provided certain conditions are met*

Current law requires an alliance school district to spend the portion of its education cost sharing (ECS) funds that are part of the alliance program as specified in the district's State Department of Education (SDE)-approved plan. Alliance districts are the 33 lowest performing school districts based on each district's accountability index (AI) score (see BACKGROUND).

The bill authorizes the education commissioner to allow a local or regional board of education to spend a certain amount of funds in ways that were not included in its alliance district plan. Specifically, a board may spend up to 10% of any increase in alliance district funds over the prior fiscal year in other ways, as long as the board:

1. spends it for educational purposes only and does not supplant local education funding and
2. increases the local appropriation for education for that fiscal year by the same amount.

Increasing the local education share would increase a town's minimum budget requirement (MBR) by the same amount as the increase. Under the MBR law, a town must appropriate at least an equal amount of education funds for the upcoming year as for the previous year. An increase in one year creates a new minimum for the following year with some exceptions (see below).

EFFECTIVE DATE: July 1, 2021

**§ 2 — FEDERAL COVID-19 FUNDS CARRYOVER**

*Allows the balance of any unspent federal funds that boards of education received for COVID-related expenditures (including funds from the federal CARES Act and the CRRSA) to carry forward to the next fiscal year*

For FYs 21 to 23, the bill requires that the balance of any remaining federal funds that a local or regional board of education receives to cover COVID-19 related expenditures not lapse and instead be carried forward for the board to use in the next fiscal year.

The federal funds include, but are not limited to, those received under the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) and the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act (P.L. 116-260).

EFFECTIVE DATE: Upon passage

**§ 3 — REGIONAL BOARDS OF EDUCATION CAPITAL RESERVE FUND**

*Increases the amount that a regional board of education can put into its capital reserve fund from 1% to 2% of the annual district budget for a fiscal year*

The bill increases the amount that a regional board of education can put into its reserve fund for capital and nonrecurring expenditures from 1% to 2% of the annual district budget for a fiscal year. By law and unchanged by the bill, a fund may be created by a majority vote of the regional board of education members and annual appropriations to the fund are included in each member town's share of net expenses to be paid to the district.

EFFECTIVE DATE: July 1, 2021

**§§ 4 & 5 — MINIMUM BUDGET REQUIREMENT (MBR)**

*Renews the MBR with all the current waivers or flexibilities (such as for a decrease in student population or in ECS funding); adds additional MBR exclusions for federal funds and for state school security grants; makes the MBR law permanent by removing the sunset date; renews and makes permanent the method to determine whether a town's education aid has decreased or increased compared to the prior year*

The bill makes permanent the current prohibition against a town budgeting less for education than it did in the previous fiscal year (i.e., the MBR). Under current law, all MBR provisions will expire on June 30,

2021.

The bill (1) continues to exempt certain high-performing school districts from the MBR; (2) renews several MBR options in current law that allow a town to reduce its MBR in some circumstances; and (3) adds additional MBR exclusions for federal funds and for state school security grants for all school districts, including alliance districts. (Generally, alliance districts are barred from MBR reductions.)

The bill also makes conforming and technical changes.

### ***MBR Exemptions***

The bill renews and makes permanent MBR exemptions for the following: (1) any school district among the top 10% of districts as measured by the SDE's AI score (see BACKGROUND) index and (2) member towns of a newly formed regional school district during the first full fiscal year following its establishment.

### ***New or Modified MBR Exclusions***

By law for FYs 20 and 21, a school district can exclude from its MBR calculation for the next fiscal year local supplemental appropriations or federal funds they received to cover costs associated with COVID-19. The law explicitly allows alliance districts to exclude these expenditures from their calculation, as well.

Local supplemental appropriations include those from the town's (1) board of finance, (2) board of selectmen for a town having no board of finance, or (3) authority making appropriations for the school district. Districts must use these local supplemental appropriations for COVID-19 expenditures that the school district's budgeted education appropriation for that fiscal year could not cover. This also applies to federal funds received under the CARES Act.

The bill extends this MBR exclusion to FYs 22 and 23 and, in addition to the CARES Act, specifically excludes the CRRSA Act funds from MBR.

The bill also adds a new MBR exclusion for FYs 22 and 23 for any school security infrastructure competitive grant received in the prior year. Under the bill, this grant does not have to be included in the school district's MBR calculation for the following fiscal year. Alliance districts are eligible for this exclusion.

### ***Permitted MBR Reductions Renewed***

The bill makes permanent the current allowances for MBR reductions under the circumstances described below.

***Reductions in Enrollment.*** A school district may reduce its MBR if it has reduced student enrollment during any of the five years immediately prior to the fiscal year for which the MBR is being calculated. The district can reduce its MBR by 50% of the net current expenditure per resident student, multiplied by the net reduction in the number of enrolled students, provided any year may only be used once in this calculation. By law, resident students are the number of students a school district must educate at the town's expense.

***No High School.*** A town without a high school that pays tuition to other towns for its resident students to attend there and is paying for fewer students than it did in the previous year can reduce its MBR by the full amount of its lowered tuition payments.

***School Closures.*** A town may reduce its MBR if it has permanently closed a school due to declining enrollment at the school in the seven FYs immediately prior to the FY for which the MBR is being calculated.

***Cost Savings.*** A town can reduce its MBR to reflect half of any new and documented savings from (a) increased efficiencies within its school district, as long as the education commissioner approves the savings, or (b) a regional collaboration or cooperative arrangement with at least one other district. This reduction is limited to a maximum of 0.5% of the budgeted appropriation for the prior year.

***Catastrophic Events.*** When a self-insured school district experiences a loss due to one or more catastrophic events during the

prior year and must increase the following year's education budget as a result, the increase due to the loss is not required to be counted for the following year's MBR. The catastrophic event must be declared as such by a nationally recognized catastrophe loss index provider.

**ECS Reduction.** A town that has a reduction in ECS aid (see below) when compared to the previous year can reduce its MBR by an amount that equals the amount of the reduction.

### **Determining Aid Gains or Losses**

Under current law, school districts must determine whether they have an FY 21 ECS aid increase or decrease in order to determine their MBR. The bill makes this requirement permanent. As with current law, the bill requires districts to compare the ECS aid a town is entitled to with the amount the town received the prior year. If the current amount is greater than the prior year's amount, the difference between the two is the aid increase. Likewise, if the amount the town is entitled to is less than the amount the town received in the prior year, then the difference is the aid decrease.

EFFECTIVE DATE: July 1, 2021

## **§ 6 — CT GROWN FOR CT KIDS GRANT**

*Requires the Department of Agriculture (DoAg) to administer a new CT Grown for CT Kids Grant Program to assist boards of education in developing farm-to-school programs; specifies what groups can apply for a grant; requires DoAg to convene an advisory committee to assist the agency in awarding grants*

The bill requires DoAg, in consultation with an advisory committee the bill also creates, to administer the new CT Grown for CT Kids Grant Program. The bill requires the program to assist local and regional boards of education in developing farm-to-school programs that will:

1. increase the availability of local foods in child nutrition programs,
2. allow educators to use hands-on techniques to teach students about nutrition and farm-to-school connections,

3. sustain relationships with local farmers and producers,
4. enrich the educational experience of students,
5. improve the health of Connecticut children, and
6. enhance the state's economy.

***Eligible Applicants***

The bill allows a local or regional board of education, regional educational service center, cooperative education arrangement, child care center, group child care home, family child care home, or any organization or entity administering or assisting in the development of a farm-to-school program, to apply for a grant. The agriculture commissioner must prescribe the grant application form and process.

The grant must be used to develop or implement a school-to-farm program, including:

1. purchasing equipment, resources, or materials, such as local food products, gardening supplies, field trips to farms, gleaning on farms (collecting leftover crops after the commercial harvest is completed), and stipends to visiting farmers;
2. providing professional development and skills training for educators, school nutrition professionals, parents, caregivers, child care providers, and employees and volunteers of organizations administering or assisting in the development and implementation of farm-to-school programs; and
3. piloting new purchasing systems and programs.

***Advisory Committee***

The bill requires DoAg to convene an advisory committee consisting of the education commissioner, or his designee, and representatives of stakeholder groups the agriculture commissioner selects who reflect the state's demographic and geographic diversity.

The advisory committee must (1) help the department review applications and award these grants and (2) provide technical assistance to grant recipients to develop and implement farm-to-school programs.

### **Grant Awarding Priority**

The bill requires the department to prioritize grants to applicants (1) located in alliance districts or who are providers of school readiness programs and (2) who demonstrate broad commitment from school administrators, school nutrition professionals, educators, and community stakeholders.

### **Grant Limits**

The bill prohibits DoAg from awarding a grant that is more than 10% of the total grant amount available for the fiscal year.

### **Donations and Gifts**

The bill authorizes DoAg to accept gifts, grants, and donations, including in-kind donations, to administer the CT Grown for CT Kids Grant Program and implement the bill's provisions.

### **Reporting Requirement**

Beginning by January 1, 2023, DoAg must annually submit a report on the program to the Education Committee. The report must include an accounting of the funds appropriated and received by the department, including descriptions of each grant awarded, how the recipient used the grant, and an evaluation of the program and the success of local farm-to-school programs that received grants through the program.

EFFECTIVE DATE: July 1, 2021

## **§ 7 — SUPPLEMENTAL TRANSPORTATION GRANT FOR MAGNET SCHOOLS**

*Changes the payment schedule and number of payments for a supplemental transportation grant for Sheff magnet schools*

The bill changes the payment schedule and frequency for supplemental transportation grants for magnet schools that help the

state meet its obligations under the *Sheff v. O'Neill* desegregation court decision.

Under current law's payment schedule, (1) up to 70% of the grant may be paid on or before June 30 and (2) the remainder must be paid by September 1 of the following fiscal year upon completion of a comprehensive financial review.

Starting with FY21, and for each fiscal year thereafter, the bill presumably requires these grants be paid as follows:

1. any unpaid balance of documented, eligible transportation costs (including vendor bills) incurred on or before December 31 must be paid on or before February 1;
2. any unpaid balance of documented, eligible transportation costs incurred on or before March 31 must be paid on or before May 1; and
3. the balance of the grant must be paid on or before September 1 of the following fiscal year after a comprehensive financial review.

EFFECTIVE DATE: July 1, 2021

## **§ 8 — CHARTER SCHOOL PER-STUDENT GRANT INCREASE**

*Increases the per-pupil grant for state charter schools from \$11,250 to \$11,525*

Beginning in FY 22 and for each following year, the bill increases the per-pupil grant for state charter schools from \$11,250 to \$11,525.

EFFECTIVE DATE: July 1, 2021

## **§§ 9-15 — PROGRAM GRANT CAPS**

*Extends to FYs 22 and 23 the current grant caps for seven programs; renews the bilingual education grant for FYs 22 and 23*

The bill caps education grants to local or regional boards of education for FYs 22 and 23. The caps, which are currently set to expire on June 30, 2021, require that grants be proportionately reduced if the state budget appropriations do not fund the full amounts required by the respective

statutory formulas. The caps apply to grants for the following programs:

1. bilingual education (CGS § 10-17g);
2. school districts' special education costs for public agency-placed students under an order of temporary custody (CGS § 10-76d);
3. school districts' excess special education costs (CGS § 10-76g);
4. excess regular education costs for state-placed children educated by private residential facilities (CGS § 10-253);
5. health grants for private nonprofit schools (CGS § 10-217a);
6. regional educational services centers (RESCs) (CGS § 10-66j); and
7. adult education programs (CGS § 10-71).

The bill also renews the bilingual education grant for the FYs 22 and 23.

EFFECTIVE DATE: July 1, 2021

## § 16 — OPEN CHOICE PROGRAM

*Expands the Open Choice Program to Danbury and Norwalk for the 2022-23 school year*

The bill provides \$275,000 in FY 22 and \$900,000 in FY 23 to pilot an expansion of the Open Choice Program for up to 50 students from Danbury and 50 from Norwalk in the 2022-23 school year.

Open Choice is a voluntary inter-district public school attendance program that allows students from urban districts to attend suburban schools and vice versa, on a space-available basis. Its purpose is to reduce racial, ethnic, and economic isolation; improve academic achievement; and provide public school choice. SDE provides a per-student grant for school districts that receive Open Choice students.

Under the bill, Danbury students may attend school in New Fairfield, Brookfield, Bethel, Ridgefield, and Redding school districts and Norwalk students may attend school in the Darien, New Canaan,

Wilton, Weston, and Westport school districts. School districts that received students from Danbury or Norwalk under the pilot program during the 2022-2023 school year must allow these students to attend until they graduate from high school.

The bill requires SDE to provide a \$4,000 per-student grant to each district receiving Danbury or Norwalk students for the fiscal year ending June 30, 2023. For FY 24 and each year following, SDE must provide receiving districts with per-student grants based on existing law's Open Choice per-student grant schedule, which ranges from \$3,000 to \$8,000 per student.

Districts receive a larger grant if the number of Open Choice students reflects a greater amount of the district's student population. For example, a district receives \$3,000 per student if Open Choice students are less than 2% of the district's total student population. The grant amount increases incrementally until, at the highest amount, a district receives \$8,000 per student if Open Choice students are equal to or greater than 4% of the district's total student population.

The bill also extends the program's transportation aid component for FY 2022 and each fiscal year thereafter.

EFFECTIVE DATE: July 1, 2021

## **BACKGROUND**

### ***Accountability Index Scores***

"Accountability index" for a school district or an individual school means the score resulting from multiple weighted measures that (1) include the mastery test scores and, if appropriate, high school graduation rates and (2) may include academic growth over time, attendance and chronic absenteeism, postsecondary education and career readiness, enrollment in and graduation from institutions of higher education and postsecondary education programs, civics and arts education, and physical fitness (CGS § 10-223e(a)).

## **COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute Change of Reference - APP  
Yea 32 Nay 6 (03/22/2021)

Appropriations Committee

Joint Favorable Substitute  
Yea 50 Nay 0 (04/21/2021)