General Assembly

Raised Bill No. 6922

January Session, 2025

LCO No. **4656**

Referred to Committee on EDUCATION

Introduced by:
(ED)

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES REGARDING THE SCHOOL BUILDING PROJECTS STATUTES.

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

Section 1. Subsections (a) and (b) of section 10-283 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) Each town or regional school district shall be eligible to apply for and accept grants for a school building project as provided in this chapter. Any town desiring a grant for a public school building project may, by vote of its legislative body, authorize the board of education of such town to apply to the Commissioner of Administrative Services and to accept or reject such grant for the town. Any regional school board may vote to authorize the supervising agent of the regional school district to apply to the Commissioner of Administrative Services for and to accept or reject such grant for the district. Applications for such grants under this chapter shall be made by the superintendent of schools of such town or regional school district on the form provided and in the

manner prescribed by the Commissioner of Administrative Services. **[**The application form shall require the superintendent of schools to affirm that the school district considered the maximization of natural light, the use and feasibility of wireless connectivity technology and, on and after July 1, 2014, the school safety infrastructure criteria, described in section 10-292r, in projects for new construction and alteration or renovation of a school building.**]** The Commissioner of Administrative Services shall review, in consultation with the Commissioner of Education, each grant application for a school building project for compliance with educational specifications. The Commissioner of Education shall evaluate, if appropriate, whether the project will assist the state in meeting its obligations pursuant to the decision in Sheff v. O'Neill, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the Commissioner of Education. The Commissioner of Administrative Services shall consult with the Commissioner of Education in reviewing grant applications submitted for purposes of subsection (a) of section 10-65 or section 10-76e on the basis of the educational needs of the applicant. The Commissioner of Administrative Services shall review each grant application for a school building project for compliance with standards for school building projects pursuant to regulations, adopted in accordance with section 10-287c, and, on and after July 1, 2014, the school safety infrastructure criteria, described in section 10-292r. Notwithstanding the provisions of this chapter, the Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College and Three Rivers Community College and the following entities that will operate an interdistrict magnet school that will assist the state in meeting its obligations pursuant to the decision in Sheff v. O'Neill, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the Commissioner of Education, may apply for and shall be eligible to receive grants for school building projects pursuant to section 10-264h for such a school: (A) The Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (B) the Board of Trustees of the Connecticut State University System on

behalf of a state university, (C) the Board of Trustees for The University of Connecticut on behalf of the university, (D) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, (E) cooperative arrangements pursuant to section 10-158a, and (F) any other third-party not-for-profit corporation approved by the Commissioner of Education.

(2) All applications submitted prior to July first shall be reviewed promptly by the Commissioner of Administrative Services. The Commissioner of Administrative Services shall estimate the amount of the grant for which such project is eligible, in accordance with the provisions of section 10-285a, provided an application for a school building project determined by the Commissioner of Education to be a project that will assist the state in meeting its obligations pursuant to the decision in Sheff v. O'Neill, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the Commissioner of Education, shall have until September first to submit an application for such a project and may have until December first of the same year to secure and report all local and state approvals required to complete the grant application. The Commissioner of Administrative Services shall annually prepare a listing of all such eligible school building projects with the amount of the estimated grants for such projects and shall submit the same to the Governor, the Secretary of the Office of Policy and Management and the General Assembly on or before the fifteenth day of December, except as provided in section 10-283a, with a request for authorization to enter into grant commitments. On or before December thirty-first annually, the Secretary of the Office of Policy and Management may submit comments and recommendations regarding each eligible project on such listing of eligible school building projects to the school construction committee, established pursuant to section 10-283a. Each such listing shall include a report on the following factors for each eligible project: **[**(i)**]** (A) An enrollment projection and the capacity

of the school, including who conducted the enrollment projection for the school and the cost of conducting such enrollment projection, **[**(ii)**]** (B) a substantiation of the estimated total project costs, **[**(iii)**]** (C) the readiness of such eligible project to begin construction, **[**(iv)**]** (D) efforts made by the local or regional board of education to redistrict, reconfigure, merge or close schools under the jurisdiction of such board prior to submitting an application under this section, **[**(v)**]** (E) enrollment and capacity information for all of the schools under the jurisdiction of such board for the five years prior to application for a school building project grant, **[**(vi)**]** (F) enrollment projections and capacity information for all of the schools under the jurisdiction of such board for the eight years following the date such application is submitted, including who conducted the enrollment projection for the school and the cost of conducting such enrollment projection, **[**(vii)**]** (G) the state's education priorities relating to reducing racial and economic isolation for the school district, and **[**(viii)**]** (H) an estimation of the total ineligible costs and an itemization of such ineligible costs for such project. On and after July 1, 2022, each such listing shall include an addendum that contains all grants approved pursuant to subsection (b) of this section during the prior fiscal year. For the period beginning July 1, 2006, and ending June 30, 2012, no project may appear on the separate schedule of authorized projects which have changed in cost more than twice. On and after July 1, 2012, no project **[**, other than a project for a technical education and career school,**]** may appear on the separate schedule of authorized projects which have changed in cost more than once, except the Commissioner of Administrative Services may allow a project to appear on such separate schedule of authorized projects a second time if the town or regional school district for such project can demonstrate that exigent circumstances require such project to appear a second time on such separate schedule of authorized projects. Notwithstanding any provision of this chapter, no projects which have changed in scope or cost to the degree determined by the Commissioner of Administrative Services, in consultation with the Commissioner of Education, shall be eligible for reimbursement under this chapter unless it appears on such

list. The percentage determined pursuant to section 10-285a at the time a school building project on such schedule was originally authorized shall be used for purposes of the grant for such project. On and after July 1, 2006, a project that was not previously authorized as an interdistrict magnet school shall not receive a higher percentage for reimbursement than that determined pursuant to section 10-285a at the time a school building project on such schedule was originally authorized. The General Assembly shall annually authorize the Commissioner of Administrative Services to enter into grant commitments on behalf of the state in accordance with the commissioner's categorized listing for such projects as the General Assembly shall determine. The Commissioner of Administrative Services may not enter into any such grant commitments except pursuant to such legislative authorization. Any regional school district which assumes the responsibility for completion of a public school building project shall be eligible for a grant pursuant to subdivision (5) or (6), as the case may be, of subsection (a) of section 10-286 when such project is completed and accepted by such regional school district.

(3) (A) All final calculations completed by the Department of Administrative Services for school building projects shall include a computation of the state grant for the school building project amortized on a straight line basis over a twenty-year period for school building projects with costs equal to or greater than two million dollars and over a ten-year period for school building projects with costs less than two million dollars. Any town or regional school district which abandons, sells, leases, demolishes or otherwise redirects the use of such a school building project to other than a public school use or a public use during such amortization period shall refund to the state the unamortized balance of the state grant remaining as of the date the abandonment, sale, lease, demolition or redirection occurs. The amortization period for a project shall begin on the date the project was accepted as complete by the local or regional board of education. **[**A town or regional school district required to make a refund to the state pursuant to this

subdivision may request forgiveness of such refund if the building is redirected for public use. The Department of Administrative Services shall include as an addendum to the annual school construction priority list all those towns requesting forgiveness. General Assembly approval of the priority list under section 10-283a, containing such request shall constitute approval of such request.**]** This subdivision shall not apply to projects to correct safety, health and other code violations or to remedy certified school indoor air quality emergencies approved pursuant to subsection (b) of this section or projects subject to the provisions of section 10-285c.

(B) If the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, that operates an interdistrict magnet school makes private use of any portion of a school building in which such operator received a school building project grant pursuant to this chapter, such operator shall annually submit a report to the Commissioner of Education that demonstrates that such operator provides an equal to or greater than in-kind or supplemental benefit of such institution's facilities to students enrolled in such interdistrict magnet school that outweighs the private use of such school building. If the commissioner finds that the private use of such school building exceeds the in-kind or supplemental benefit to magnet school students, the commissioner may require such institution to refund to the state the unamortized balance of the state grant.

(b) (1) Notwithstanding the application date requirements of this section, at any time within the limit of available grant authorization and within the limit of appropriated funds, the Commissioner of Administrative Services, in consultation with the Commissioner of Education, may approve applications for grants and make payments for such grants, for any of the following reasons: (A) To assist school building projects to remedy damage from fire and catastrophe, (B) to correct safety, health and other code violations, (C) to replace roofs,

including the replacement or installation of skylights as part of the roof replacement project, (D) to remedy a certified school indoor air quality emergency, (E) to install insulation for exterior walls and attics, **[**or**]** (F) to purchase and install a limited use and limited access elevator, windows, photovoltaic panels, wind generation systems, building management systems or portable classroom buildings, provided portable classroom building projects shall not create a new facility or cause an existing facility to be modified so that the portable buildings comprise a substantial percentage of the total facility area, as determined by the commissioner, or (G) to upgrade heating, ventilation and air conditioning systems or make other improvements to indoor air quality in school buildings subject to subdivision (2) of this subsection.

(2) The commissioner shall not award a grant under subparagraph (G) of subdivision (1) of this subsection to any applicant that, on or after July 1, 2026, has not certified compliance with the uniform inspection and evaluation of an existing heating, ventilation and air conditioning system pursuant to subsection (d) of section 10-220. The following expenses shall not be eligible for reimbursement under this subsection: Routine maintenance and cleaning of the heating, ventilation and air conditioning system, and work performed at or on a public school administrative or service facility that is not located or housed within a public school building. Recipients of a grant under subparagraph (G) of subdivision (1) of this subsection shall be responsible for the routine maintenance and cleaning of the heating, ventilation and air conditioning system and provide training to school personnel and building maintenance staff concerning the proper use and maintenance of the heating, ventilation and air conditioning system.

Sec. 2. Subdivision (4) of subsection (b) of section 10-287 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) All orders and contracts for any other consultant services, including, but not limited to, consultant services rendered by an owner's

representatives, construction administrators, program managers, environmental professionals, planners and financial specialists, shall comply with the public selection process described in subdivision (2) of this subsection. **[**No costs associated with an order or contract for such consultant services shall be eligible for state financial assistance under this chapter unless such order or contract receives prior approval from the Commissioner of Administrative Services in writing or through a written electronic communication.**]**

Sec. 3. Section 10-287d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For the purposes of funding (1) grants to projects that have received approval of the Department of Administrative Services pursuant to section 10-287, subsection (a) of section 10-65 and section 10-76e, and (2) grants to assist school building projects to remedy safety and health violations and damage from fire and catastrophe, **[**and (3) technical education and career school projects pursuant to section 10-283b,**]** the State Treasurer is authorized and directed, subject to and in accordance with the provisions of section 3-20, to issue bonds of the state from time to time in one or more series in an aggregate amount not exceeding thirteen billion eight hundred sixty-two million one hundred sixty thousand dollars. Bonds of each series shall bear such date or dates and mature at such time or times not exceeding thirty years from their respective dates and be subject to such redemption privileges, with or without premium, as may be fixed by the State Bond Commission. They shall be sold at not less than par and accrued interest and the full faith and credit of the state is pledged for the payment of the interest thereon and the principal thereof as the same shall become due, and accordingly and as part of the contract of the state with the holders of said bonds, appropriation of all amounts necessary for punctual payment of such principal and interest is hereby made, and the State Treasurer shall pay such principal and interest as the same become due. The State Treasurer is authorized to invest temporarily in direct obligations of the United States, United States agency obligations, certificates of deposit,

commercial paper or bank acceptances such portion of the proceeds of such bonds or of any notes issued in anticipation thereof as may be deemed available for such purpose.

Sec. 4. Sections 10-265r and 10-283b of the general statutes are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	*from passage*	10-283(a) and (b)
Sec. 2	*from passage*	10-287(b)(4)
Sec. 3	*from passage*	10-287d
Sec. 4	*from passage*	Repealer section

Statement of Purpose:
To implement the recommendations of the Department of Administrative Services regarding the school building projects statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]