

Senate, April 6, 1998. The Committee on Education reported through SEN. GAFFEY, 13th DIST., Chairman of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING DISSOLUTION OF A REGIONAL SCHOOL DISTRICT.

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

1 Section 1. Section 10-63b of the general
2 statutes is repealed and the following is
3 substituted in lieu thereof:

4 Within thirty days of receipt of an
5 application pursuant to section 10-63a the
6 regional board of education shall call for the
7 appointment of a committee to [determine whether
8 and under what conditions such] STUDY ISSUES
9 RELATING TO withdrawal or dissolution. [shall take
10 place.] The committee shall consist of the
11 following: One member of the board of education of
12 each town within the district, to be selected by
13 each such board, if any, or if none, an elector to
14 be elected by the legislative body in such town;
15 one member of the board of finance or comparable
16 fiscal body of each town within the district to be
17 selected by each such board or body; two members
18 of the regional board of education, to be selected
19 by such board, no more than one of whom may be a
20 resident of a town making the application for the
21 appointment of the committee; one member to be
22 appointed by the Commissioner of Education, who

23 shall not be a resident of any town within the
24 district; the State Treasurer or the Treasurer's
25 designee, and one member to be appointed by the
26 regional board of education, who shall be an
27 expert in municipal bonding and financing and who
28 shall not be a resident of any town within the
29 district. The members shall receive no
30 compensation for their services, but their
31 expenses and those incurred by the regional board
32 in connection with withdrawal or dissolution
33 procedures shall be paid by the towns applying for
34 withdrawal or dissolution. The appointee of the
35 Commissioner of Education shall call the first
36 meeting of the committee, and the committee shall
37 organize and function in accordance with section
38 10-41.

39 Sec. 2. Section 10-63c of the general
40 statutes is repealed and the following is
41 substituted in lieu thereof:

42 Within one year after its appointment, the
43 committee shall prepare a written report [of its]
44 THAT INCLUDES: (1) ITS recommendation concerning
45 the advisability of a withdrawal or dissolution;
46 [. If the committee recommends a withdrawal or
47 dissolution, the report shall include: (1) A] (2)
48 A determination of the value of the net assets of
49 the regional district; [, (2)] (3) an
50 apportionment of the net assets to each member
51 town on the basis of the ratio which the total
52 average daily membership of such town since its
53 membership in the regional district bears to the
54 total average daily membership reported to the
55 State Board of Education by the regional board of
56 education up to and including the last such
57 report; [, (3)] (4) a plan for settlement of any
58 obligations and the transfer of property from the
59 regional school district to the member town school
60 districts; [, (4)] (5) a timetable for the orderly
61 withdrawal or dissolution of the regional district
62 and establishment of local boards of education if
63 none exist; [, (5)] (6) the question to be
64 determined by the referenda; and [(6)] (7) such
65 other matters as the committee deems necessary.
66 The provisions of sections 10-43, AS AMENDED, and
67 10-45, except as provided below, shall apply to
68 the procedures for submission of the plan to the
69 State Board of Education, action by such board,
70 presentation of such plan to the member towns,

71 action by such towns and the dissolution of the
72 committee. The establishment of any new local
73 board of education shall be in accordance with
74 chapter 146. Upon an affirmative vote in each
75 member town, OR, IN THE CASE OF A REGIONAL SCHOOL
76 DISTRICT THAT DOES NOT HAVE A HIGH SCHOOL, ANY OF
77 THE MEMBER TOWNS, the regional board of education
78 and member towns shall cooperatively implement the
79 plan for dissolution or withdrawal of a member
80 town.

81 Sec. 3. Subsection (c) of section 10-153b of
82 the general statutes is repealed and the following
83 is substituted in lieu thereof:

84 (c) The employees in either unit defined in
85 this section may designate any organization of
86 certified professional employees to represent them
87 in negotiations with respect to salaries, hours
88 and other conditions of employment with the local
89 or regional board of education which employs them
90 by filing, during the period between March first
91 and March thirty-first of any school year, with
92 the board of education a petition which requests
93 recognition of such organization for purposes of
94 negotiation under this section and sections
95 10-153c to 10-153n, inclusive, and is signed by a
96 majority of the employees in such unit. Where a
97 new school district is formed as the result of the
98 creation of a regional school district, a petition
99 for designation shall also be considered timely if
100 it is filed at any time from the date when such
101 regional school district is approved pursuant to
102 section 10-45 through the first school year of
103 operation of any such school district. Where a new
104 school district is formed as a result of the
105 dissolution of a regional school district, a
106 petition for designation shall also be considered
107 timely if it is filed at any time [during the
108 first school year of operation of any such school
109 district] FROM THE DATE OF THE ELECTION OF A BOARD
110 OF EDUCATION FOR SUCH SCHOOL DISTRICT THROUGH THE
111 FIRST YEAR OF OPERATION OF ANY SUCH SCHOOL
112 DISTRICT. Within three school days next following
113 the receipt of such petition, such board shall
114 post a notice of such request for recognition and
115 mail a copy thereof to the commissioner. Such
116 notice shall state the name of the organization
117 designated by the petitioners, the unit to be
118 represented and the date of receipt of such

119 petition by the board. If no petition which
120 requests a representation election and is signed
121 by twenty per cent of the employees in such unit
122 is filed in accordance with the provisions of
123 subsection (d) of this section, with the
124 commissioner within the thirty days next following
125 the date on which the board of education posts
126 notice of the designation petition, such board
127 shall recognize the designated organization as the
128 exclusive representative of the employees in such
129 unit for a period of one year or until a
130 representation election has been held for such
131 unit pursuant to this section and section 10-153c,
132 whichever occurs later. If a petition complying
133 with the provisions of subsection (d) of this
134 section is filed within such period of thirty
135 days, the local or regional board of education
136 shall not recognize any organization so designated
137 until an election has been held pursuant to said
138 sections to determine which organization shall
139 represent such unit.

140 Sec. 4. If a plan developed prior to January
141 1, 1999, for the withdrawal of a member town from
142 a regional school district or dissolution of a
143 regional school district is not submitted to a
144 referendum until after said date, the provisions
145 of section 10-63c of the general statutes, as
146 amended by section 2 of this act, shall apply to
147 the vote of a member town in such referendum.

148 Sec. 5. This act shall take effect from its
149 passage, except that sections 1 to 3, inclusive,
150 shall take effect January 1, 1999.

151 ED COMMITTEE VOTE: YEA 31 NAY 0 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF 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 HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER sSB 205

STATE IMPACT	Potential Cost, see explanation below
MUNICIPAL IMPACT	Potential Cost, see explanation below
STATE AGENCY(S)	Department of Education

EXPLANATION OF ESTIMATES:

STATE AND MUNICIPAL IMPACT: As this bill makes it easier for certain regional school districts to dissolve it results in a potential cost to the state and to municipalities included in such districts. Regional school districts which dissolve will likely incur increased costs due to losses of economies of scale. Potential costs exist to the state should towns dissolving from regional districts need to construct new schools which were formerly available to them at the regional level.

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OLR BILL ANALYSIS

sSB 205

AN ACT CONCERNING DISSOLUTION OF A REGIONAL SCHOOL DISTRICT

SUMMARY: Beginning January 1, 1999, the bill allows a regional school district without a high school, a criterion that applies only to Region 16 (Prospect and Beacon Falls), to be dissolved by an affirmative vote of one of the two towns in the district instead of

both. The new voting requirement applies to district dissolution plans submitted to the district's voters on or after January 1, 1999, even if the plans were developed before that date.

The bill also eliminates a regional school district study committee's power to block dissolution of a two-town district or withdrawal of one town from a larger district by requiring the committee to develop a dissolution or withdrawal plan even if it recommends against the action. And it allows a union representing certified school employees to petition for recognition by a new board of education formed in a town that was formerly in a regional district any time between the new board's election and the end of its first school year instead of only during the first school year. These latter two provisions apply to all regional school districts and not just to the one with no high school.

EFFECTIVE DATE: January 1, 1999, except for the provision concerning voting on dissolution plans pending on that date, which is effective on passage.

FURTHER EXPLANATION

Dissolution Study Committee

By law, when a town's legislative body votes to apply to the regional school board to withdraw from the district, or in the case of a two-town district, to dissolve it, the board must establish a study committee. Under current law, the committee must first decide whether to recommend withdrawal or dissolution. Once it makes that decision, and only if it recommends withdrawal or dissolution, it must draw up a withdrawal or dissolution plan. This bill removes the requirement that makes the withdrawal or dissolution recommendation a precondition for developing the plan. Instead, it requires the committee to include a recommendation about dissolution or withdrawal along with the plan in its report. The other report requirements remain the same.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute
Yea 31 Nay 0