



General Assembly

Substitute Bill No. 7150

January Session, 2019



**AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET
RECOMMENDATIONS CONCERNING EDUCATION.**

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

1 Section 1. Subdivisions (3) and (4) of subsection (a) of section 10-264i
2 of the general statutes are repealed and the following is substituted in
3 lieu thereof (*Effective July 1, 2019*):

4 (3) For districts assisting the state in meeting its obligations
5 pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any
6 related stipulation or order in effect, as determined by the
7 commissioner, (A) for the fiscal year ending June 30, 2010, the amount
8 of such grant shall not exceed an amount equal to the number of such
9 children transported multiplied by one thousand four hundred dollars,
10 and (B) for the fiscal [years] year ending June 30, 2011, [to June 30,
11 2019, inclusive] and each fiscal year thereafter, the amount of such
12 grant shall not exceed an amount equal to the number of such children
13 transported multiplied by two thousand dollars.

14 (4) In addition to the grants otherwise provided pursuant to this
15 section, the Commissioner of Education may provide supplemental
16 transportation grants to regional educational service centers for the
17 purposes of transportation to interdistrict magnet schools. Any such
18 grant shall be provided within available appropriations and after the

19 commissioner has reviewed and approved the total interdistrict
20 magnet school transportation budget for a regional educational service
21 center, including all revenue and expenditure estimates. For the fiscal
22 years ending June 30, 2013, to June 30, 2018, inclusive, in addition to
23 the grants otherwise provided pursuant to this section, the
24 Commissioner of Education may provide supplemental transportation
25 to interdistrict magnet schools that assist the state in meeting its
26 obligations pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1
27 (1996), or any related stipulation or order in effect, as determined by
28 the commissioner. Any such grant shall be provided within available
29 appropriations and upon a comprehensive financial review, by an
30 auditor selected by the Commissioner of Education, the costs of such
31 review may be paid from funds that are part of the supplemental
32 transportation grant. Any such grant shall be paid as follows: For the
33 fiscal year ending June 30, 2013, up to fifty per cent of the grant on or
34 before June 30, 2013, and the balance on or before September 1, 2013,
35 upon completion of the comprehensive financial review; for the fiscal
36 year ending June 30, 2014, up to fifty per cent of the grant on or before
37 June 30, 2014, and the balance on or before September 1, 2014, upon
38 completion of the comprehensive financial review; for the fiscal year
39 ending June 30, 2015, up to fifty per cent of the grant on or before June
40 30, 2015, and the balance on or before September 1, 2015, upon
41 completion of the comprehensive financial review; for the fiscal year
42 ending June 30, 2016, up to fifty per cent of the grant on or before June
43 30, 2016, and the balance on or before September 1, 2016, upon
44 completion of the comprehensive financial review; for the fiscal year
45 ending June 30, 2017, up to seventy per cent of the grant on or before
46 June 30, 2017, and the balance on or before May 30, 2018, upon
47 completion of the comprehensive financial review; [and] for the fiscal
48 year ending June 30, 2018, up to seventy per cent of the grant on or
49 before June 30, 2018, and the balance on or before September 1, 2018,
50 upon completion of the comprehensive financial review; and for the
51 fiscal year ending June 30, 2019, and each fiscal year thereafter, up to
52 seventy per cent of the grant on or before June thirtieth of the fiscal
53 year, and the balance on or before September first of the following

54 fiscal year upon completion of the comprehensive financial review.

55 Sec. 2. Subsection (d) of section 10-71 of the general statutes is
56 repealed and the following is substituted in lieu thereof (*Effective July*
57 *1, 2019*):

58 (d) Notwithstanding the provisions of this section, for the fiscal
59 [years] year ending June 30, 2004, [to June 30, 2019, inclusive] and each
60 fiscal year thereafter, the amount of the grants payable to towns,
61 regional boards of education or regional educational service centers in
62 accordance with this section shall be reduced proportionately if the
63 total of such grants in such year exceeds the amount appropriated for
64 the purposes of this section for such year.

65 Sec. 3. Section 10-17g of the general statutes is repealed and the
66 following is substituted in lieu thereof (*Effective July 1, 2019*):

67 For the fiscal [years] year ending June 30, 2016, [to June 30, 2019,
68 inclusive] and each fiscal year thereafter, the board of education for
69 each local and regional school district that is required to provide a
70 program of bilingual education, pursuant to section 10-17f, may make
71 application to the State Board of Education and shall annually receive,
72 within available appropriations, a grant in an amount equal to the
73 product obtained by multiplying one million nine hundred sixteen
74 thousand one hundred thirty by the ratio which the number of eligible
75 children in the school district bears to the total number of such eligible
76 children state-wide. The board of education for each local and regional
77 school district receiving funds pursuant to this section shall annually,
78 on or before September first, submit to the State Board of Education a
79 progress report which shall include (1) measures of increased
80 educational opportunities for eligible students, including language
81 support services and language transition support services provided to
82 such students, (2) program evaluation and measures of the
83 effectiveness of its bilingual education and English as a second
84 language programs, including data on students in bilingual education
85 programs and students educated exclusively in English as a second

86 language programs, and (3) certification by the board of education
87 submitting the report that any funds received pursuant to this section
88 have been used for the purposes specified. The State Board of
89 Education shall annually evaluate programs conducted pursuant to
90 section 10-17f. For purposes of this section, measures of the
91 effectiveness of bilingual education and English as a second language
92 programs include, but need not be limited to, mastery examination
93 results, under section 10-14n, and graduation and school dropout rates.
94 Any amount appropriated under this section in excess of one million
95 nine hundred sixteen thousand one hundred thirty dollars shall be
96 spent in accordance with the provisions of sections 10-17k, 10-17n and
97 10-66t. Any unexpended funds, as of November first, appropriated to
98 the Department of Education for purposes of providing a grant to a
99 local or regional board of education for the provision of a program of
100 bilingual education, pursuant to section 10-17f, shall be distributed on
101 a pro rata basis to each local and regional board of education receiving
102 a grant under this section. Notwithstanding the provisions of this
103 section, for the fiscal [years] year ending June 30, 2009, [to June 30,
104 2019, inclusive] and each fiscal year thereafter, the amount of grants
105 payable to local or regional boards of education for the provision of a
106 program of bilingual education under this section shall be reduced
107 proportionately if the total of such grants in such year exceeds the
108 amount appropriated for such grants for such year.

109 Sec. 4. Subdivision (2) of subsection (e) of section 10-76d of the
110 general statutes is repealed and the following is substituted in lieu
111 thereof (*Effective July 1, 2019*):

112 (2) For purposes of this subdivision, "public agency" includes the
113 offices of a government of a federally recognized Native American
114 tribe. Notwithstanding any other provisions of the general statutes, for
115 the fiscal year ending June 30, 1987, and each fiscal year thereafter,
116 whenever a public agency, other than a local or regional board of
117 education, the State Board of Education or the Superior Court acting
118 pursuant to section 10-76h, places a child in a foster home, group

119 home, hospital, state institution, receiving home, custodial institution
120 or any other residential or day treatment facility, and such child
121 requires special education, the local or regional board of education
122 under whose jurisdiction the child would otherwise be attending
123 school or, if no such board can be identified, the local or regional board
124 of education of the town where the child is placed, shall provide the
125 requisite special education and related services to such child in
126 accordance with the provisions of this section. Within one business day
127 of such a placement by the Department of Children and Families or
128 offices of a government of a federally recognized Native American
129 tribe, said department or offices shall orally notify the local or regional
130 board of education responsible for providing special education and
131 related services to such child of such placement. The department or
132 offices shall provide written notification to such board of such
133 placement within two business days of the placement. Such local or
134 regional board of education shall convene a planning and placement
135 team meeting for such child within thirty days of the placement and
136 shall invite a representative of the Department of Children and
137 Families or offices of a government of a federally recognized Native
138 American tribe to participate in such meeting. (A) The local or regional
139 board of education under whose jurisdiction such child would
140 otherwise be attending school shall be financially responsible for the
141 reasonable costs of such special education and related services in an
142 amount equal to the lesser of one hundred per cent of the costs of such
143 education or the average per pupil educational costs of such board of
144 education for the prior fiscal year, determined in accordance with the
145 provisions of subsection (a) of section 10-76f. The State Board of
146 Education shall pay on a current basis, except as provided in
147 subdivision (3) of this subsection, any costs in excess of such local or
148 regional board's basic contributions paid by such board of education in
149 accordance with the provisions of this subdivision. (B) Whenever a
150 child is placed pursuant to this subdivision, on or after July 1, 1995, by
151 the Department of Children and Families and the local or regional
152 board of education under whose jurisdiction such child would
153 otherwise be attending school cannot be identified, the local or

154 regional board of education under whose jurisdiction the child
155 attended school or in whose district the child resided at the time of
156 removal from the home by said department shall be responsible for the
157 reasonable costs of special education and related services provided to
158 such child, for one calendar year or until the child is committed to the
159 state pursuant to section 46b-129 or 46b-140 or is returned to the child's
160 parent or guardian, whichever is earlier. If the child remains in such
161 placement beyond one calendar year the Department of Children and
162 Families shall be responsible for such costs. During the period the local
163 or regional board of education is responsible for the reasonable cost of
164 special education and related services pursuant to this subparagraph,
165 the board shall be responsible for such costs in an amount equal to the
166 lesser of one hundred per cent of the costs of such education and
167 related services or the average per pupil educational costs of such
168 board of education for the prior fiscal year, determined in accordance
169 with the provisions of subsection (a) of section 10-76f. The State Board
170 of Education shall pay on a current basis, except as provided in
171 subdivision (3) of this subsection, any costs in excess of such local or
172 regional board's basic contributions paid by such board of education in
173 accordance with the provisions of this subdivision. The costs for
174 services other than educational shall be paid by the state agency which
175 placed the child. The provisions of this subdivision shall not apply to
176 the school districts established within the Department of Children and
177 Families, pursuant to section 17a-37 or the Department of Correction,
178 pursuant to section 18-99a, provided in any case in which special
179 education is being provided at a private residential institution,
180 including the residential components of regional educational service
181 centers, to a child for whom no local or regional board of education
182 can be found responsible under subsection (b) of this section, Unified
183 School District #2 shall provide the special education and related
184 services and be financially responsible for the reasonable costs of such
185 special education instruction for such children. Notwithstanding the
186 provisions of this subdivision, for the fiscal years ending June 30, 2004,
187 to June 30, 2007, inclusive, and for the fiscal [years] year ending June
188 30, 2010, [to June 30, 2019, inclusive] and each fiscal year thereafter, the

189 amount of the grants payable to local or regional boards of education
190 in accordance with this subdivision shall be reduced proportionately if
191 the total of such grants in such year exceeds the amount appropriated
192 for the purposes of this subdivision for such year.

193 Sec. 5. Subsection (d) of section 10-76g of the general statutes is
194 repealed and the following is substituted in lieu thereof (*Effective July*
195 *1, 2019*):

196 (d) Notwithstanding the provisions of this section, for the fiscal
197 years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal
198 [years] year ending June 30, 2010, [to June 30, 2019, inclusive] and each
199 fiscal year thereafter, the amount of the grants payable to local or
200 regional boards of education in accordance with this section, except
201 grants paid in accordance with subdivision (2) of subsection (a) of this
202 section, for the fiscal years ending June 30, 2006, and June 30, 2007, and
203 for the fiscal [years] year ending June 30, 2010, [to June 30, 2019,
204 inclusive] and each fiscal year thereafter, shall be reduced
205 proportionately if the total of such grants in such year exceeds the
206 amount appropriated for the purposes of this section for such year.

207 Sec. 6. Subsection (b) of section 10-253 of the general statutes is
208 repealed and the following is substituted in lieu thereof (*Effective July*
209 *1, 2019*):

210 (b) The board of education of the school district under whose
211 jurisdiction a child would otherwise be attending school shall be
212 financially responsible for the reasonable costs of education for a child
213 placed out by the Commissioner of Children and Families or by other
214 agencies, including, but not limited to, offices of a government of a
215 federally recognized Native American tribe, in a private residential
216 facility when such child requires educational services other than
217 special education services. Such financial responsibility shall be the
218 lesser of one hundred per cent of the costs of such education or the
219 average per pupil educational costs of such board of education for the
220 prior fiscal year, determined in accordance with subsection (a) of

221 section 10-76f. Any costs in excess of the board's basic contribution
222 shall be paid by the State Board of Education on a current basis. The
223 costs for services other than educational shall be paid by the state
224 agency which placed the child. Application for the grant to be paid by
225 the state for costs in excess of the local or regional board of education's
226 basic contribution shall be made in accordance with the provisions of
227 subdivision (5) of subsection (e) of section 10-76d. Notwithstanding the
228 provisions of this subsection, for the fiscal years ending June 30, 2004,
229 to June 30, 2007, inclusive, and for the fiscal [years] year ending June
230 30, 2010, [to June 30, 2019, inclusive] and each fiscal year thereafter, the
231 amount of the grants payable to local or regional boards of education
232 in accordance with this subsection shall be reduced proportionately if
233 the total of such grants in such year exceeds the amount appropriated
234 for the purposes of this subsection for such year.

235 Sec. 7. Section 10-95q of the general statutes is repealed and the
236 following is substituted in lieu thereof (*Effective from passage*):

237 (a) (1) On or after July 1, 2017, until June 30, [2021] 2023, the
238 Technical Education and Career System board may recommend a
239 candidate for superintendent of the Technical Education and Career
240 System to the Commissioner of Education. The commissioner may hire
241 or reject any candidate for superintendent recommended by the board.
242 If the commissioner rejects a candidate for superintendent, the board
243 shall recommend another candidate for superintendent to the
244 commissioner. The term of office of the superintendent hired under
245 this subdivision shall expire on June 30, [2021] 2023.

246 (2) On and after July 1, [2021] 2023, the Technical Education and
247 Career System board shall recommend a candidate for superintendent
248 of the Technical Education and Career System to the executive director
249 of the Technical Education and Career System. The executive director
250 may hire or reject any candidate for superintendent recommended by
251 the board. If the executive director rejects a candidate for
252 superintendent, the board shall recommend another candidate for
253 superintendent to the executive director. The term of office of the

254 superintendent hired under this subdivision shall be three years and
255 may be extended for no more than three years at any one time.

256 (b) The superintendent of the Technical Education and Career
257 System shall be responsible for the operation and administration of the
258 technical education and career schools and all other matters relating to
259 vocational, technical, technological and postsecondary education in the
260 system.

261 Sec. 8. Section 10-99f of the general statutes is repealed and the
262 following is substituted in lieu thereof (*Effective from passage*):

263 (a) For the fiscal years ending June 30, 2011, to June 30, [2020] 2022,
264 inclusive, the budget for the Technical Education and Career System
265 shall (1) be a separate budgeted agency from the Department of
266 Education, and (2) include a separate (A) educational account for
267 educational and school-based accounts and expenditures, and (B)
268 noneducational account.

269 (b) Notwithstanding any provision of the general statutes, for the
270 fiscal year ending June 30, 2018, and each fiscal year thereafter, the
271 Governor, when considering reductions in allotment requisitions or
272 allotments in force, shall give priority to the educational needs of the
273 system and instructional staffing needs, as identified in the statement
274 of staffing needs submitted by the superintendent of the Technical
275 Education and Career System pursuant to section 10-99g, and every
276 effort shall be made to avoid impairment of the system's educational
277 mission and interruption to instructional time during such
278 consideration.

279 Sec. 9. Section 10-99f of the general statutes, as amended by section 9
280 of public act 17-237 and section 9 of public act 18-182, is repealed and
281 the following is substituted thereof (*Effective July 1, 2022*):

282 (a) For the fiscal year ending June 30, [2021] 2023, and each fiscal
283 year thereafter, the budget for the Technical Education and Career
284 System shall (1) be a separate budgeted agency, and (2) include a

285 separate (A) educational account for educational and school-based
286 accounts and expenditures, and (B) noneducational account.

287 (b) Notwithstanding any provision of the general statutes, for the
288 fiscal year ending June 30, 2018, and each fiscal year thereafter, the
289 Governor, when considering reductions in allotment requisitions or
290 allotments in force, shall give priority to the educational needs of the
291 system and instructional staffing needs, as identified in the statement
292 of staffing needs submitted by the superintendent of the Technical
293 Education and Career System pursuant to section 10-99g, and every
294 effort shall be made to avoid impairment of the system's educational
295 mission and interruption to instructional time during such
296 consideration.

297 Sec. 10. Section 10-99h of the general statutes is repealed and the
298 following is substituted in lieu thereof (*Effective from passage*):

299 (a) For the fiscal years ending June 30, 2018, to June 30, [2020] 2022,
300 inclusive, the superintendent of the Technical Education and Career
301 System shall create and maintain a list that includes an inventory of all
302 technical and vocational equipment, supplies and materials purchased
303 or obtained and used in the provision of career technical education in
304 each technical education and career school and across the Technical
305 Education and Career System. The board shall consult such list (1)
306 during the preparation of the budget for the Technical Education and
307 Career System, pursuant to section 10-99g, (2) prior to purchasing or
308 obtaining any new equipment, supplies or materials, and (3) for the
309 purpose of sharing equipment, supplies and materials among technical
310 education and career schools.

311 (b) For the fiscal year ending June 30, [2021] 2023, and each fiscal
312 year thereafter, the executive director of the Technical Education and
313 Career System shall create and maintain a list that includes an
314 inventory of all technical and vocational equipment, supplies and
315 materials purchased or obtained and used in the provision of career
316 technical education in each technical education and career school and

317 across the Technical Education and Career System. The executive
318 director shall consult such list (1) during the preparation of the budget
319 for the Technical Education and Career System, pursuant to section 10-
320 99g, (2) prior to purchasing or obtaining any new equipment, supplies
321 or materials, and (3) for the purpose of sharing equipment, supplies
322 and materials among technical education and career schools.

323 Sec. 11. Section 16 of public act 17-237, as amended by section 79 of
324 public act 17-2 of the June special session and section 11 of public act
325 18-182, is repealed and the following is substituted in lieu thereof
326 (*Effective from passage*):

327 For the fiscal years ending June 30, 2018, to June 30, [2020] 2022,
328 inclusive, the State Board of Education shall hire a consultant to (1) assist
329 the Technical Education and Career System board with the development
330 of a transition plan for the Technical Education and Career System, (2)
331 identify and provide recommendations concerning which services could
332 be provided more efficiently through or in conjunction with another local
333 or regional board of education, municipality or state agency by means of a
334 memorandum of understanding with the Technical Education and Career
335 System, and (3) identify efficiencies, best practices and cost savings in
336 procurement. Such consultant shall consult with the administrative and
337 professional staff of the Technical Education and Career System in the
338 development of the transition plan and recommendations described in
339 subdivision (2) of this section. Not later than January 1, [2020] 2022, the
340 state board shall submit a report on the transition plan and such identified
341 services and any recommendations for legislation necessary to implement
342 such transition plan and such identified services to the joint standing
343 committee of the General Assembly having cognizance of matters relating
344 to education, in accordance with the provisions of section 11-4a of the
345 general statutes.

346 Sec. 12. Section 18 of public act 17-237, as amended by section 12 of
347 public act 18-182, is repealed and the following is substituted in lieu
348 thereof (*Effective from passage*):

349 For the fiscal years ending June 30, 2018, to June 30, [2020] 2022,

350 inclusive, the Department of Education shall (1) provide training to those
 351 persons employed by the department within the Technical Education and
 352 Career System who will be responsible for performing central office and
 353 administrative functions for the system on and after July 1, [2020] 2022,
 354 and (2) identify those persons within the system who can be trained to
 355 perform multiple functions or responsibilities for the system.

356 Sec. 13. (*Effective from passage*) Sections 5, 10 and 20 of public act 17-
 357 237, as amended by section 17 of public act 18-182, shall take effect July
 358 1, 2022.

359 Sec. 14. (*Effective from passage*) Section 2 of public act 17-237, as
 360 amended by section 73 of public act 17-2 of the June special session
 361 and section 18 of public act 18-182, shall take effect July 1, 2022.

362 Sec. 15. (*Effective from passage*) Section 4 of public act 17-237, as
 363 amended by section 74 of public act 17-2 of the June special session
 364 and section 19 of public act 18-182, shall take effect July 1, 2022.

365 Sec. 16. (*Effective from passage*) Section 6 of public act 17-237, as
 366 amended by section 279 of public act 17-2 of the June special session
 367 and section 20 of public act 18-182, shall take effect July 1, 2022.

368 Sec. 17. (*Effective from passage*) Section 7 of public act 17-237, as
 369 amended by section 287 of public act 17-2 of the June special session
 370 and section 21 of public act 18-182, shall take effect July 1, 2022.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	10-264i(a)(3) and (4)
Sec. 2	<i>July 1, 2019</i>	10-71(d)
Sec. 3	<i>July 1, 2019</i>	10-17g
Sec. 4	<i>July 1, 2019</i>	10-76d(e)(2)
Sec. 5	<i>July 1, 2019</i>	10-76g(d)
Sec. 6	<i>July 1, 2019</i>	10-253(b)
Sec. 7	<i>from passage</i>	10-95g
Sec. 8	<i>from passage</i>	10-99f

Sec. 9	<i>July 1, 2022</i>	10-99f
Sec. 10	<i>from passage</i>	10-99h
Sec. 11	<i>from passage</i>	PA 17-237, Sec. 16
Sec. 12	<i>from passage</i>	PA 17-237, Sec. 18
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>from passage</i>	New section
Sec. 15	<i>from passage</i>	New section
Sec. 16	<i>from passage</i>	New section
Sec. 17	<i>from passage</i>	New section

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