



# House of Representatives

General Assembly

**File No. 628**

February Session, 2022

Substitute House Bill No. 5038

*House of Representatives, April 26, 2022*

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 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. Subdivision (2) of subsection (g) of section 10-266aa of the  
2 2022 supplement to the general statutes is repealed and the following is  
3 substituted in lieu thereof (*Effective July 1, 2022*):

4 (2) (A) For the fiscal year ending June 30, 2013, and each fiscal year  
5 thereafter, the department shall provide, within available  
6 appropriations, an annual grant to the local or regional board of  
7 education for each receiving district if one of the following conditions  
8 are met as follows: [(A)] (i) Three thousand dollars for each out-of-  
9 district student who attends school in the receiving district under the  
10 program if the number of such out-of-district students is less than two  
11 per cent of the total student population of such receiving district plus  
12 any amount available pursuant to subparagraph (B) of this subdivision,  
13 [(B)] (ii) four thousand dollars for each out-of-district student who  
14 attends school in the receiving district under the program if the number

15 of such out-of-district students is greater than or equal to two per cent  
16 but less than three per cent of the total student population of such  
17 receiving district plus any amount available pursuant to subparagraph  
18 (B) of this subdivision, [(C)] (iii) six thousand dollars for each out-of-  
19 district student who attends school in the receiving district under the  
20 program if the number of such out-of-district students is greater than or  
21 equal to three per cent but less than four per cent of the total student  
22 population of such receiving district [, (D)] plus any amount available  
23 pursuant to subparagraph (B) of this subdivision, (iv) six thousand  
24 dollars for each out-of-district student who attends school in the  
25 receiving district under the program if the Commissioner of Education  
26 determines that the receiving district has an enrollment of greater than  
27 four thousand students and has increased the number of students in the  
28 program by at least fifty per cent from the previous fiscal year plus any  
29 amount available pursuant to subparagraph (B) of this subdivision, or  
30 [(E)] (v) eight thousand dollars for each out-of-district student who  
31 attends school in the receiving district under the program if the number  
32 of such out-of-district students is greater than or equal to four per cent  
33 of the total student population of such receiving district plus any  
34 amount available pursuant to subparagraph (B) of this subdivision.

35 (B) For the fiscal year ending June 30, 2023, and each fiscal year  
36 thereafter, the department shall, in order to assist the state in meeting  
37 its obligations under commitment 9B of the Comprehensive School  
38 Choice Plan pursuant to the settlement in Sheff v. O'Neill, HHD-X07-  
39 CV89-4026240-S, provide, within available appropriations, an  
40 additional grant to the local or regional board of education for each  
41 receiving district in the amount of two thousand dollars for each out-of-  
42 district student who resides in the Hartford region and attends school  
43 in the receiving district under the program.

44 Sec. 2. Subsections (a) to (c), inclusive, of section 10-262u of the 2022  
45 supplement to the general statutes are repealed and the following is  
46 substituted in lieu thereof (*Effective July 1, 2022*):

47 (a) As used in this section and section 10-262i:

48 (1) "Alliance district" means a school district for a town that [(A)] is  
49 among the towns with the [thirty] thirty-three lowest accountability  
50 index scores, as calculated by the Department of Education. [, or (B) was  
51 previously designated as an alliance district by the Commissioner of  
52 Education for the fiscal years ending June 30, 2013, to June 30, 2017,  
53 inclusive.]

54 (2) "Graduated alliance district" means a school district for a town  
55 that (A) was previously designated as an alliance district by the  
56 commissioner for (i) the fiscal years ending June 30, 2013, to June 30,  
57 2017, inclusive, or (ii) the fiscal years ending June 30, 2018, to June 30,  
58 2022, inclusive, and (B) on and after July 1, 2022, is no longer among the  
59 towns with the thirty-three lowest accountability index scores, as  
60 calculated by the department.

61 [(2)] (3) "Accountability index" has the same meaning as provided in  
62 section 10-223e.

63 [(3)] (4) "Mastery test data of record" has the same meaning as  
64 provided in section 10-262f, as amended by this act.

65 [(4)] (5) "Educational reform district" means a school district that is in  
66 a town that is among the ten lowest accountability index scores when  
67 all towns are ranked highest to lowest in accountability index scores.

68 (b) (1) For the fiscal year ending June 30, 2013, the Commissioner of  
69 Education shall designate thirty school districts as alliance districts. Any  
70 school district designated as an alliance district shall be so designated  
71 for a period of five years. On or before June 30, 2016, the Department of  
72 Education shall determine if there are any additional alliance districts.

73 (2) For the fiscal year ending June 30, 2018, the commissioner shall  
74 designate thirty-three school districts as alliance districts. Any school  
75 district designated as an alliance district shall be so designated for a  
76 period of five years.

77 (3) (A) For the fiscal year ending June 30, 2023, the commissioner shall  
78 designate thirty-three school districts as alliance districts. Any school

79 district designated as an alliance district shall be so designated for a  
80 period of five years.

81 (B) For the fiscal year ending June 30, 2023, the commissioner shall  
82 designate any school districts that are no longer among the towns with  
83 the thirty-three lowest accountability index scores, as calculated by the  
84 department, on and after July 1, 2022, as graduated alliance districts.  
85 Any school district designated as a graduated alliance district shall be  
86 so designated for a period of five years.

87 (c) (1) (A) (i) For the fiscal year ending June 30, 2013, the Comptroller  
88 shall withhold from a town designated as an alliance district any  
89 increase in funds received over the amount the town received for the  
90 prior fiscal year pursuant to section 10-262h, as amended by this act. The  
91 Comptroller shall transfer such funds to the Commissioner of  
92 Education. [(B)] (ii) For the fiscal years ending June 30, 2014, to June 30,  
93 2016, inclusive, the Comptroller shall withhold from a town designated  
94 as an alliance district any increase in funds received over the amount  
95 the town received for the fiscal year ending June 30, 2012, pursuant to  
96 subsection (a) of section 10-262i. [(C)] (iii) For the fiscal year ending June  
97 30, 2017, the Comptroller shall withhold from a town designated as an  
98 alliance district any increase in funds received over the amount the town  
99 received for the fiscal year ending June 30, 2012, pursuant to subsection  
100 (a) of section 10-262i, minus the aid reduction, as described in subsection  
101 (d) of section 10-262i. [(D)] (iv) For the fiscal year ending June 30, 2018,  
102 and each fiscal year thereafter, the Comptroller shall withhold from a  
103 town designated as an alliance district any increase in funds received  
104 over the amount the town received for the fiscal year ending June 30,  
105 2012, pursuant to subsection (a) of section 10-262i. The Comptroller shall  
106 transfer such funds to the Commissioner of Education.

107 (B) (i) For the fiscal year ending June 30, 2023, the Comptroller shall  
108 withhold from a town designated as a graduated alliance district an  
109 amount equal to the amount the Comptroller withheld from such  
110 graduated alliance during the fiscal year ending June 30, 2022, pursuant  
111 to clause (iv) of subparagraph (A) of this subdivision. (ii) For the fiscal

112 year ending June 30, 2024, the Comptroller shall withhold from a town  
113 designated as a graduated alliance district an amount equal to seventy-  
114 five per cent of the amount the Comptroller withheld from such  
115 graduated alliance during the fiscal year ending June 30, 2022, pursuant  
116 to clause (iv) of subparagraph (A) of this subdivision. (iii) For the fiscal  
117 year ending June 30, 2025, the Comptroller shall withhold from a town  
118 designated as a graduated alliance district an amount equal to fifty per  
119 cent of the amount the Comptroller withheld from such graduated  
120 alliance during the fiscal year ending June 30, 2022, pursuant to clause  
121 (iv) of subparagraph (A) of this subdivision. (iv) For the fiscal year  
122 ending June 30, 2026, the Comptroller shall withhold from a town  
123 designated as a graduated alliance district an amount equal to twenty-  
124 five per cent of the amount the Comptroller withheld from such  
125 graduated alliance during the fiscal year ending June 30, 2022, pursuant  
126 to clause (iv) of subparagraph (A) of this subdivision. (v) For the fiscal  
127 year ending June 30, 2027, the Comptroller shall not withhold any such  
128 amount from a town designated as a graduated alliance district. The  
129 Comptroller shall transfer any funds withheld to the Commissioner of  
130 Education. The Commissioner of Education may pay any such funds to  
131 each such town designated as a graduated alliance district and such  
132 town shall pay any such funds to the local or regional board of education  
133 for such town upon receipt of an application, at such time and in such  
134 manner as the commissioner prescribes.

135 (2) Upon receipt of an application pursuant to subsection (d) of this  
136 section or section 10-156gg, the Commissioner of Education may pay  
137 such funds to the town designated as an alliance district and such town  
138 shall pay all such funds to the local or regional board of education for  
139 such town on the condition that such funds shall be expended in  
140 accordance with (A) the plan described in subsection (d) of this section,  
141 (B) the minority candidate certification, retention or residency year  
142 program pursuant to section 10-156gg, (C) the provisions of subsection  
143 (c) of section 10-262i, and (D) any guidelines developed by the State  
144 Board of Education for such funds. Such funds shall be used to improve  
145 student achievement and recruit and retain minority teachers in such  
146 alliance district and to offset any other local education costs approved

147 by the commissioner.

148 Sec. 3. Subsection (c) of section 10-262j of the 2022 supplement to the  
149 general statutes is repealed and the following is substituted in lieu  
150 thereof (*Effective July 1, 2022*):

151 (c) Except as otherwise provided under the provisions of subsections  
152 (g) and (h) of this section, a town designated as an alliance district or a  
153 graduated alliance district, as those terms are defined in section 10-262u,  
154 as amended by this act, shall not reduce its budgeted appropriation for  
155 education pursuant to this section.

156 Sec. 4. Section 10-262h of the 2022 supplement to the general statutes  
157 is repealed and the following is substituted in lieu thereof (*Effective July*  
158 *1, 2022*):

159 (a) For the fiscal year ending June 30, 2018, each town maintaining  
160 public schools according to law shall be entitled to an equalization aid  
161 grant as follows: (1) Any town designated as an alliance district, as  
162 defined in section 10-262u, as amended by this act, shall be entitled to  
163 an equalization aid grant in an amount equal to its base grant amount;  
164 and (2) any town not designated as an alliance district shall be entitled  
165 to an equalization aid grant in an amount equal to ninety-five per cent  
166 of its base grant amount.

167 (b) For the fiscal year ending June 30, 2019, each town maintaining  
168 public schools according to law shall be entitled to an equalization aid  
169 grant as follows: (1) Any town whose fully funded grant is greater than  
170 its base grant amount shall be entitled to an equalization aid grant in an  
171 amount equal to its base grant amount plus four and one-tenth per cent  
172 of its grant adjustment; and (2) any town whose fully funded grant is  
173 less than its base grant amount shall be entitled to an equalization aid  
174 grant in an amount equal to its base grant amount minus twenty-five  
175 per cent of its grant adjustment, except any such town designated as an  
176 alliance district shall be entitled to an equalization aid grant in an  
177 amount equal to its base grant amount.

178 (c) For the fiscal years ending June 30, 2020, and June 30, 2021, each  
179 town maintaining public schools according to law shall be entitled to an  
180 equalization aid grant as follows: (1) Any town whose fully funded  
181 grant is greater than its base grant amount shall be entitled to an  
182 equalization aid grant in an amount equal to its equalization aid grant  
183 amount for the previous fiscal year plus ten and sixty-six-one-  
184 hundredths per cent of its grant adjustment; and (2) any town whose  
185 fully funded grant is less than its base grant amount shall be entitled to  
186 an equalization aid grant in an amount equal to its equalization aid  
187 grant amount for the previous fiscal year minus eight and thirty-three-  
188 one-hundredths per cent of its grant adjustment, except any such town  
189 designated as an alliance district shall be entitled to an equalization aid  
190 grant in an amount equal to its base grant amount.

191 (d) For the fiscal [years] year ending June 30, 2022, [and June 30, 2023,]  
192 each town maintaining public schools according to law shall be entitled  
193 to an equalization aid grant as follows: (1) Any town whose fully funded  
194 grant is greater than its base grant amount shall be entitled to an  
195 equalization aid grant in an amount equal to its equalization aid grant  
196 amount for the previous fiscal year plus ten and sixty-six-one-  
197 hundredths per cent of its grant adjustment; and (2) any town whose  
198 fully funded grant is less than its base grant amount shall be entitled to  
199 an equalization aid grant in an amount equal to the amount the town  
200 was entitled to for the fiscal year ending June 30, 2021.

201 [(e) For the fiscal years ending June 30, 2024, to June 30, 2027,  
202 inclusive, each town maintaining public schools according to law shall  
203 be entitled to an equalization aid grant as follows: (1) Any town whose  
204 fully funded grant is greater than its base grant amount shall be entitled  
205 to an equalization aid grant in an amount equal to its equalization aid  
206 grant amount for the previous fiscal year plus ten and sixty-six-one-  
207 hundredths per cent of its grant adjustment; and (2) any town whose  
208 fully funded grant is less than its base grant amount shall be entitled to  
209 an equalization aid grant in an amount equal to its equalization aid  
210 grant amount for the previous fiscal year minus eight and thirty-three-  
211 one-hundredths per cent of its grant adjustment, except any such town

212 designated as an alliance district shall be entitled to an equalization aid  
213 grant in an amount equal to its base grant amount.]

214 (e) For the fiscal year ending June 30, 2023, each town maintaining  
215 public schools according to law shall be entitled to an equalization aid  
216 grant as follows: (1) Any town whose fully funded grant is greater than  
217 its equalization aid grant amount for the previous fiscal year shall be  
218 entitled to an equalization aid grant in an amount equal to its  
219 equalization aid grant amount for the previous fiscal year plus sixteen  
220 and sixty-seven-one-hundredths per cent of its grant adjustment; and  
221 (2) any town whose fully funded grant is less than its equalization aid  
222 grant amount for the previous fiscal year shall be entitled to an  
223 equalization aid grant in an amount equal to the amount the town was  
224 entitled to for the fiscal year ending June 30, 2022.

225 (f) For the fiscal year ending June 30, 2024, each town maintaining  
226 public schools according to law shall be entitled to an equalization aid  
227 grant as follows: (1) Any town whose fully funded grant is greater than  
228 its equalization aid grant amount for the previous fiscal year shall be  
229 entitled to an equalization aid grant in an amount equal to its  
230 equalization aid grant amount for the previous fiscal year plus twenty  
231 per cent of its grant adjustment; (2) any town whose fully funded grant  
232 is less than its equalization aid grant amount for the previous fiscal year  
233 shall be entitled to an equalization aid grant in an amount equal to its  
234 equalization aid grant amount for the previous fiscal year minus  
235 fourteen and twenty-nine-one-hundredths per cent of its grant  
236 adjustment; and (3) any town designated as an alliance district or a  
237 graduated alliance district shall be entitled to an equalization aid grant  
238 in an amount that is the greater of (A) the amount described in either  
239 subdivision (1) of this subsection or subdivision (2) of this subsection, as  
240 applicable, (B) its base grant amount, or (C) its equalization aid grant  
241 entitlement for the previous fiscal year.

242 (g) For the fiscal year ending June 30, 2025, each town maintaining  
243 public schools according to law shall be entitled to an equalization aid  
244 grant as follows: (1) Any town whose fully funded grant is greater than



245 its equalization aid grant amount for the previous fiscal year shall be  
246 entitled to an equalization aid grant in an amount equal to its  
247 equalization aid grant amount for the previous fiscal year plus twenty-  
248 five per cent of its grant adjustment; (2) any town whose fully funded  
249 grant is less than its equalization aid grant amount for the previous fiscal  
250 year shall be entitled to an equalization aid grant in an amount equal to  
251 its equalization aid grant amount for the previous fiscal year minus  
252 sixteen and sixty-seven-one-hundredths per cent of its grant  
253 adjustment; and (3) any town designated as an alliance district or a  
254 graduated alliance district shall be entitled to an equalization aid grant  
255 in an amount that is the greater of (A) the amount described in either  
256 subdivision (1) of this subsection or subdivision (2) of this subsection, as  
257 applicable, (B) its base grant amount, or (C) its equalization aid grant  
258 entitlement for the previous fiscal year.

259 (h) For the fiscal year ending June 30, 2026, each town maintaining  
260 public schools according to law shall be entitled to an equalization aid  
261 grant as follows: (1) Any town whose fully funded grant is greater than  
262 its equalization aid grant amount for the previous fiscal year shall be  
263 entitled to an equalization aid grant in an amount equal to its  
264 equalization aid grant amount for the previous fiscal year plus thirty-  
265 three and thirty-three-one-hundredths per cent of its grant adjustment;  
266 (2) any town whose fully funded grant is less than its equalization aid  
267 grant amount for the previous fiscal year shall be entitled to an  
268 equalization aid grant in an amount equal to its equalization aid grant  
269 amount for the previous fiscal year minus twenty per cent of its grant  
270 adjustment; and (3) any town designated as an alliance district or a  
271 graduated alliance district shall be entitled to an equalization aid grant  
272 in an amount that is the greater of (A) the amount described in either  
273 subdivision (1) of this subsection or subdivision (2) of this subsection, as  
274 applicable, (B) its base grant amount, or (C) its equalization aid grant  
275 entitlement for the previous fiscal year.

276 (i) For the fiscal year ending June 30, 2027, each town maintaining  
277 public schools according to law shall be entitled to an equalization aid  
278 grant as follows: (1) Any town whose fully funded grant is greater than

279 its equalization aid grant amount for the previous fiscal year shall be  
280 entitled to an equalization aid grant in an amount equal to its  
281 equalization aid grant amount for the previous fiscal year plus fifty per  
282 cent of its grant adjustment; (2) any town whose fully funded grant is  
283 less than its equalization aid grant amount for the previous fiscal year  
284 shall be entitled to an equalization aid grant in an amount equal to its  
285 equalization aid grant amount for the previous fiscal year minus  
286 twenty-five per cent of its grant adjustment; and (3) any town  
287 designated as an alliance district or a graduated alliance district shall be  
288 entitled to an equalization aid grant in an amount that is the greater of  
289 (A) the amount described in either subdivision (1) of this subsection or  
290 subdivision (2) of this subsection, as applicable, (B) its base grant  
291 amount, or (C) its equalization aid grant entitlement for the previous  
292 fiscal year.

293 (j) For the fiscal year ending June 30, 2028, each town maintaining  
294 public schools according to law shall be entitled to an equalization aid  
295 grant as follows: (1) Any town whose fully funded grant is greater than  
296 its equalization aid grant amount for the previous fiscal year shall be  
297 entitled to an equalization aid grant in an amount equal to its fully  
298 funded grant; (2) any town whose fully funded grant is less than its  
299 equalization aid grant amount for the previous fiscal year shall be  
300 entitled to an equalization aid grant in an amount equal to its  
301 equalization aid grant amount for the previous fiscal year minus thirty-  
302 three and thirty-three-one-hundredths per cent of its grant adjustment;  
303 and (3) any town designated as an alliance district or a graduated  
304 alliance district shall be entitled to an equalization aid grant in an  
305 amount that is the greater of (A) the amount described in either  
306 subdivision (1) of this subsection or subdivision (2) of this subsection, as  
307 applicable, (B) its base grant amount, or (C) its equalization aid grant  
308 entitlement for the previous fiscal year.

309 [(f)] (k) For the fiscal [years ending June 30, 2028, and] year ending  
310 June 30, 2029, each town maintaining public schools according to law  
311 shall be entitled to an equalization aid grant as follows: (1) Any town  
312 whose fully funded grant is greater than its [base grant amount]

313 equalization aid grant amount for the previous fiscal year shall be  
314 entitled to an equalization aid grant in an amount equal to its fully  
315 funded grant; [and] (2) any town whose fully funded grant is less than  
316 its [base grant amount] equalization aid grant amount for the previous  
317 fiscal year shall be entitled to an equalization aid grant in an amount  
318 equal to its equalization aid grant amount for the previous fiscal year  
319 minus [eight and thirty-three-one-hundredths] fifty per cent of its grant  
320 adjustment; [, except any such town designated as an alliance district  
321 shall be entitled to an equalization aid grant in an amount equal to its  
322 base grant amount] and (3) any town designated as an alliance district  
323 or a graduated alliance district shall be entitled to an equalization aid  
324 grant in an amount that is the greater of (A) the amount described in  
325 either subdivision (1) of this subsection or subdivision (2) of this  
326 subsection, as applicable, (B) its base grant amount, or (C) its  
327 equalization aid grant entitlement for the previous fiscal year.

328 [(g)] (1) For the fiscal year ending June 30, 2030, and each fiscal year  
329 thereafter, each town maintaining public schools according to law shall  
330 be entitled to an equalization aid grant in an amount equal to its fully  
331 funded grant, except any town designated as an alliance district [whose  
332 fully funded grant amount is less than its base grant amount shall be  
333 entitled to an equalization aid grant in an amount equal to its base grant  
334 amount] or a graduated alliance district shall be entitled to an  
335 equalization aid grant in an amount that is the greater of (1) its fully  
336 funded grant, (2) its base grant amount, or (3) its equalization aid grant  
337 entitlement for the previous fiscal year.

338 Sec. 5. Subdivision (2) of section 10-262f of the 2022 supplement to the  
339 general statutes is repealed and the following is substituted in lieu  
340 thereof (*Effective July 1, 2022*):

341 (2) "Base aid ratio" means [(A) for the fiscal years ending June 30,  
342 2008, to June 30, 2013, inclusive, one minus the ratio of a town's wealth  
343 to the state guaranteed wealth level, provided no town's aid ratio shall  
344 be less than nine one-hundredths, except for towns which rank from one  
345 to twenty when all towns are ranked in descending order from one to

346 one hundred sixty-nine based on the ratio of the number of children  
347 below poverty to the number of children age five to seventeen, inclusive,  
348 the town's aid ratio shall not be less than thirteen one-hundredths when  
349 based on data used to determine the grants pursuant to section 10-262h  
350 of the general statutes, revision of 1958, revised to January 1, 2013, for  
351 the fiscal year ending June 30, 2008, (B) for the fiscal years ending June  
352 30, 2014, to June 30, 2017, inclusive, one minus the town's wealth  
353 adjustment factor, except that a town's aid ratio shall not be less than (i)  
354 ten one-hundredths for a town designated as an alliance district, as  
355 defined in section 10-262u, and (ii) two one-hundredths for a town that  
356 is not designated as an alliance district, and (C)] for the fiscal year  
357 ending June 30, 2018, and each fiscal year thereafter, the sum of [(i)] (A)  
358 one minus the town's wealth adjustment factor, and [(ii)] (B) the town's  
359 base aid ratio adjustment factor, if any, except that a town's base aid  
360 ratio shall not be less than [(I)] (i) ten per cent for a town designated as  
361 an alliance district, as defined in section 10-262u, as amended by this act,  
362 or a priority school district, as described in section 10-266p, and [(II)] (ii)  
363 one per cent for a town that is not designated as an alliance district or a  
364 priority school district.

365 Sec. 6. Subdivision (49) of section 10-262f of the 2022 supplement to  
366 the general statutes is repealed and the following is substituted in lieu  
367 thereof (*Effective July 1, 2022*):

368 (49) "Grant adjustment" means the absolute value of the difference  
369 between a town's [base grant amount] equalization aid grant  
370 entitlement for the previous fiscal year and its fully funded grant.

371 Sec. 7. Subsection (b) of section 10-9 of the general statutes is repealed  
372 and the following is substituted in lieu thereof (*Effective July 1, 2022*):

373 (b) Notwithstanding the provisions of subsection (a) of this section,  
374 the State Board of Education may receive in the name of the state any  
375 money or property given or bequeathed to the State Board of Education,  
376 [or to any of the technical education and career schools.] Said board shall  
377 transfer any such money to the State Treasurer who shall invest the  
378 money in accordance with the provisions of section 3-31a. Said board

379 may use any such property for educational purposes.

380 Sec. 8. Section 10-55 of the general statutes is repealed and the  
381 following is substituted in lieu thereof (*Effective July 1, 2022*):

382 No pupil from any town belonging to a regional school district shall,  
383 at the expense of such town, attend any other school in lieu of that  
384 provided by said district except a technical education and career school  
385 operated by the Technical Education and Career System established  
386 pursuant to section 10-95 approved by the State Board of Education,  
387 unless his attendance at such other school is approved by the regional  
388 board of education.

389 Sec. 9. Subsection (c) of section 10-74d of the general statutes is  
390 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
391 *2022*):

392 (c) The Department of Education may retain (1) up to one per cent of  
393 the amount appropriated for interdistrict cooperative grants pursuant  
394 to this section for state-wide technical assistance, program monitoring  
395 and evaluation, and administration, and (2) up to one per cent of such  
396 amount for use by the Technical [High School] Education and Career  
397 System for interdistrict summer school, weekend and after-school  
398 programs.

399 Sec. 10. Subsection (a) of section 10-76q of the 2022 supplement to the  
400 general statutes is repealed and the following is substituted in lieu  
401 thereof (*Effective July 1, 2022*):

402 (a) The [State Board of Education, in accordance with regulations  
403 adopted by said board] Technical Education and Career System,  
404 established pursuant to section 10-95, shall: (1) Provide the professional  
405 services necessary to identify, in accordance with section 10-76a,  
406 children requiring special education who are enrolled at a technical  
407 education and career school; (2) identify each such child; (3) determine  
408 the appropriateness of the technical education and career school for the  
409 educational needs of each such child; (4) provide an appropriate

410 educational program for each such child; (5) maintain a record thereof;  
411 and (6) annually evaluate the progress and accomplishments of special  
412 education programs provided by the Technical Education and Career  
413 System.

414 Sec. 11. Section 10-95a of the general statutes is repealed and the  
415 following is substituted in lieu thereof (*Effective July 1, 2022*):

416 [The State Board of Education shall establish] There shall be a student  
417 activity program established at each technical education and career  
418 school. Such programs shall consist of athletic and nonathletic activities.  
419 State funds may be expended for the purposes of this section.

420 Sec. 12. Section 10-95e of the general statutes is repealed and the  
421 following is substituted in lieu thereof (*Effective July 1, 2022*):

422 (a) The [State Board of Education shall] executive director of the  
423 Technical Education and Career System shall take the necessary steps to  
424 establish a Vocational Education Extension Fund. Within said  
425 Vocational Education Extension Fund, there is established an account to  
426 be known as the "vocational education extension account". The  
427 Vocational Education Extension Fund may include other accounts  
428 separate and apart from the vocational education extension account.  
429 The vocational education extension account shall be used for the  
430 operation of preparatory and supplemental programs, including  
431 apprenticeship programs in accordance with subsection (b) of this  
432 section, and for the purchase of such materials and equipment required  
433 for use in the operation of said programs. All proceeds derived from the  
434 operation of said programs and revenue collected for rental or use of  
435 school facilities shall be credited to and become a part of the resources  
436 of said vocational education extension account, except as provided in  
437 subsection (b) of this section. All direct expenses incurred in the conduct  
438 of said programs shall be charged, and any payments of interest and  
439 principal of bonds or any sums transferable to any fund for the payment  
440 of interest and principal of bonds and any cost of equipment for such  
441 operations may be charged, against said vocational education extension  
442 account on order of the State Comptroller. Any balance of receipts above

443 expenditures shall remain in said vocational education extension  
444 account to be used for said program and for the acquisition, as provided  
445 by section 4b-21, alteration and repairs of real property for educational  
446 facilities for such programs, except such sums as may be required to be  
447 transferred from time to time to any fund for the redemption of bonds  
448 and payment of interest on bonds, provided capital projects costing over  
449 one hundred thousand dollars shall require the approval of the General  
450 Assembly or, when the General Assembly is not in session, of the  
451 Finance Advisory Committee. The Technical Education and Career  
452 System board shall fix the tuition fees to be charged students for  
453 preparatory and supplemental programs including apprenticeship  
454 programs. Not less than half of the tuition fee charged for any  
455 apprenticeship program shall be paid by the employer.

456 (b) The [State Board of Education shall] executive director shall take  
457 the necessary steps to establish an apprenticeship account within the  
458 Vocational Education Extension Fund. All proceeds derived from the  
459 operation of apprenticeship programs shall be deposited in the  
460 Vocational Education Extension Fund and shall be credited to and  
461 become a part of the resources of the apprenticeship account which shall  
462 be used for the operation of apprenticeship programs and for the  
463 purchase of materials and equipment required for such programs.

464 Sec. 13. Section 10-95h of the 2022 supplement to the general statutes  
465 is repealed and the following is substituted in lieu thereof (*Effective July*  
466 *1, 2022*):

467 (a) Not later than November thirtieth each year, the joint standing  
468 committees of the General Assembly having cognizance of matters  
469 relating to education, higher education and employment advancement  
470 and labor shall meet with the chairperson of the Technical Education  
471 and Career System board, [and] the superintendent of the Technical  
472 Education and Career System, the executive director of the Technical  
473 Education and Career System, the Labor Commissioner and such other  
474 persons as they deem appropriate to consider the items submitted  
475 pursuant to subsection (b) of this section.

476 (b) On or before November fifteenth, annually:

477 (1) The Labor Commissioner shall submit the following to the joint  
478 standing committees of the General Assembly having cognizance of  
479 matters relating to education, higher education and employment  
480 advancement and labor: (A) Information identifying general economic  
481 trends in the state; (B) occupational information regarding the public  
482 and private sectors, such as continuous data on occupational  
483 movements; and (C) information identifying emerging regional, state  
484 and national workforce needs over the next ten years.

485 (2) The [superintendent] executive director of the Technical  
486 Education and Career System shall submit the following to the joint  
487 standing committees of the General Assembly having cognizance of  
488 matters relating to education, higher education and employment  
489 advancement and labor: (A) Information ensuring that the curriculum  
490 of the Technical Education and Career System is incorporating those  
491 workforce skills that will be needed for the next ten years, as identified  
492 by the Labor Commissioner in subdivision (1) of this subsection, into the  
493 technical education and career schools; (B) information regarding the  
494 employment status of students who graduate from or complete an  
495 approved program of study at the Technical Education and Career  
496 System, including, but not limited to: (i) Demographics such as age and  
497 gender, (ii) course and program enrollment and completion, (iii)  
498 employment status, and (iv) wages prior to enrolling and after  
499 graduating; (C) an assessment of the adequacy of the resources available  
500 to the Technical Education and Career System as the system develops  
501 and refines programs to meet existing and emerging workforce needs;  
502 (D) recommendations to the Technical Education and Career System  
503 board to carry out the provisions of subparagraphs (A) to (C), inclusive,  
504 of this subdivision; (E) information regarding staffing at each technical  
505 education and career school for the current academic year; and (F)  
506 information regarding the transition process of the Technical Education  
507 and Career System as an independent agency, including, but not limited  
508 to, the actions taken by the Technical Education and Career System  
509 board and the [superintendent] executive director to create a budget



510 process and maintain programmatic consistency for students enrolled  
511 in the technical education and career system. The [superintendent]  
512 executive director shall collaborate with the Labor Commissioner to  
513 obtain information as needed to carry out the provisions of this  
514 subsection.

515 Sec. 14. Section 10-95j of the general statutes is repealed and the  
516 following is substituted in lieu thereof (*Effective July 1, 2022*):

517 The [State Board of Education] Technical Education and Career  
518 System board shall include in the report required pursuant to section  
519 10-95k, a summary of the following:

520 (1) Admissions policies for the Technical Education and Career  
521 System;

522 (2) Recruitment and retention of faculty;

523 (3) Efforts to strengthen consideration of the needs of and to develop  
524 greater public awareness of the Technical Education and Career System;  
525 and

526 (4) Efforts to strengthen the role of [school craft committees] career  
527 and technical education advisory committees and increase employer  
528 participation.

529 Sec. 15. Section 10-95l of the general statutes is repealed and the  
530 following is substituted in lieu thereof (*Effective July 1, 2022*):

531 The [Department of Education] superintendent of the Technical  
532 Education and Career System shall provide in-service training  
533 programs, in accordance with subsection (a) of section 10-220a, for the  
534 teachers, administrators and pupil personnel employed in the  
535 [Technical Education and Career System] system who hold the initial  
536 educator, provisional educator or professional educator certificate. In  
537 addition, the [department] system shall provide programs to enhance  
538 the knowledge and skill level of such teachers in their vocational or  
539 technical field.

540 Sec. 16. Section 10-95o of the general statutes is repealed and the  
541 following is substituted in lieu thereof (*Effective July 1, 2022*):

542 (a) (1) The [State Board of Education] executive director of the  
543 Technical Education and Career System shall not close or suspend  
544 operations of any technical education and career school for more than  
545 six months unless the Technical Education and Career System board (A)  
546 holds a public hearing at the school that may be closed or whose  
547 operations may be suspended, (B) develops and makes available a  
548 comprehensive plan for such school in accordance with the provisions  
549 of subsection (b) of this section, and (C) affirmatively votes to  
550 recommend that the executive director close or suspend operations at a  
551 meeting duly called. Such public hearing shall be held after normal  
552 school hours and at least thirty days prior to any vote of the board  
553 pursuant to subparagraph (C) of this subdivision. The executive director  
554 may close or suspend operations following receipt of the  
555 recommendation from the board.

556 (2) The [board] executive director shall not extend the closure or  
557 suspension of operations of a technical education and career school  
558 beyond the period set forth in the comprehensive plan described in  
559 subsection (b) of this section unless the board (A) holds another public  
560 hearing at a location in the town in which the school is located, after  
561 normal school hours and at least thirty days prior to any vote of the  
562 board [pursuant to subparagraph (C) of this subdivision] to recommend  
563 that the executive director extend such closure or suspension of  
564 operations, (B) develops and makes available a new comprehensive  
565 plan for such school in accordance with the provisions of subsection (b)  
566 of this section, and (C) affirmatively votes to recommend that the  
567 executive director extend such closure or suspension of [school]  
568 operations at a meeting duly called.

569 (b) The [State Board of Education] executive director shall develop a  
570 comprehensive plan regarding the closure or suspension of operations  
571 of any technical education and career school prior to the public hearing  
572 described in subsection (a) of this section. Such comprehensive plan

573 shall include, but not be limited to, (1) an explanation of the reasons for  
574 the school closure or suspension of operations, including a cost-benefit  
575 analysis of such school closing or suspension of operations, (2) the  
576 length of the school closure or suspension of operations, (3) the financial  
577 plan for the school during the closure or suspension of operations,  
578 including, but not limited to, the costs of such school closure or  
579 suspension of operations, (4) a description of the transitional phase to  
580 school closure or suspension of operations and a description of the  
581 transitional phase to reopening the school, (5) an explanation of what  
582 will happen to students currently enrolled at such school during the  
583 school closure or suspension of operations, including, but not limited to,  
584 available technical education and career schools for such students to  
585 attend and transportation for such students to such schools, (6) an  
586 explanation of what will happen to school personnel during the school  
587 closure or suspension of operations, including, but not limited to,  
588 employment at other schools, and (7) an explanation of how the school  
589 building and property will be used during the school closure or  
590 suspension of operations. The [State Board of Education] executive  
591 director shall provide for the mailing of such comprehensive plan to  
592 parents and guardians of students enrolled at the school and to school  
593 personnel employed at such school, and make such comprehensive plan  
594 available on the school's web site at least fourteen days prior to the  
595 public hearing described in subsection (a) of this section.

596 (c) The [State Board of Education] Technical Education and Career  
597 System shall be responsible for transporting any student enrolled in a  
598 technical education and career school that is closed or whose operations  
599 are suspended pursuant to this section to another technical education  
600 and career school during such period of closure or suspension of  
601 operations, and the board shall be responsible for the costs associated  
602 with such transportation.

603 Sec. 17. Section 10-95q of the general statutes is repealed and the  
604 following is substituted in lieu thereof (*Effective July 1, 2022*):

605 [(a) (1) On or after July 1, 2017, until June 30, 2023, the Technical

606 Education and Career System board may recommend a candidate for  
607 superintendent of the Technical Education and Career System to the  
608 Commissioner of Education. The commissioner may hire or reject any  
609 candidate for superintendent recommended by the board. If the  
610 commissioner rejects a candidate for superintendent, the board shall  
611 recommend another candidate for superintendent to the commissioner.  
612 The term of office of the superintendent hired under this subdivision  
613 shall expire on June 30, 2023.]

614 [(2)] (a) (1) On and after July 1, [2023] 2022, the Technical Education  
615 and Career System board shall recommend a candidate for  
616 superintendent of the Technical Education and Career System to the  
617 executive director of the Technical Education and Career System. The  
618 executive director may hire or reject any candidate for superintendent  
619 recommended by the board. If the executive director rejects a candidate  
620 for superintendent, the board shall recommend another candidate for  
621 superintendent to the executive director until the executive director  
622 hires a candidate for superintendent.

623 (2) The term of office of the superintendent [hired under this  
624 subdivision] shall be three years and may be extended by the executive  
625 director, after consultation with the Technical Education and Career  
626 System board regarding such extension, for no more than three years at  
627 any one time.

628 (3) (A) No candidate may be hired as, or assume the duties and  
629 responsibilities of, the superintendent until the executive director  
630 receives written confirmation from the Commissioner of Education that  
631 such candidate is properly certified under chapter 166 or has been  
632 granted a waiver of certification by the commissioner pursuant to  
633 subsection (c) of section 10-157.

634 (B) The board may recommend, and the executive director may hire,  
635 a candidate who is not properly certified under chapter 166 to serve as  
636 acting superintendent for a probationary period not to exceed one  
637 school year, provided the executive director receives approval from the  
638 Commissioner of Education. During such probationary period such

639 acting superintendent shall assume all duties of the superintendent for  
640 the time specified and shall successfully complete a school leadership  
641 program, approved by the State Board of Education, offered at a public  
642 or private institution of higher education in the state. At the conclusion  
643 of such probationary period, the executive director may request the  
644 commissioner to grant a waiver of certification for such acting  
645 superintendent pursuant to subsection (c) of section 10-157, or a one-  
646 time extension of such probationary period, not to exceed one additional  
647 school year, if the commissioner determines that the executive director  
648 has demonstrated a significant need or hardship for such extension.

649 (b) (1) The superintendent of the Technical Education and Career  
650 System shall be responsible for the operation, supervision and  
651 administration of the technical education and career schools and all  
652 other matters relating to vocational, technical, technological and  
653 postsecondary education in the system. The superintendent, in  
654 consultation with the executive director, shall develop and revise, as  
655 necessary, administrative policies for the operation of the technical  
656 education and career schools and programs offered in the system. Any  
657 such administrative policies developed or revised under this  
658 subdivision shall not be deemed to be regulations, as defined in section  
659 4-166.

660 (2) The executive director, in consultation with the board, shall  
661 evaluate, at least annually, the performance of the superintendent in  
662 accordance with guidelines and criteria established by the executive  
663 director and the board.

664 Sec. 18. Subsection (a) of section 10-95r of the general statutes is  
665 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
666 *2022*):

667 (a) The Technical Education and Career System shall be under the  
668 direction of the executive director of the Technical Education and Career  
669 System, whose appointment shall be made by the Governor. Such  
670 appointment shall be in accordance with the provisions of sections 4-5  
671 to 4-8, inclusive. Any person appointed to be the executive director shall

672 have experience with educational systems. The executive director of the  
673 Technical Education and Career System shall be responsible for the  
674 operation, supervision and administration and the financial  
675 accountability and oversight of the Technical Education and Career  
676 System in matters relating to the central office, system-wide  
677 management and other noneducational matters. The executive director  
678 shall organize the Technical Education and Career System into such  
679 bureaus, divisions and other units as may be necessary for the efficient  
680 conduct of the business of the system, and may, from time to time,  
681 create, abolish, transfer or consolidate within the system any bureau,  
682 division or other unit as may be necessary for the efficient conduct of  
683 the business of the system. The executive director may appoint, and may  
684 prescribe the duties of any subordinates, agents and employees as he or  
685 she finds necessary in the conduct of the system.

686 Sec. 19. Subsection (e) of section 10-95r of the general statutes is  
687 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
688 *2022*):

689 (e) The executive director shall [establish] ensure that the  
690 superintendent of the Technical Education and Career System  
691 establishes a master schedule for the Technical Education and Career  
692 System and may amend such master schedule from time to time.

693 Sec. 20. Section 10-95s of the 2022 supplement to the general statutes  
694 is repealed and the following is substituted in lieu thereof (*Effective July*  
695 *1, 2022*):

696 (a) The Technical Education and Career System shall be advised by a  
697 Technical Education and Career System board. The board shall consist  
698 of eleven members [and shall include at least the following,] as follows:  
699 (1) [two] Two members [with] appointed by the Governor who shall  
700 have experience in manufacturing or a trade offered by the Technical  
701 Education and Career System, or who are alumni of the system, (2) two  
702 members appointed by the Governor who are executives of  
703 Connecticut-based employers and who [shall be] have been nominated  
704 by the Governor's Workforce Council, established pursuant to section

705 31-3h, [ The Commissioners] (3) the Commissioner of Education, [and]  
706 or the commissioner's designee, (4) the Commissioner of Economic and  
707 Community Development, or the commissioner's designee, (5) the  
708 Labor Commissioner, [and] or the commissioner's designee, (6) the  
709 Chief Workforce Officer, or [their respective designees, shall serve as ex-  
710 officio members of the board] the officer's designee, and (7) three  
711 members appointed by the Governor. Members of the board [shall be]  
712 appointed by the Governor shall be so appointed with the advice and  
713 consent of the General Assembly, in accordance with the provisions of  
714 section 4-7. Any vacancy shall be filled in the manner provided in  
715 section 4-19. The Governor shall appoint the chairperson and may  
716 remove a member for inefficiency, neglect of duty or misconduct in  
717 office. Members of the board shall not be employees of the Technical  
718 Education and Career System.

719 (b) The board shall advise the superintendent of the Technical  
720 Education and Career System and the executive director of the Technical  
721 Education and Career System on matters relating to vocational,  
722 technical, technological and postsecondary education and training. The  
723 board may create any advisory boards or appoint any committees as it  
724 deems necessary for the efficient conduct of its business. The executive  
725 director, in conjunction with the superintendent, may arrange for  
726 training to be provided to the board at such times, and on such matters,  
727 as are deemed appropriate to assist the board in the conduct of its  
728 business.

729 (c) The board may recommend to the executive director and  
730 superintendent policies to attract and retain students who will pursue  
731 careers that meet workforce needs and govern the admission of students  
732 to any technical education and career school in compliance with state  
733 and federal law.

734 (d) The board shall establish specific achievement goals for students  
735 at the technical education and career schools at each grade level. The  
736 board shall measure the performance of each technical education and  
737 career school and shall identify a set of quantifiable measures to be used.

738 The measures shall include factors such as the performance of students  
739 [in grade ten or eleven on the mastery examination, under section 10-  
740 14n] on standardized academic assessments, trade-related assessment  
741 tests, dropout rates and graduation rates.

742 Sec. 21. Section 10-96c of the general statutes is repealed and the  
743 following is substituted in lieu thereof (*Effective July 1, 2022*):

744 The [Commissioner of Education] executive director of the Technical  
745 Education and Career System may indemnify and hold harmless any  
746 person, as defined in section 1-79, who makes a gift of tangible property  
747 or properties with a fair market value in excess of one thousand dollars  
748 to [the Department of Education or] the Technical Education and Career  
749 System for instructional purposes. Any indemnification under this  
750 section shall be solely for any damages caused as a result of the use of  
751 such tangible property, provided there shall be no indemnification for  
752 any liability resulting from (1) intentional or wilful misconduct by the  
753 person providing such tangible property to the department or the  
754 Technical Education and Career System, or (2) hidden defects in such  
755 tangible property that are known to and not disclosed by the person  
756 providing such tangible property to the department or the Technical  
757 Education and Career System at the time the gift is made.

758 Sec. 22. Section 10-97a of the general statutes is repealed and the  
759 following is substituted in lieu thereof (*Effective July 1, 2022*):

760 [On or before July 15, 2010, and annually thereafter, the State Board  
761 of Education] The superintendent of the Technical Education and  
762 Career System shall arrange for the annual inspection, in accordance  
763 with the provisions of section 14-282a, of those school buses, as defined  
764 in section 14-275, in operation in the Technical Education and Career  
765 System.

766 Sec. 23. Section 10-97b of the general statutes is repealed and the  
767 following is substituted in lieu thereof (*Effective July 1, 2022*):

768 (a) [On and after July 1, 2010, the State Board of Education] The



769 executive director of the Technical Education and Career System shall  
770 take the necessary steps to replace any school bus that (1) is twelve years  
771 or older and is in service at any technical education and career school,  
772 or (2) has been subject to an out-of-service order, as defined in section  
773 14-1, for two consecutive years for the same reason.

774 (b) [On or before July 1, 2011, and annually thereafter, the  
775 superintendent] The executive director of the Technical Education and  
776 Career System shall annually submit, in accordance with the provisions  
777 of section 11-4a, to the Secretary of the Office of Policy and Management  
778 and to the joint standing committees of the General Assembly having  
779 cognizance of matters relating to education and finance, revenue and  
780 bonding a report on the replacement of school buses in service in the  
781 Technical Education and Career System, pursuant to subsection (a) of  
782 this section. Such report shall include the number of school buses  
783 replaced in the previous school year and a projection of the number of  
784 school buses anticipated to be replaced in the upcoming school year.

785 Sec. 24. Section 10-98a of the general statutes is repealed and the  
786 following is substituted in lieu thereof (*Effective July 1, 2022*):

787 The principal of each technical education and career school, or the  
788 principal's designee, shall meet with members of the business  
789 community, representatives of electric, gas, water and wastewater  
790 utilities and representatives from state colleges and universities offering  
791 courses in public utility management within the geographic area served  
792 by the technical education and career school to develop a plan to assess  
793 workforce needs of the community and such utilities and implement  
794 curriculum modifications to address those needs. The executive director  
795 of the Technical Education and Career System may convene regional or  
796 state-wide meetings to address the workforce needs of such utilities.

797 Sec. 25. Section 10-98b of the general statutes is repealed and the  
798 following is substituted in lieu thereof (*Effective July 1, 2022*):

799 The [superintendent] executive director of the Technical Education  
800 and Career System shall consult with each (1) regional community-

801 technical college, and (2) local or regional board of education (A) for a  
802 town in which a technical education and career school is located, and  
803 (B) that offers any career technical education programs, for the purpose  
804 of establishing partnerships, reducing redundancies and consolidating  
805 programmatic offerings and to fulfill workforce needs in the state.

806 Sec. 26. Section 10-99 of the general statutes is repealed and the  
807 following is substituted in lieu thereof (*Effective July 1, 2022*):

808 The [State Board of Education] Technical Education and Career  
809 System shall use the industrial account within the Vocational Education  
810 Extension Fund, established in connection with its administration of  
811 vocational, technical and technological education and training, as a  
812 revolving account in securing personal services, contractual services  
813 and materials and supplies, with such equipment as may be chargeable  
814 to the cost of a specific production contract or equipment of a nature  
815 which may be properly chargeable to the account in general, provided  
816 the account shall not incur a deficit in securing equipment which may  
817 be properly chargeable to the account in general, in the establishment  
818 and continuance of such productive work as such schools perform in  
819 connection with the board's educational program for such schools.  
820 Claims against the state on behalf of [said board] the Technical  
821 Education and Career System shall be paid by order of the Comptroller  
822 drawn against said account. The proceeds of all sales resulting from the  
823 productive work of the schools shall be paid into the State Treasury and  
824 credited to said account. Within ten months after the close of each fiscal  
825 period any balance, as of the close of such fiscal period, in excess of five  
826 hundred thousand dollars, as shown by the inventory of manufactured  
827 articles, material on hand or in process of being manufactured, bills  
828 receivable and cash balance, after deduction of obligations, in the  
829 industrial account shall revert to the General Fund.

830 Sec. 27. Section 10-99h of the general statutes is repealed and the  
831 following is substituted in lieu thereof (*Effective July 1, 2022*):

832 [(a) For the fiscal years ending June 30, 2018, to June 30, 2022,  
833 inclusive, the superintendent of the Technical Education and Career

834 System shall create and maintain a list that includes an inventory of all  
835 technical and vocational equipment, supplies and materials purchased  
836 or obtained and used in the provision of career technical education in  
837 each technical education and career school and across the Technical  
838 Education and Career System. The board shall consult such list (1)  
839 during the preparation of the budget for the Technical Education and  
840 Career System, pursuant to section 10-99g, (2) prior to purchasing or  
841 obtaining any new equipment, supplies or materials, and (3) for the  
842 purpose of sharing equipment, supplies and materials among technical  
843 education and career schools.]

844 [(b) For the fiscal year ending June 30, 2023, and each fiscal year  
845 thereafter, the] The executive director of the Technical Education and  
846 Career System shall create and maintain a list that includes an inventory  
847 of all technical and vocational equipment, supplies and materials  
848 purchased or obtained and used in the provision of career technical  
849 education in each technical education and career school and across the  
850 Technical Education and Career System. The executive director shall  
851 consult such list (1) during the preparation of the budget for the  
852 Technical Education and Career System, pursuant to section 10-99g, (2)  
853 prior to purchasing or obtaining any new equipment, supplies or  
854 materials, and (3) for the purpose of sharing equipment, supplies and  
855 materials among technical education and career schools.

856 Sec. 28. Subdivision (14) of section 10-183b of the 2022 supplement to  
857 the general statutes is repealed and the following is substituted in lieu  
858 thereof (*Effective July 1, 2022*):

859 (14) "Employer" means an elected school committee, a board of  
860 education, the State Board of Education, the Technical Education and  
861 Career System, the Office of Early Childhood, the Board of Regents for  
862 Higher Education or any of the constituent units, the governing body of  
863 the Children's Center and its successors, the E. O. Smith School and any  
864 other activity, institution or school employing members.

865 Sec. 29. Subdivision (20) of section 10-183b of the 2022 supplement to  
866 the general statutes is repealed and the following is substituted in lieu

867 thereof (*Effective July 1, 2022*):

868 (20) "Public school" means any day school conducted within or  
869 without this state under the orders and superintendence of a duly  
870 elected school committee, a board of education, the State Board of  
871 Education, the Technical Education and Career System, the Office of  
872 Early Childhood, the board of governors or any of its constituent units,  
873 the E. O. Smith School, the Children's Center and its successors, the State  
874 Education Resource Center established pursuant to section 10-4q of the  
875 2014 supplement to the general statutes, revision of 1958, revised to  
876 January 1, 2013, the State Education Resource Center established  
877 pursuant to section 10-357a, joint activities of boards of education  
878 authorized by subsection (b) of section 10-158a and any institution  
879 supported by the state at which teachers are employed or any  
880 incorporated secondary school not under the orders and  
881 superintendence of a duly elected school committee or board of  
882 education but located in a town not maintaining a high school and  
883 providing free tuition to pupils of the town in which it is located, and  
884 which has been approved by the State Board of Education under the  
885 provisions of part II of chapter 164, provided that such institution or  
886 such secondary school is classified as a public school by the retirement  
887 board.

888 Sec. 30. Subdivision (26) of section 10-183b of the 2022 supplement to  
889 the general statutes is repealed and the following is substituted in lieu  
890 thereof (*Effective July 1, 2022*):

891 (26) "Teacher" means (A) any teacher, permanent substitute teacher,  
892 principal, assistant principal, supervisor, assistant superintendent or  
893 superintendent employed by the public schools in a professional  
894 capacity while possessing a certificate or permit issued by the State  
895 Board of Education, provided on and after July 1, 1975, such certificate  
896 shall be for the position in which the person is then employed, except as  
897 provided for in section 10-183qq, (B) certified personnel who provide  
898 health and welfare services for children in nonprofit schools, as  
899 provided in section 10-217a, under an oral or written agreement, (C) any

900 person who is engaged in teaching or supervising schools for adults if  
901 the annual salary paid for such service is equal to or greater than the  
902 minimum salary paid for a regular, full-time teaching position in the  
903 day schools in the town where such service is rendered, (D) a member  
904 of the professional staff of the State Board of Education, the Technical  
905 Education and Career System, the Office of Early Childhood, or of the  
906 Board of Regents for Higher Education or any of the constituent units,  
907 and (E) a member of the staff of the State Education Resource Center  
908 established pursuant to section 10-4q of the 2014 supplement to the  
909 general statutes, revision of 1958, revised to January 1, 2013, or the State  
910 Education Resource Center established pursuant to section 10-357a,  
911 employed in a professional capacity while possessing a certificate or  
912 permit issued by the State Board of Education. A "permanent substitute  
913 teacher" is one who serves as such for at least ten months during any  
914 school year.

915 Sec. 31. Subsection (a) of section 10-183n of the general statutes is  
916 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
917 *2022*):

918 (a) Each employer shall: (1) Before employing a teacher notify such  
919 teacher of the provisions of this chapter applicable to such teacher; (2)  
920 distribute, post or otherwise disseminate in a timely manner, to teachers  
921 in its employ, any notices, bulletins, newsletters, annual statements of  
922 account and other information supplied by the board for the purpose of  
923 properly notifying teachers of their rights and obligations under the  
924 system; (3) furnish to the board at times designated by said board such  
925 reports and information as the board deems necessary or desirable for  
926 the proper administration of the system; and (4) deduct each month  
927 seven and one-fourth per cent of one-tenth of such teacher's annual  
928 salary rate as directed by said board and any additional voluntary  
929 deductions as authorized by such teacher, except that no deductions  
930 shall be made from any amounts received by regularly employed  
931 teachers for special teaching assignments rendered for the State Board  
932 of Education, the Technical Education and Career System or the Board  
933 of Regents for Higher Education unless the salary for such special

934 teaching assignment is equal to or greater than the minimum salary paid  
935 for such teacher's regular teaching assignment.

936 Sec. 32. Subsection (b) of section 10-183v of the 2022 supplement to  
937 the general statutes is repealed and the following is substituted in lieu  
938 thereof (*Effective July 1, 2022*):

939 (b) A teacher receiving retirement benefits from the system may be  
940 reemployed for up to one full school year by a local board of education,  
941 the State Board of Education, the Technical Education and Career  
942 System or by any constituent unit of the state system of higher education  
943 (1) in a position designated by the Commissioner of Education as a  
944 subject shortage area for the school year in which the teacher is being  
945 employed, (2) at a school located in a school district identified as a  
946 priority school district, pursuant to section 10-266p, for the school year  
947 in which the teacher is being employed, (3) if the teacher graduated from  
948 a public high school in an educational reform district, as defined in  
949 section 10-262u, as amended by this act, or (4) if the teacher graduated  
950 from an historically black college or university or a Hispanic-serving  
951 institution, as those terms are defined in the Higher Education Act of  
952 1965, P.L. 89-329, as amended from time to time, and reauthorized by  
953 the Higher Education Opportunity Act of 2008, P.L. 110-315, as  
954 amended from time to time. Notice of such reemployment shall be sent  
955 to the board by the employer and by the retired teacher at the time of  
956 hire and at the end of the assignment. Such reemployment may be  
957 extended for one additional school year, not to exceed two school years  
958 over the lifetime of the retiree, provided the local board of education (A)  
959 submits a written request for approval to the Teachers' Retirement  
960 Board, (B) certifies that no qualified candidates are available prior to the  
961 reemployment of such teacher, and (C) indicates the type of assignment  
962 to be performed, the anticipated date of rehire and the expected  
963 duration of the assignment.

964 Sec. 33. Section 5-177 of the general statutes is repealed and the  
965 following is substituted in lieu thereof (*Effective July 1, 2022*):

966 Any person in the unclassified service employed full time by the

967 Board of Trustees of The University of Connecticut, the State Board of  
968 Education, the Technical Education and Career System, the Department  
969 of Rehabilitative Services, the Connecticut Agricultural Experiment  
970 Station, the American School for the Deaf, the Connecticut Institute for  
971 the Blind, the Newington Children's Hospital, the Board of Trustees of  
972 the Connecticut State University System or the Board of Trustees of the  
973 Community-Technical Colleges, as a teacher or administrator in a  
974 position directly involved in educational activities in any state-operated  
975 institution or the Board of Regents for Higher Education, who served  
976 prior to such person's employment by the state in a full-time teaching,  
977 administrative or research position in an educational institution in or  
978 under the authority of a state department of education or a department  
979 of education for the blind in the United States approved by the  
980 Retirement Commission, or who was employed by such institution but  
981 served all or part of such service time in a foreign country, for which  
982 service such person has received or will receive no retirement benefit or  
983 pension, may gain credit for such prior service, not to exceed ten years  
984 in the aggregate, by making retirement contributions for each year of  
985 such prior service equal to six per cent of such person's annual rate of  
986 compensation when such person first became a full-time employee of  
987 this state; provided such payment shall be made within one year of such  
988 person's first full-time employment with the state, or before July 1, 1968,  
989 whichever is later, but for the Board of Higher Education and Technical  
990 Colleges, July 1, 1974. When a person who has gained credit for such  
991 prior service retires, not more than one year of such service may be  
992 counted for each two years of state service; provided, if such person has  
993 purchased more of such service than can be counted, refund on the  
994 amount paid on the extra years of service shall be made.

995 Sec. 34. Subdivision (12) of section 5-198 of the general statutes is  
996 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
997 *2022*):

998 (12) All members of the professional and technical staffs of the  
999 constituent units of the state system of higher education, as defined in  
1000 section 10a-1, of all other state institutions of learning, of the Board of

1001 Regents for Higher Education, and of the agricultural experiment  
1002 station at New Haven, professional and managerial employees of the  
1003 Department of Education and the Office of Early Childhood, teachers  
1004 and administrators employed by the Technical Education and Career  
1005 System and teachers certified by the State Board of Education and  
1006 employed in teaching positions at state institutions;

1007 Sec. 35. Subsection (a) of section 5-242 of the general statutes is  
1008 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
1009 *2022*):

1010 (a) Any board of trustees of a state institution and any state agency  
1011 other than the State Board of Education, the Technical Education and  
1012 Career System or the Board of Governors of Higher Education or its  
1013 constituent units, hereinafter referred to as the "employer", may  
1014 authorize the superintendent or supervising agent to employ personnel  
1015 for unclassified positions requiring a certificate under section 10-145  
1016 below the rank of superintendent. Any superintendent or supervising  
1017 agent not authorized to employ such persons shall submit to such  
1018 employer nominations for such positions under his jurisdiction and,  
1019 from the persons so nominated, such employer may employ persons to  
1020 fill such positions. Such employer shall accept or reject such  
1021 nominations within one month from their submission. If such  
1022 nominations are rejected, the superintendent or supervising agent shall  
1023 submit to such employer other nominations, and such employer may  
1024 employ persons from among those nominated to fill such positions and  
1025 shall accept or reject such nominations within one month from their  
1026 submission. The contract of employment of such unclassified personnel  
1027 below the rank of superintendent shall be in writing and may be  
1028 terminated at any time for any of the reasons enumerated in  
1029 subdivisions (1) to (6), inclusive, of subsection (b) of this section, but  
1030 otherwise it shall be renewed for a second, third or fourth year unless  
1031 such employee has been notified in writing prior to March first in one  
1032 school year that such contract will not be renewed for the following  
1033 year, provided, upon the employee's written request, such notice shall  
1034 be supplemented within five days after receipt of such request by a



1035 statement of the reason or reasons for such failure to renew. Such  
 1036 employee may, upon written request filed with the employer within ten  
 1037 days after the receipt of such notice, be entitled to a hearing before the  
 1038 board to be held within fifteen days of such request. The employee shall  
 1039 have the right to appear with counsel of his choice at such hearing.

1040 Sec. 36. Sections 10-4r, 10-13 and 10-95m of the general statutes are  
 1041 repealed. (*Effective July 1, 2022*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	10-266aa(g)(2)
Sec. 2	<i>July 1, 2022</i>	10-262u(a) to (c)
Sec. 3	<i>July 1, 2022</i>	10-262j(c)
Sec. 4	<i>July 1, 2022</i>	10-262h
Sec. 5	<i>July 1, 2022</i>	10-262f(2)
Sec. 6	<i>July 1, 2022</i>	10-262f(49)
Sec. 7	<i>July 1, 2022</i>	10-9(b)
Sec. 8	<i>July 1, 2022</i>	10-55
Sec. 9	<i>July 1, 2022</i>	10-74d(c)
Sec. 10	<i>July 1, 2022</i>	10-76q(a)
Sec. 11	<i>July 1, 2022</i>	10-95a
Sec. 12	<i>July 1, 2022</i>	10-95e
Sec. 13	<i>July 1, 2022</i>	10-95h
Sec. 14	<i>July 1, 2022</i>	10-95j
Sec. 15	<i>July 1, 2022</i>	10-95l
Sec. 16	<i>July 1, 2022</i>	10-95o
Sec. 17	<i>July 1, 2022</i>	10-95q
Sec. 18	<i>July 1, 2022</i>	10-95r(a)
Sec. 19	<i>July 1, 2022</i>	10-95r(e)
Sec. 20	<i>July 1, 2022</i>	10-95s
Sec. 21	<i>July 1, 2022</i>	10-96c
Sec. 22	<i>July 1, 2022</i>	10-97a
Sec. 23	<i>July 1, 2022</i>	10-97b
Sec. 24	<i>July 1, 2022</i>	10-98a
Sec. 25	<i>July 1, 2022</i>	10-98b
Sec. 26	<i>July 1, 2022</i>	10-99
Sec. 27	<i>July 1, 2022</i>	10-99h
Sec. 28	<i>July 1, 2022</i>	10-183b(14)

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Sec. 29	July 1, 2022	10-183b(20)
Sec. 30	July 1, 2022	10-183b(26)
Sec. 31	July 1, 2022	10-183n(a)
Sec. 32	July 1, 2022	10-183v(b)
Sec. 33	July 1, 2022	5-177
Sec. 34	July 1, 2022	5-198(12)
Sec. 35	July 1, 2022	5-242(a)
Sec. 36	July 1, 2022	Repealer section

**Statement of Legislative Commissioners:**

In Section 2(b)(3)(B), "that are no longer among the towns with the thirty-three lowest accountability index scores, as calculated by the department, on and after July 1, 2022," was added for clarity; and Section 4(1) was rewritten for accuracy.

**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 23 \$	FY 24 \$
Education, Dept.	GF - Cost	See Below	See Below
Education, Dept.	GF - Savings	\$678,953	1.1 million

Note: GF=General Fund

**Municipal Impact:**

Municipalities	Effect	FY 23 \$	FY 24 \$
Various Local and Regional School Districts	See Below	See Below	See Below

**Explanation**

The bill increases the per-pupil Open Choice grant by \$2,000 to receiving districts for each student from the Hartford (Sheff) region. This results in an additional corresponding revenue gain to local and regional school districts in the Hartford region that participate in Open Choice. This change is implementing language for part of the recent Sheff settlement, which is in effect.

The bill also renews the Alliance District program for FY 23 through FY 27 and phases out the Alliance District portion of the ECS grant to the few towns that will no longer qualify (graduated Alliance Districts), impacting the graduated, new, and continuing Alliance Districts.

Additionally, the bill makes adjustments to ECS that provide: (1) enhanced protection from losses for all towns in FY 23, and for Alliance Districts and graduated Alliance Districts in subsequent years, and (2) a smoother phase-in and phase-out process. These changes, combined with the annual updates to ECS calculation data, result in ECS grants

that are: (1) in FY 23, \$678,953 less than required under current law; (2) in FY 23, approximately \$6 million less than the FY 23 appropriation; and (3) in FY 24, an estimated \$1.1 million less than current law.

The bill makes various other procedural and operational changes to the technical and career schools, which are not anticipated to result in a fiscal impact.

### ***The Out Years***

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

## OLR Bill Analysis

### sHB 5038

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

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*Creates an additional \$2,000 per student Open Choice grant for Hartford region school districts that accept Hartford students*

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*Renews the alliance district program for five years; creates the category of “graduated alliance districts” to capture districts that once, but no longer, qualify as alliance districts, and prohibits these districts from reducing their MBR*

#### [§§ 4-6 —EDUCATION COST SHARING \(ECS\) GRANTS AND PHASE IN SCHEDULE](#)

*Changes some of the factors used in the ECS phase in schedule regarding ECS grant increases and decreases; essentially keeps the yearly changes the same as under current law*

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*Makes numerous conforming, minor, and technical changes necessary as part of transitioning CTECS into an independent agency; addresses specific duties of the CTECS executive director and superintendent*

#### [§§ 28-32 – CTECS AND THE TEACHERS RETIREMENT SYSTEM \(TRS\)](#)

*Makes conforming changes to maintain CTECS teachers and professional staff as members in TRS*

### **§ 1 – OPEN CHOICE HARTFORD REGION GRANT**

*Creates an additional \$2,000 per student Open Choice grant for Hartford region school districts that accept Hartford students*

This bill creates an additional \$2,000 per student grant for Hartford region school districts that accept public-school students through the Open Choice program. Open Choice is a voluntary inter-district attendance program that allows students from urban school districts to attend suburban school districts, and vice versa, on a space-available

basis. The State Department of Education (SDE) provides a per-student grant for school districts that receive Open Choice students.

Under existing law, the grants range from \$3,000 to \$8,000 per student, with higher grant amounts going to districts where the Open Choice students represent a higher percentage of the school district's enrollment. 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 at least 4% of the district's student population. Under the bill, the \$2,000 per student grant is in addition to these amounts.

The additional grants will be provided to receiving school districts for each out-of-district student who resides in the Hartford region (i.e., the *Sheff* region) and attends school in a receiving district under the program (see BACKGROUND). The annual additional grants begin in FY 23, within available appropriations, and are paid to assist the state in meeting its obligations under the Comprehensive School Choice Plan, which is part of the most recent renewal of the *Sheff v. O'Neill* court decision and agreements (see BACKGROUND).

## **BACKGROUND**

### ***Sheff v. O'Neill Decision***

In 1996, the Connecticut Supreme Court ruled in *Sheff* that the racial, ethnic, and economic isolation of Hartford public school students violated their right to a "substantially equal educational opportunity" under the state constitution (238 Conn. 1 (1996)). It ordered the state and the plaintiff's representatives to work out an agreement, which since has been renewed several times, for the voluntary desegregation of Hartford students.

### ***Sheff Region***

This region includes the school districts of Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor, Ellington, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill,

Simsbury, South Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor, and Windsor Locks.

EFFECTIVE DATE: July 1, 2022

### **§§ 2-3 – ALLIANCE DISTRICT PROGRAM RENEWAL**

*Renews the alliance district program for five years; creates the category of “graduated alliance districts” to capture districts that once, but no longer, qualify as alliance districts, and prohibits these districts from reducing their MBR*

Under current law the five-year designation for the 33 alliance districts will expire on July 11, 2022. The bill requires the education commissioner to designate 33 alliance districts for five more years, beginning with FY 23. Under the bill, the new designation applies to the 33 school districts with the lowest accountability index (AI) scores (see BACKGROUND).

As under the program’s prior authorization, the bill requires the comptroller to withhold from an alliance district town any increase in Education Cost Sharing (ECS) funds that are over the amount the town received in 2012. The comptroller transfers the money to the education commissioner to withhold until she approves the district’s alliance district application and plan to improve academic performance. According to the SDE, the alliance districts serve more than 200,000 students in 410 schools.

The existing law requires the alliance districts to expend their alliance funds (1) in accordance with the plan submitted with the application, (2) the minority candidate certification, retention, and residency program, (3) ECS spending requirements, and (4) any other SDE guidelines.

#### ***Graduated Alliance Districts (§ 2)***

The bill creates the category of “graduated alliance districts” to capture former alliance districts from 2013-2017 or 2018-22, the first two rounds of the program, that are no longer in the lowest 33 districts in the state when ranked by their AI scores.

The graduated alliance district designation lasts for five years, and the bill creates a five-year phase out, in increments, of the amount of

ECS funds withheld. The phase-out schedule for graduated alliance districts is as follows:

1. FY 23, same amount as withheld for FY 22,
2. FY 24, 75% of the amount withheld for FY 22,
3. FY 25, 50% of the amount withheld for FY 22,
4. FY 26, 25% of the amount withheld for FY 22, and
5. FY 27, nothing withheld.

The bill requires a graduated alliance district to submit an application in order to receive the withheld funds and the application must be submitted when and how the education commissioner prescribes. The bill does not require the application to meet the requirements of an alliance district application.

### ***Minimum Budget Requirement (MBR) and Graduated Alliance Districts (§ 3)***

Under existing law, alliance districts are prohibited from reducing their MBR. The bill applies the same prohibition to graduated alliance districts.

The MBR generally prohibits a town from budgeting less for education than it did in the previous fiscal year. Although some towns are exempt if they have high performing school districts and in general, a town can qualify for a reduced MBR if certain conditions are met, such as a decrease in student enrollment from one year to another.

## **BACKGROUND**

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

The “accountability index score” for a school district or an individual school means the score resulting from multiple weighted measures that (1) include the mastery test scores (i.e., the performance index score) and 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 higher education institutions and postsecondary education programs, civics and arts education, and physical fitness (CGS § 10-223e(a)).

EFFECTIVE DATE: July 1, 2022

#### **§§ 4-6 —EDUCATION COST SHARING (ECS) GRANTS AND PHASE IN SCHEDULE**

*Changes some of the factors used in the ECS phase in schedule regarding ECS grant increases and decreases; essentially keeps the yearly changes the same as under current law*

The ECS grant program is the state's largest aid program for towns. The bill changes some of the factors used in the ECS phase in schedule for ECS grant increases and decreases, but essentially keeps the yearly changes the same as under current law. It also modifies the method for determining the ECS grant for alliance districts and applies the same method to the new graduated alliance districts (created in § 2 of the bill).

Under the bill, and current law, towns that are underfunded regarding their ECS grant will be fully funded by FY 28. Towns that are overfunded gradually receive reductions, from FY 24 to FY 29, until they are at their fully funded level.

With respect to overfunded towns, current law uses the FY 17 ECS aid amount as a starting point every year to determine how much an overfunded town should have its funding reduced. Under the bill, the ECS reductions for overfunded towns are essentially kept the same, but the factors used to make this happen are different (e.g., rather than the FY 17 ECS amount, the bill uses the ECS amount for the most recent fiscal year).

Some towns are overfunded due primarily to the years when the state froze the level of funding for all towns, even if some towns' student enrollment dropped. A town with declining enrollment generally receives less funding when the formula is updated with new enrollment figures.

EFFECTIVE DATE: July 1, 2022

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**Changing Terms Used to Categorize Towns (§ 4)**

The bill changes some of the terms used to determine the first step in ECS grant funding: whether a town is underfunded or overfunded.

Under current law, an underfunded town is one whose fully funded grant amount, as determined by the formula, is greater than its base grant amount. Then the town is entitled to an increase in its ECS grant. A town's base grant amount is the ECS grant amount the town was entitled to for FY 17, minus authorized cuts implemented during FY 17. Under the bill, beginning with FY 23, the phase in compares the fully funded grant amount to a town's ECS grant for the previous fiscal year, rather than the base grant amount. Therefore, any town whose fully funded grant amount is greater than the town's ECS grant amount for the previous fiscal year, is entitled to an ECS grant increase.

The bill also uses the ECS grant amount for the previous fiscal year, rather than the base grant, to determine if a town is overfunded. Under current law, an overfunded town is one whose fully funded grant is less than its base grant. Then the town is entitled to either an amount the town received in FY 21 or, starting in FY 24, a decreased grant amount each year. The bill instead compares the fully funded amount to the town's ECS grant for the previous fiscal year.

**Grant Adjustment (§ 6)**

When determining ECS grant increases or decreases, current law uses a town's "grant adjustment," which is the absolute value of the difference between a town's base grant amount and its fully funded grant amount. The bill changes this definition to the absolute value of the difference between a town's ECS grant entitlement for the previous year and its fully funded grant amount. For underfunded towns, the grant adjustment is the amount needed to be fully funded; for overfunded towns, it's the amount the town is funded above its fully funded grant.

**ECS Phase-In Adjustments (§ 4)**

Table 1 shows how the bill changes the phase in for FYs 23-25 ECS

grants.

**Table 1: ECS Phase-In Adjustments for ECS Grants (FYs 23-25)**

	FY 23		FY 24		FY 25	
Town Type	Current Law	Bill	Current Law	Bill	Current Law	Bill
<b>Under-funded</b>	Previous FY amount plus 10.66% of grant adjustment	Previous FY amount plus 16.67% of grant adjustment*	Previous FY amount plus 10.66% of grant adjustment	Previous FY amount plus 20% of grant adjustment*	Previous FY amount plus 10.66% of grant adjustment	Previous FY amount plus 25% of grant adjustment*
<b>Over-funded</b>	No reduction (held harmless) to FY 21 amount	No reduction (held harmless) to FY 22 amount (no actual change from current law)	Previous FY amount minus 8.33% of grant adjustment	Previous FY amount minus 14.29% of grant adjustment* (excludes alliance districts, see below)	Previous FY amount minus 8.33% of grant adjustment	Previous FY amount minus 16.67% of grant adjustment* (excludes alliance districts, see below)
*Under the bill, “grant adjustment” means the absolute value of the difference between a town’s ECS grant amount for the previous year and its fully funded grant amount. Generally, under the bill, the grant adjustment figure (before applying the percentage) will be smaller than under current law.						

Under current law, for FYs 26 and 27, an underfunded town is entitled to an ECS grant for each year that equals the town’s previous fiscal year’s grant plus 10.66% of its grant adjustment. Under the bill for each of these years, underfunded towns are entitled to their ECS grant amount for the previous year plus 33.33% of its grant adjustment for FY 26 and 50% of its grant adjustment for FY 27.

For the same years, current law provides an overfunded town with a grant equal to its grant for the previous fiscal year minus 8.33% of its grant adjustment. The bill changes the reduction for overfunded towns based on using the ECS grant amount for the previous year and the revised definition of the grant adjustment (i.e., minus 20% of grant adjustment for FY 26 and minus 25% of grant adjustment for FY 27). Using the same method, the bill changes the reduction for overfunded

towns as follows:

1. for FY 28, from current law's reduction of 8.33% of the grant adjustment to a reduction of 33.33% of the grant adjustment, and
2. for FY 29, from current law's reduction of 8.33% of the grant adjustment to reduction of 50%.

For FYs 28 and 29, under current law and the bill, underfunded towns will be fully funded.

#### ***Alliance Districts and Graduated Alliance Districts (§ 4)***

Under current law, for FYs 24-29, any overfunded town that is an alliance district is entitled to an ECS grant equal to its FY 17 amount after reductions in FY 17 (i.e., base grant amount). Under the bill beginning in FY 24, an alliance district, regardless of whether it is overfunded or underfunded, receives an amount that is the greater of (1) the amount the bill determines for either overfunded or underfunded towns, depending on what applies for the alliance district, for that year, (2) its base grant amount, or (3) its ECS grant for the previous fiscal year.

The bill applies this same mechanism for FYs 24-29 for determining the ECS grant for graduated alliance districts, which is a new designation for districts that are former alliance districts (see § 2).

#### ***Base Aid Ratio (§ 5)***

Under current law, the base aid ratio is a measure of town property wealth (measured by property wealth and income level) used in the ECS formula, and the law establishes a minimum of 10% base aid ratio for alliance districts. The bill gives priority school districts the same minimum base aid ratio of 10%.

By law, priority school districts are districts whose students receive low standardized test scores and have high levels of poverty (CGS § 10-266p(a)).

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**§§ 7-27 & 33-36 – TECHNICAL AND CONFORMING CHANGES TO MAKE THE CONNECTICUT TECHNICAL EDUCATION AND CAREER SYSTEM (CTECS) AN INDEPENDENT STATE AGENCY**

*Makes numerous conforming, minor, and technical changes necessary as part of transitioning CTECS into an independent agency; addresses specific duties of the CTECS executive director and superintendent*

By law, the Connecticut Technical Education and Career System (CTECS) (formerly known as the technical high school system) becomes an independent state agency, separate from SDE, by July 1, 2022 (i.e., the 2022-23 school year). The bill makes numerous minor and technical changes necessary as part of CTECS' transition to an independent agency. This analysis highlights the more significant of these changes.

The bill makes changes to the statutes to reflect that CTECS has its own board and leadership that is not subject to SBE governance. Under the bill:

1. SDE is no longer allowed to receive any money or property given or bequeathed to CTECS (§ 7);
2. CTECS, rather than SBE, is required to provide the professional services necessary to identify, in accordance with state special education law, children enrolled at a technical high school who require special education and to provide an appropriate education for these students (§ 10);
3. CTECs executive director takes over responsibility of the Vocational Education Extension Fund that includes the apprenticeship account, which helps pay for needed apprenticeship program materials and equipment (§ 12); and
4. CTECS executive director replaces SBE in the process for temporarily closing a technical high school and moves authority to close a school for more than six months from SBE to the CTECS board (§ 16).

The bill also repeals three obsolete laws regarding an expired reporting requirement (CGS § 10-4r), an obsolete appointment (CGS §

10-13), and an expired study requirement (CGS § 10-95m).

EFFECTIVE DATE: July 1, 2022

***Hiring a CTECS Superintendent (§ 17)***

Under existing law, the executive director, who is appointed by the governor, is the head executive of CTECS and the superintendent is the school leader in charge of education who answers to the executive director. The CTECS board is the policy making body.

Under current law, the board recommends superintendent candidates to the education commissioner and beginning July 1, 2023, it would begin making recommendations instead to the CTECS executive director. The bill moves up this change by a year to begin on July 1, 2022. As under existing law, the bill gives the executive director discretion to hire or reject any superintendent candidate the board recommends. The bill specifies that when the executive director rejects a candidate, the board must recommend another candidate until the executive director hires one.

Existing law allows the superintendent's three-year term to be extended, and the bill specifies the executive director has this authority provided he consults with the board first.

Under the bill, a candidate cannot be hired or assume superintendent duties until the executive director receives written confirmation from the education commissioner that the candidate is properly certified as a superintendent or has received a certification waiver from the commissioner, as permitted by law.

***Acting Superintendent.*** The bill allows an executive director to hire a candidate, who is not certified, as an acting superintendent for a one-year probationary period if the education commissioner approves. An acting superintendent assumes all duties of the superintendent and must successfully complete an SBE-approved school leadership program at a higher education institution in the state.

When the probationary period ends, the executive director can request that the commissioner grant a (1) certification waiver for the acting superintendent, as allowed under state law, or (2) one-time probationary period extension of no more than a year. To grant the extension, the commissioner must determine the executive director showed a significant need or hardship for it.

**Administrative Policies.** The bill requires the superintendent, in consultation with the executive director, to develop and revise, as necessary, administrative policies for the operation of the technical education and career schools and programs offered in the system. It specifies these administrative policies must not be considered state regulations.

Under existing law, the superintendent is responsible for the operation and administration of the technical education and career schools and other CTECS education matters. The bill adds that the superintendent is also responsible for supervision of the schools and educational matters.

**Evaluation.** The executive director, in consultation with the board, must evaluate, at least annually, the superintendent's performance according to guidelines and criteria the executive director and the board set.

#### **Master Schedule (§ 19)**

The bill requires the superintendent, rather than the executive director as under current law, to establish a master schedule for CTECS. The executive director must ensure the superintendent does this.

#### **CTECS Board (§ 20)**

The bill gives the governor the authority to remove a CTECS board member for inefficiency, neglect of duty, or misconduct in office. Under current law, the board's appointed members serve at the pleasure of the governor (CGS § 4-1a). The bill also prohibits any CTECS employee from being a member of the board.

By law, the CTECS board consists of 11 members, seven appointed by the governor and confirmed by the General Assembly and four executive branch officials serving ex-officio. Among other things, it advises the superintendent and executive director on specified matters.

By law, the CTECS board must establish achievement goals for its students and use quantifiable measures for the performance of each technical high school. One required measure is student performance on state mastery exams, as defined in law, in grade 10 or 11. The bill changes this to performance on standardized academic assessments without the statutory reference, which could include standardized tests that are not part of the state mastery test law.

## **§§ 28-32 – CTECS AND THE TEACHERS RETIREMENT SYSTEM (TRS)**

*Makes conforming changes to maintain CTECS teachers and professional staff as members in TRS*

Existing law allows CTECS teachers and other professional staff to choose between TRS or the State Employee Retirement System when they are hired. The bill makes several conforming changes to maintain membership in TRS for CTECS teachers and other professional staff. (TRS membership consists primarily of local board of education teachers and other professionals.)

Specifically, the bill adds CTECS to TRS's list of employers and definition of public school (§§ 28 & 29). It similarly adds CTECS professional staff to TRS's definition of teacher (working as a teacher with a state certification is considered professional) (§ 30).

## **BACKGROUND**

### ***Related Bill***

HB 5283, favorably reported out by the Education Committee, contains similar changes to the ECS phase in.

## **COMMITTEE ACTION**

Education Committee



Joint Favorable Substitute Change of Reference - APP  
Yea 29 Nay 10 (03/25/2022)

Appropriations Committee

Joint Favorable Substitute  
Yea 49 Nay 0 (04/07/2022)