

## Education Committee JOINT FAVORABLE REPORT

**Bill No.:** SB-429

AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND REVISIONS TO THE SCHOOL

**Title:** BUILDING PROJECTS STATUTES.

**Vote Date:** 3/28/2022

Joint Favorable Substitute Change of Reference to Finance, Revenue and

**Vote Action:** Bonding

**PH Date:** 3/21/2022

**File No.:**

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### SPONSORS OF BILL:

Education Committee

Cosponsor: Sen. Derek Slap

### REASONS FOR BILL:

This legislation will authorize state grant commitments for certain school building projects. Also, the bill adds new school safety criteria for schools receiving grant commitments. The bill specifically requires each project submitted on July 1, 2022 or after to include the installation of a minimum of one window that opens per classroom. Furthermore, the bill permits the Department of Administration Services to deny a school building project or plan that does not include at least one window in each classroom.

The bill also allows interdistrict magnet schools in paying for general improvements to school buildings to apply for and accept grants and expands the purposes in which reimbursement may be sought for an improvement to a school building. Additionally, the bill removes a provision that required the Department of Administrative Services only approve applications for reimbursement that the Department of Education deemed would reduce racial, ethnic, and economic isolation. And requires applications from interdistrict magnet schools for grants for school building projects be submitted to the Commissioner of the Department of Administrative Services and removes the authority of the Department of Education, and makes other conforming changes.

Additionally, the bill requires the Capitol Region Education Council to adopt a long-range plan of capital improvements.

Furthermore, the bill provides for a 5% increase of the percentage determination for a school building project grant if a contractor awarded reserves 12.5% of the total value of the contract to the set-aside program for small contractors and minority business enterprises. And lastly the bill requires the Department of Administration Services to withhold 5% of the state share of eligible project costs if the commissioner determines the state failed to comply with the set-aside program for small contractors and minority business enterprises.

#### **RESPONSE FROM ADMINISTRATION/AGENCY:**

##### **Michelle Gilman, Commissioner, Department of Administrative Services (DAS)**

"DAS supports Senate Bill 429, An Act Concerning Authorization of State Grant Commitments for School Building Projects and Revisions to the School Building Projects Statutes. Among other things, Section 5 of this bill directs the Capitol Region Education Council to adopt a long-range plan of capital improvement and school building project priorities and goals for interdistrict magnet school facilities. DAS encourages the development of this plan because it will ensure a more streamlined process for budget-planning purposes and cost determinations".

#### **NATURE AND SOURCES OF SUPPORT:**

##### **State Senator Derek Slap, Connecticut General Assembly**

"I am testifying today on SB 429, An Act Concerning Authorization of State Grant Commitments for School Building and Projects and Revisions to the School Building Project Statutes. I am asking the committee to consider amending the bill to account for the unfulfilled promise of grant money for Farmington High School...The deficit of \$915,000 may be considered a small loan for the State School Construction Program and budget; but is a significant amount to the taxpayers of Farmington. I urge the committee to amend the language of SB 249 and give the town of Farmington the reimbursement rate that was the foundation of their original project. Not doing so would place a large financial burden on the community of Farmington".

##### **Ruben Felipe, Executive Director, Connecticut Charter Schools Association (CTCSA)**

"There are 21 public charter schools statewide, and many need access to funding that can improve their facilities. Some of these improvements include updating HVAC systems or sewage. These necessities are critical components to providing a safe and healthy learning environment, especially during the current pandemic. . However, charter schools are viewed differently. There is no pathway to access these much needed funds., Connecticut Charter Schools Association offers an amendment to SB 429 that would include charter schools in the state under grant commitments. We have attached an amendment by updating Section 4 of the bill and creating a Section 6 to the language. This language would mirror the efforts of the promises offered to magnet schools, and likewise, will uphold charter schools to the same standards this bill holds for magnet schools".

##### **Greg Florio, Executive Director, CREC**

"I am here today to ask for your support in formalizing a mechanism for the state to provide for the CAPITAL IMPROVEMENTS OF SHEFF MAGNETS by utilizing the same or a similar

mechanism as that established for the Technical Education and Career System (Sec. 10-95i), which is outlined in section 5 of SB 429. To support the state's obligations for Sheff v. O'Neill, the state asked CREC to create a school system with 18 magnet schools; however, as a RESC, CREC does not have bonding authority for capital improvements as are available to a traditional school district. Currently, five of the 18 CREC-operated magnet schools are over 20 years old. In the past few years, we have had to make capital improvements to sidewalks, HVAC systems, parking lots, carpeting, gym floors and playgrounds. Because we have no mechanism for raising capital funds, the funds used for this purpose come directly from the magnet schools' budgets. That means dollars that are much needed for instruction and supportive services to students must instead be used for capital improvements".

**Louis Rosado Burch, Legislative Coordinator, Connecticut Education Association (CEA)**

"I am testifying today on behalf of the Coalition for Healthy Air in Schools, which is comprised of parents, educators, labor unions, building trade workers, contractors, public employees, environmental advocacy groups, and healthcare workers. We stand in support of SB 429, as we recognize the need to provide funding for important school building construction projects aimed at modernizing school buildings, aligning the state's school building construction policy with industry safety standards, and to provide for the safety and security of students and teachers alike. With that said, we urge the committee to amend this legislation to allow for the use of school construction bond monies to fund much needed heating, ventilation and air conditioning (HVAC) system repairs and upgrades".

**C.J Thomas, Chair, Farmington Town Council**

"In addition to rectifying the reimbursement rate issue associated with the "900 wing," the Town is requesting that, at a minimum, Farmington's 2022 reimbursement rates (29.64% general construction; 19.64% new construction) be applied to this project, rather than the 2021 reimbursement rates (28.93% general construction, 18.93% new construction). The COVID19 pandemic has caused substantial cost escalation in building materials and supplies and supply chain issues. Our FHS Building Committee is doing a tremendous job to address these escalation costs without impacting educational programming, but the market does not show signs of stabilizing and inflation is over 7%. An increase in Farmington's reimbursement rate would go a long way in offsetting those costs that are beyond our control".

**NATURE AND SOURCES OF OPPOSITION:**

**Carol Bufithis, Middlefield Board of Selectwoman**

"I would like to respectfully express my OPPOSITION to such language being added to the bill moving forward...District 13 had a referendum specifically asking to close John Lyman School. It was voted to keep it open and we need to honor the results of the vote. This is the democratic process in action. Taking this town issue to the General Assembly sets up a potential precedent which is extremely unhealthy for future town disagreements and issues".

**Lori Fusco**

"I am writing to object to the proposal to pass any proposed "validating act" to allow the closure of John Lyman School in Middlefield. For background, the RSD13 Board of Education has tried several times over the past several years to attempt to close this school without required voter support, and the Board of Education itself lacks the authority to close the

school without voter approval. They are now making an effort to circumvent the existing processes and seek a legislative remedy".

**David Godbout**

"The general assembly is not conducting its sessions in public and such activity is automatically void. The general assembly could meet and allow the public to view but has decided, instead, to provide citizens and residents a one square foot picture via CT-N broadcast and most human communication is displayed by body language, not spoken words...The role of government is to protect citizens' rights but this general assembly seems to think its just the opposite. The committee and its members clearly approve of a general assembly acting in a manner that voids everything it has done in the past two years and going forward. Citizens should simply nullify the illegal actions taken by the state".

*\*Additional testimony submitted to the Education Committee in regard to S.B 429 is posted on the CGA Webpage.*

**Reported by: Madison Chain**

**Date: 3/28/2022**