



General Assembly

January Session, 2025

Raised Bill No. 6922

LCO No. 4656



Referred to Committee on EDUCATION

Introduced by:
(ED)

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

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

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2 statutes are repealed and the following is substituted in lieu thereof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

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

15 manner prescribed by the Commissioner of Administrative Services.
16 [The application form shall require the superintendent of schools to
17 affirm that the school district considered the maximization of natural
18 light, the use and feasibility of wireless connectivity technology and, on
19 and after July 1, 2014, the school safety infrastructure criteria, described
20 in section 10-292r, in projects for new construction and alteration or
21 renovation of a school building.] The Commissioner of Administrative
22 Services shall review, in consultation with the Commissioner of
23 Education, each grant application for a school building project for
24 compliance with educational specifications. The Commissioner of
25 Education shall evaluate, if appropriate, whether the project will assist
26 the state in meeting its obligations pursuant to the decision in *Sheff v.*
27 *O'Neill*, 238 Conn. 1 (1996), or any related stipulation or order in effect,
28 as determined by the Commissioner of Education. The Commissioner of
29 Administrative Services shall consult with the Commissioner of
30 Education in reviewing grant applications submitted for purposes of
31 subsection (a) of section 10-65 or section 10-76e on the basis of the
32 educational needs of the applicant. The Commissioner of
33 Administrative Services shall review each grant application for a school
34 building project for compliance with standards for school building
35 projects pursuant to regulations, adopted in accordance with section 10-
36 287c, and, on and after July 1, 2014, the school safety infrastructure
37 criteria, described in section 10-292r. Notwithstanding the provisions of
38 this chapter, the Board of Trustees of the Community-Technical
39 Colleges on behalf of Quinebaug Valley Community College and Three
40 Rivers Community College and the following entities that will operate
41 an interdistrict magnet school that will assist the state in meeting its
42 obligations pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1
43 (1996), or any related stipulation or order in effect, as determined by the
44 Commissioner of Education, may apply for and shall be eligible to
45 receive grants for school building projects pursuant to section 10-264h
46 for such a school: (A) The Board of Trustees of the Community-
47 Technical Colleges on behalf of a regional community-technical college,
48 (B) the Board of Trustees of the Connecticut State University System on

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

57 (2) All applications submitted prior to July first shall be reviewed
58 promptly by the Commissioner of Administrative Services. The
59 Commissioner of Administrative Services shall estimate the amount of
60 the grant for which such project is eligible, in accordance with the
61 provisions of section 10-285a, provided an application for a school
62 building project determined by the Commissioner of Education to be a
63 project that will assist the state in meeting its obligations pursuant to the
64 decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related stipulation
65 or order in effect, as determined by the Commissioner of Education,
66 shall have until September first to submit an application for such a
67 project and may have until December first of the same year to secure
68 and report all local and state approvals required to complete the grant
69 application. The Commissioner of Administrative Services shall
70 annually prepare a listing of all such eligible school building projects
71 with the amount of the estimated grants for such projects and shall
72 submit the same to the Governor, the Secretary of the Office of Policy
73 and Management and the General Assembly on or before the fifteenth
74 day of December, except as provided in section 10-283a, with a request
75 for authorization to enter into grant commitments. On or before
76 December thirty-first annually, the Secretary of the Office of Policy and
77 Management may submit comments and recommendations regarding
78 each eligible project on such listing of eligible school building projects
79 to the school construction committee, established pursuant to section 10-
80 283a. Each such listing shall include a report on the following factors for
81 each eligible project: [(i)] (A) An enrollment projection and the capacity

82 of the school, including who conducted the enrollment projection for the
 83 school and the cost of conducting such enrollment projection, [(ii)] (B) a
 84 substantiation of the estimated total project costs, [(iii)] (C) the readiness
 85 of such eligible project to begin construction, [(iv)] (D) efforts made by
 86 the local or regional board of education to redistrict, reconfigure, merge
 87 or close schools under the jurisdiction of such board prior to submitting
 88 an application under this section, [(v)] (E) enrollment and capacity
 89 information for all of the schools under the jurisdiction of such board
 90 for the five years prior to application for a school building project grant,
 91 [(vi)] (F) enrollment projections and capacity information for all of the
 92 schools under the jurisdiction of such board for the eight years following
 93 the date such application is submitted, including who conducted the
 94 enrollment projection for the school and the cost of conducting such
 95 enrollment projection, [(vii)] (G) the state's education priorities relating
 96 to reducing racial and economic isolation for the school district, and
 97 [(viii)] (H) an estimation of the total ineligible costs and an itemization
 98 of such ineligible costs for such project. On and after July 1, 2022, each
 99 such listing shall include an addendum that contains all grants
 100 approved pursuant to subsection (b) of this section during the prior
 101 fiscal year. For the period beginning July 1, 2006, and ending June 30,
 102 2012, no project may appear on the separate schedule of authorized
 103 projects which have changed in cost more than twice. On and after July
 104 1, 2012, no project [, other than a project for a technical education and
 105 career school,] may appear on the separate schedule of authorized
 106 projects which have changed in cost more than once, except the
 107 Commissioner of Administrative Services may allow a project to appear
 108 on such separate schedule of authorized projects a second time if the
 109 town or regional school district for such project can demonstrate that
 110 exigent circumstances require such project to appear a second time on
 111 such separate schedule of authorized projects. Notwithstanding any
 112 provision of this chapter, no projects which have changed in scope or
 113 cost to the degree determined by the Commissioner of Administrative
 114 Services, in consultation with the Commissioner of Education, shall be
 115 eligible for reimbursement under this chapter unless it appears on such

116 list. The percentage determined pursuant to section 10-285a at the time
117 a school building project on such schedule was originally authorized
118 shall be used for purposes of the grant for such project. On and after July
119 1, 2006, a project that was not previously authorized as an interdistrict
120 magnet school shall not receive a higher percentage for reimbursement
121 than that determined pursuant to section 10-285a at the time a school
122 building project on such schedule was originally authorized. The
123 General Assembly shall annually authorize the Commissioner of
124 Administrative Services to enter into grant commitments on behalf of
125 the state in accordance with the commissioner's categorized listing for
126 such projects as the General Assembly shall determine. The
127 Commissioner of Administrative Services may not enter into any such
128 grant commitments except pursuant to such legislative authorization.
129 Any regional school district which assumes the responsibility for
130 completion of a public school building project shall be eligible for a
131 grant pursuant to subdivision (5) or (6), as the case may be, of subsection
132 (a) of section 10-286 when such project is completed and accepted by
133 such regional school district.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 1	<i>from passage</i>	10-283(a) and (b)
Sec. 2	<i>from passage</i>	10-287(b)(4)
Sec. 3	<i>from passage</i>	10-287d
Sec. 4	<i>from passage</i>	Repealer section

Statement of Purpose:

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

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