



General Assembly

January Session, 2001

Raised Bill No. 6826

LCO No. 3332

Referred to Committee on Education

Introduced by:

(ED)

***AN ACT CONCERNING INTERDISTRICT MAGNET SCHOOLS AND
THE INTERDISTRICT STUDENT ATTENDANCE PROGRAM.***

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

1 Section 1. Section 10-2641 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) The Department of Education shall, within available
4 appropriations, establish a grant program to assist local and regional
5 boards of education, regional educational service centers and
6 cooperative arrangements pursuant to section 10-158a with the
7 operation of interdistrict magnet school programs. For the purposes of
8 this section "an interdistrict magnet school program" means a program
9 which (1) supports racial, ethnic and economic diversity, (2) offers a
10 special and high quality curriculum, and (3) requires students who are
11 enrolled to attend at least half-time. An interdistrict magnet school
12 program does not include a regional vocational agriculture school, a
13 regional vocational-technical school or a regional special education
14 center. [On and after]

15 (b) From July 1, 2000, to June 30, 2005, the governing authority for

16 each interdistrict magnet school program shall restrict the number of
17 students that may enroll in the program from a participating district to
18 eighty per cent of the total enrollment of the program. On and after
19 July 1, 2005, the governing authority for each interdistrict magnet
20 school program shall (1) restrict the number of students that may
21 enroll in the program from a participating district to seventy-five per
22 cent of the total enrollment of the program, and (2) maintain a school
23 enrollment such that at least twenty-five per cent but not more than
24 seventy-five per cent of the students enrolled are pupils of racial
25 minorities, as defined in section 10-226a.

26 (c) Each student in the state shall be eligible to apply for admission
27 to an interdistrict magnet school on a space-available basis and the
28 local or regional board of education otherwise responsible for
29 educating the student shall provide financial support for the student's
30 attendance at such school provided (1) no board of education shall be
31 required to financially support the participation of more than five per
32 cent of its total students in attending magnet schools outside of its
33 district, (2) the tuition for such student shall be paid by a local or
34 regional board in accordance with subsection (d) of this section, and (3)
35 the provisions of subsection (b) of this section are met. No student
36 enrolled in a magnet school during the 2000-2001 school year shall be
37 displaced as a result of enrollment restrictions pursuant to this section.

38 (d) The local or regional board of education responsible for the
39 financial support of students attending a magnet school shall pay
40 tuition to the governing authority of the magnet school for the
41 students enrolled in the magnet school in such school year. The tuition
42 shall be paid as follows: Fifty per cent by September first and the
43 balance by January fifteenth of each school year. The total amount of
44 the tuition shall be as agreed to by the governing authority of the
45 magnet school and the board of education. If the governing authority
46 of the magnet school and the board of education cannot agree on the
47 amount of the tuition, the board of education shall (1) by September
48 first, pay one-half of the tuition amount requested by the governing

49 authority of the magnet school for the estimated number of its students
50 enrolled in the magnet school, and (2) by January fifteenth, pay the
51 balance of the tuition determined by the Commissioner of Education as
52 reasonable after considering the costs of operating the school and
53 actual numbers of students enrolled and adjusting for other revenues.

54 [(b)] (e) Applications for interdistrict magnet school program
55 operating grants awarded pursuant to this section shall be submitted
56 annually to the Commissioner of Education at such time and in such
57 manner as the commissioner prescribes. In determining whether an
58 application shall be approved and funds awarded pursuant to this
59 section, the commissioner shall consider, but such consideration shall
60 not be limited to: (1) Whether the program offered by the school is
61 likely to increase student achievement; (2) whether the program is
62 likely to reduce racial, ethnic and economic isolation; and (3) the
63 percentage of the student enrollment in the program from each
64 participating district. [On and after] From July 1, 2000, to June 30,
65 2005, the commissioner shall not award a grant to a program if more
66 than eighty per cent of its total enrollment is from one school district,
67 except that the commissioner may award a grant for good cause, for
68 any one year, on behalf of an otherwise eligible magnet school
69 program, if more than eighty per cent of the total enrollment is from
70 one district. On and after July 1, 2005, the commissioner shall not
71 award a grant to a program if more than seventy-five per cent of its
72 total enrollment is from one school district or if less than twenty-five or
73 more than seventy-five per cent of the students enrolled are pupils of
74 racial minorities, as defined in section 10-226a, except that the
75 commissioner may award a grant for good cause, for one year, on
76 behalf of an otherwise eligible magnet school program, if more than
77 seventy-five per cent of the total enrollment is from one district or less
78 than twenty-five or more than seventy-five per cent of the students
79 enrolled are pupils of racial minorities. The commissioner may not
80 award grants pursuant to such an exception for a second consecutive
81 year.

82 [(c) The] (f) For the fiscal years ending June 30, 2002, to June 30,
83 2005, inclusive, the maximum amount each interdistrict magnet school
84 program shall be eligible to receive per enrolled student shall be
85 determined as follows: (1) For each participating district whose magnet
86 school program enrollment is equal to or less than thirty per cent of the
87 magnet school program total enrollment, ninety per cent of the
88 foundation as defined in subdivision (7) of section 10-262f; (2) for each
89 participating district whose magnet school program enrollment is
90 greater than thirty per cent but less than or equal to sixty per cent of
91 the magnet school program total enrollment, a percentage between
92 sixty and ninety per cent of said foundation that is inversely
93 proportional to the percentage of magnet school program students
94 from such district; and (3) for each participating district whose magnet
95 school program enrollment is greater than sixty per cent but less than
96 or equal to ninety per cent of the magnet school program total
97 enrollment, a percentage between zero and sixty per cent of said
98 foundation that is inversely proportional to the percentage of magnet
99 school program students from such district. For the fiscal year ending
100 June 30, 2006, and each fiscal year thereafter, the maximum amount
101 each interdistrict magnet school program shall be eligible to receive
102 per enrolled student shall be determined as follows: (1) For each
103 participating district whose magnet school program enrollment is
104 equal to or less than twenty-five per cent of the magnet school
105 program total enrollment, ninety per cent of the foundation as defined
106 in subdivision (7) of section 10-262f; (2) for each participating district
107 whose magnet school program enrollment is greater than twenty-five
108 per cent but less than or equal to fifty per cent of the magnet school
109 program total enrollment, a percentage between sixty and ninety per
110 cent of said foundation that is inversely proportional to the percentage
111 of magnet school program students from such district; and (3) for each
112 participating district whose magnet school program enrollment is
113 greater than fifty per cent but less than or equal to seventy-five per
114 cent of the magnet school program total enrollment, a percentage
115 between zero and sixty per cent of said foundation that is inversely

116 proportional to the percentage of magnet school program students
117 from such district. The amounts so determined shall be
118 proportionately adjusted, if necessary, within the limit of the available
119 appropriation, and in no case shall any grant pursuant to this section
120 exceed the reasonable operating budget of the magnet school program,
121 less revenues from other sources. Any magnet school program
122 operating less than full-time but at least half-time shall be eligible to
123 receive a grant equal to sixty-five per cent of the grant amount
124 determined pursuant to this subsection.

125 [(d)] (g) Grants made pursuant to this section shall be paid as
126 follows: Fifty per cent by September first and the balance by January
127 first of each fiscal year. The January first payment shall be adjusted to
128 reflect actual interdistrict magnet school program enrollment as of the
129 preceding October first, if the actual level of enrollment is lower than
130 the projected enrollment stated in the approved grant application.

131 [(e)] (h) The Department of Education may retain up to one per cent
132 of the amount appropriated for purposes of this section for program
133 evaluation and administration.

134 [(f)] (i) Each local or regional school district in which an interdistrict
135 magnet school is located shall provide the same kind of transportation
136 to its children enrolled in such interdistrict magnet school as it
137 provides to its children enrolled in other public schools in such local or
138 regional school district. The parent or guardian of a child denied the
139 transportation services required to be provided pursuant to this
140 subsection may appeal such denial in the manner provided in sections
141 10-186 and 10-187.

142 [(g)] (j) On or before October fifteenth of each year, the
143 Commissioner of Education shall determine if interdistrict magnet
144 school enrollment is below the number of students for which funds
145 were appropriated. If the commissioner determines that the
146 enrollment is below such number, the additional funds shall not lapse
147 but shall be used by the commissioner for grants for interdistrict

148 cooperative programs pursuant to section 10-74d.

149 [(h)] (k) In the case of a student identified as requiring special
150 education, the school district in which the student resides shall: (1)
151 Hold the planning and placement team meeting for such student and
152 shall invite representatives from the interdistrict magnet school to
153 participate in such meeting; and (2) pay the interdistrict magnet school
154 an amount equal to the difference between the reasonable cost of
155 educating such student and the sum of the amount received by the
156 interdistrict magnet school for such student pursuant to subsection
157 [(c)](f) of this section and amounts received from other state, federal,
158 local or private sources calculated on a per pupil basis. Such school
159 district shall be eligible for reimbursement pursuant to section 10-76g.
160 If a student requiring special education attends an interdistrict magnet
161 school on a full-time basis, such interdistrict magnet school shall be
162 responsible for ensuring that such student receives the services
163 mandated by the student's individualized education program whether
164 such services are provided by the interdistrict magnet school or by the
165 school district in which the student resides.

166 Sec. 2. Section 10-266aa of the general statutes is repealed and the
167 following is substituted in lieu thereof:

168 (a) As used in this section:

169 (1) "Receiving district" means any school district that accepts
170 students under the program established pursuant to this section; and

171 (2) "Sending district" means any school district that sends students it
172 would otherwise be legally responsible for educating to another school
173 district under the program.

174 (3) "Minority students" means students who are "pupils of racial
175 "minorities", as defined in section 10-226a.

176 (b) There is established, within available appropriations, [a state-
177 wide] an interdistrict public school attendance program. The purpose

178 of the program shall be to: (1) Improve academic achievement; (2)
179 reduce racial, ethnic and economic isolation or preserve racial and
180 ethnic balance; and (3) provide a choice of educational programs for
181 students enrolled in the public schools. The Department of Education
182 shall provide oversight for the program, including the setting of
183 reasonable limits for the transportation of students participating in the
184 program, and may provide for the incremental expansion of the
185 program for the school year commencing in 2000 for each town
186 required to participate in the program pursuant to subsection (c) of
187 this section.

188 (c) The program shall be phased in as provided in this subsection.
189 [(1) For the fiscal year ending June 30, 1998, the Department of
190 Education shall provide grants in the amount of fifty thousand dollars
191 each to the regional educational service centers for the Hartford, New
192 Haven and Bridgeport regions to assist school districts in planning for
193 the operation of the program. (2)] (1) For the school year commencing
194 in 1998, and for each school year thereafter, the program shall be in
195 operation in the Hartford, New Haven and Bridgeport regions. The
196 Hartford program shall operate as a continuation of the program
197 described in section 10-266j. Students who reside in Hartford, New
198 Haven or Bridgeport may attend school in another school district in
199 the region and students who reside in such other school districts may
200 attend school in Hartford, New Haven or Bridgeport, provided that
201 beginning with the 2001-2002 school year, the proportion of students
202 who are not minority students to the total number of students leaving
203 Hartford, Bridgeport or New Haven to participate in the program shall
204 not be greater than the proportion of students who were not minority
205 students in the prior school year to the total number of students
206 enrolled in Hartford, Bridgeport or New Haven in the prior school
207 year. The regional educational service center operating the program
208 shall make program participation decisions in accordance with the
209 requirements of this subdivision. (2) The Department of Education
210 may provide, within available appropriations, grants for the fiscal
211 [years ending June 30, 1999, and June 30, 2000] year ending June 30,

212 2003, to the remaining regional educational service centers to assist
213 school districts in planning for [the expansion of the program to] a
214 voluntary program of student enrollment in every priority school
215 district, pursuant to section 10-266p, [in the state. (3) For the school
216 year commencing in 2000, and for each school year thereafter, the
217 program shall be in operation in New Britain, New London,
218 Waterbury and Windham. (4),] which is interested in participating in
219 accordance with this subdivision. For the school year commencing in
220 [2001] 2003, and for each school year thereafter, the voluntary
221 enrollment program [shall] may be in operation in [every priority
222 school district in the state. Students] the priority school districts other
223 than Hartford, Bridgeport and New Haven, provided (A) only
224 students from other school districts in the area of a priority school
225 district, as determined by the regional educational service center
226 pursuant to subsection [(d)] (e) of this section, may attend school in the
227 priority school district, [and students from the priority school district
228 may attend school in any school district in such area in accordance
229 with the provisions of this section, including the purposes specified in
230 subsection (b) of this section] and (B) such students bring racial, ethnic
231 and economic diversity to the priority school district and do not
232 increase the racial, ethnic and economic isolation in the priority school
233 district.

234 (d) School districts which received students from New London and
235 Windham under the program during the 2000-2001 school year shall
236 allow such students to attend school in the district until they graduate
237 from high school. The attendance of such students in such programs
238 shall not be supported by grants pursuant to subsections (f) and (g) of
239 this section but shall be supported, in the same amounts as provided
240 for in said subsections, by interdistrict cooperative grants pursuant to
241 section 10-74d, as amended by this act, to the regional educational
242 service centers operating such programs.

243 [(d)] (e) Once the program is in operation in the region served by a
244 regional educational service center pursuant to subsection (c) of this

245 section, the Department of Education shall provide[, annually, a grant
246 in the amount of one hundred seventy-five thousand dollars] an
247 annual grant to such a regional educational service center to assist
248 school districts in its area in administering the program and to provide
249 staff to assist students participating in the program to make the
250 transition to a new school and to act as a liaison between the parents of
251 such students and the new school district. The amount of the grant
252 shall be equal to fifty thousand dollars plus a per pupil allotment. The
253 per pupil allotment shall be determined by subtracting, from the
254 amount appropriated for the purposes of this section, fifty thousand
255 dollars multiplied by the number of regional educational service
256 centers eligible for grants pursuant to this section, and dividing the
257 remainder by the number of students participating in the program on
258 October first of the prior school year. Each regional educational service
259 center shall determine which school districts in its area are located
260 close enough to a priority school district to make participation in the
261 program feasible in terms of student transportation pursuant to
262 subsection (e) of this section, provided any student participating in the
263 program prior to July 1, 1999, shall be allowed to continue to attend the
264 same school such student attended prior to said date in the receiving
265 district until the student completes the highest grade in such school.
266 Each regional educational service center shall convene, annually, a
267 meeting of representatives of such school districts in order for such
268 school districts to report, by March thirty-first, the number of spaces
269 available for the following school year for out-of-district students
270 under the program. For the Hartford, Bridgeport and New Haven
271 regions the Commissioner of Education may require the reporting of
272 additional long-term projections concerning the availability of spaces
273 in order to ensure that the demand for participation in the program is
274 met in those regions. Annually, each regional educational service
275 center shall provide a count of such spaces to the Department of
276 Education by April fifteenth. If there are more students who seek to
277 attend school in a receiving district than there are spaces available, the
278 regional educational service center shall assist the school district in

279 determining attendance by the use of a lottery or lotteries designed to
280 preserve or increase racial, ethnic and economic diversity, except that
281 the regional educational service center shall give preference to siblings
282 and to students who would otherwise attend a school that has lost its
283 accreditation by the New England Association of Schools and Colleges.
284 The admission policies shall be consistent with section 10-15c, except
285 that enrollment shall be controlled to ensure that the conditions of
286 subsection (c) of this section are met. No receiving district shall recruit
287 students under the program for athletic or extracurricular purposes.
288 Each receiving district shall allow out-of-district students it accepts to
289 attend school in the district until they graduate from high school.

290 [(e)] (f) The Department of Education shall provide grants to
291 regional educational service centers or local or regional boards of
292 education for the reasonable cost of transportation for students
293 participating in the program. For the fiscal year ending June 30, 2000,
294 and each fiscal year thereafter, the department shall provide such
295 grants within available appropriations, provided the state-wide
296 average of such grants does not exceed an amount equal to two
297 thousand one hundred dollars for each student transported. The
298 regional educational service centers shall provide reasonable
299 transportation services to high school students who wish to participate
300 in supervised extracurricular activities. For purposes of this section,
301 the number of students transported shall be determined on September
302 first of each fiscal year.

303 [(f)] (g) The Department of Education shall provide, within available
304 appropriations, an annual grant to the local or regional board of
305 education for each receiving district in an amount not to exceed two
306 thousand dollars for each out-of-district student who attends school in
307 the receiving district under the program. Each town which receives
308 funds pursuant to this subsection shall make such funds available to its
309 local or regional board of education in supplement to any other local
310 appropriation, other state or federal grant or other revenue to which
311 the local or regional board of education is entitled.

312 [(g)] (h) Notwithstanding any provision of this chapter, each
313 sending district and each receiving district shall divide the number of
314 children participating in the program who reside in such district or
315 attend school in such district by two for purposes of the counts for
316 subdivision (22) of section 10-262f and subdivision (2) of subsection (a)
317 of section 10-261.

318 [(h)] (i) In the case of an out-of-district student who requires special
319 education and related services, the sending district shall pay the
320 receiving district an amount equal to the difference between the
321 reasonable cost of providing such special education and related
322 services to such student and the amount received by the receiving
323 district pursuant to [subdivision (f)] subsection (g) of this section and
324 in the case of students participating pursuant to subsection (d) of this
325 section, the per pupil amount received pursuant to section 10-74d, as
326 amended by this act. The sending district shall be eligible for
327 reimbursement pursuant to section 10-76g.

328 [(i)] (j) Nothing in this section shall prohibit school districts from
329 charging tuition to other school districts that do not have a high school
330 pursuant to section 10-33.

331 [(j)] (k) On or before October fifteenth of each year, the
332 Commissioner of Education shall determine if the enrollment in the
333 program pursuant to subsection (c) of this section for the fiscal year is
334 below the number of students for which funds were appropriated. If
335 the commissioner determines that the enrollment is below such
336 number, the additional funds shall not lapse but shall be used by the
337 commissioner in accordance with this subsection. (1) Any amount up
338 to three hundred fifty thousand dollars of such nonlapsing funds shall
339 be used for supplemental grants to receiving districts on a pro rata
340 basis for each out-of-district student in the program pursuant to
341 subsection (c) of this section who attends the same school in the
342 receiving district as at least nine other such out-of-district students, not
343 to exceed one thousand dollars per student. (2) Any remaining

344 nonlapsing funds shall be used for interdistrict cooperative grants
345 pursuant to section 10-74d, as amended by this act.

346 [(k)] (l) For purposes of the state-wide mastery examinations under
347 section 10-14n, students participating in the program established
348 pursuant to this section shall be considered residents of the school
349 district in which they attend school.

350 Sec. 3. Subsections (a) and (b) of section 10-74d of the general
351 statutes are repealed and the following is substituted in lieu thereof:

352 (a) The Department of Education shall, within available
353 appropriations and after payments made pursuant to section 10-266j
354 and for purposes of subsection (d) of 10-266aa, as amended by this act,
355 maintain a competitive grant program for the purpose of assisting local
356 and regional boards of education and regional educational service
357 centers with the establishment and operation of interdistrict
358 cooperative programs, including programs pursuant to section
359 10-266bb, and lighthouse schools, as defined in section 10-266cc, but
360 excluding interdistrict magnet school programs for which a local or
361 regional board of education or a regional educational service center
362 receives funds pursuant to section 10-264h or 10-264l, as amended by
363 this act.

364 (b) To be eligible for a grant under this section, each application
365 shall be submitted pursuant to a cooperative arrangement on behalf of
366 two or more local or regional boards of education, by a regional
367 educational service center solely or pursuant to a cooperative
368 arrangement with one or more local or regional boards of education,
369 or, in the case of a lighthouse school, by a local or regional board of
370 education or regional educational service center. Applications shall be
371 submitted annually to the Commissioner of Education at such times
372 and in such manner as the commissioner prescribes. [In] Except for
373 applications for grants in accordance with subsection (d) of section 10-
374 266aa, as amended by this act, in determining whether an application
375 shall be approved and funds awarded pursuant to this section, the

376 commissioner shall consider, but such consideration shall not be
377 limited to, the following factors: (1) The specific objectives and
378 description of the proposed program; (2) the cost; (3) the number of
379 school districts and students that will benefit, provided [on and after]
380 from July 1, 1998, to June 30, 2005, the commissioner shall not award a
381 grant for a program, other than a lighthouse school, in which more
382 than eighty per cent of the students are from one school district and on
383 and after July 1, 2005, the commissioner shall not award a grant for a
384 program, other than a lighthouse school, in which more than seventy-
385 five per cent of the students are from one school district; (4) the relative
386 wealth of the participating school districts; and (5) whether the
387 proposed program is likely to (A) increase student achievement, and
388 (B) reduce racial, ethnic and economic isolation.

389 Sec. 4. This act shall take effect July 1, 2001.

Statement of Purpose:

To make changes to the interdistrict magnet school and interdistrict student attendance programs so that such programs are better able to reduce racial, ethnic and economic isolation in the state.

[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.]