



General Assembly

Substitute Bill No. 6826

January Session, 2001

AN ACT CONCERNING INTERDISTRICT PROGRAMS.

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

1 Section 1. Section 10-66aa of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 As used in sections 10-66aa to 10-66ff, inclusive, as amended by this
4 act, section 5 of this act and section 10-282, as amended by this act:

5 (1) "Charter school" means a public, nonsectarian school which is
6 (A) established under a charter granted pursuant to section 10-66bb, as
7 amended by this act, (B) organized as a nonprofit entity under state
8 law, (C) a public agency for purposes of the Freedom of Information
9 Act, as defined in section 1-200, and (D) operated independently of any
10 local or regional board of education in accordance with the terms of its
11 charter and the provisions of sections 10-66aa to 10-66ff, inclusive, as
12 amended by this act, provided no member or employee of a governing
13 council of a charter school shall have a personal or financial interest in
14 the assets, real or personal, of the school;

15 (2) "Local charter school" means a public school or part of a public
16 school that is converted into a charter school and is approved by the
17 local or regional board of education of the school district in which it is
18 located and by the State Board of Education pursuant to subsection (e)
19 of section 10-66bb; and

20 (3) "State charter school" means a new public school approved by
21 the State Board of Education pursuant to subsection (f) of section 10-
22 66bb.

23 Sec. 2. Subsection (d) of section 10-66bb of the general statutes is
24 repealed and the following is substituted in lieu thereof:

25 (d) Applications pursuant to this section shall include a description
26 of: (1) The mission, purpose and any specialized focus of the proposed
27 charter school; (2) the interest in the community for the establishment
28 of the charter school; (3) the school governance and procedures for the
29 establishment of a governing council that (A) includes teachers and
30 parents and guardians of students enrolled in the school, except as
31 may otherwise be approved by the State Board of Education, and (B) is
32 responsible for the oversight of charter school operations, provided no
33 member or employee of the governing council may have a personal or
34 financial interest in the assets, real or personal, of the school; (4) the
35 financial plan for operation of the school, provided no application fees
36 or other fees for attendance, except as provided in section 10-66ee, may
37 be charged; (5) the educational program, instructional methodology
38 and services to be offered to students; (6) the number and
39 qualifications of teachers and administrators to be employed in the
40 school; (7) the organization of the school in terms of the ages or grades
41 to be taught and the total estimated enrollment of the school; (8) the
42 student admission criteria and procedures to (A) ensure effective
43 public information, (B) ensure open access on a space available basis,
44 (C) promote a diverse student body, and (D) ensure that the school
45 complies with the provisions of section 10-15c and that it does not
46 discriminate on the basis of disability, athletic performance or
47 proficiency in the English language, provided the school may limit
48 enrollment to a particular grade level or specialized educational focus
49 and, if there is not space available for all students seeking enrollment,
50 the school may give preference to siblings but shall otherwise
51 determine enrollment by a lottery; (9) a means to assess student
52 performance that includes participation in state-wide mastery
53 examinations pursuant to chapter 163c; (10) procedures for teacher

54 evaluation and professional development for teachers and
55 administrators; (11) the provision of school facilities, pupil
56 transportation and student health and welfare services; (12)
57 procedures to encourage involvement by parents and guardians of
58 enrolled students in student learning, school activities and school
59 decision-making; (13) document efforts to increase the racial and
60 ethnic diversity of staff; and (14) a five-year plan to sustain the
61 maintenance and operation of the school. Subject to the provisions of
62 subsection (b) of section 10-66dd, an application may include, or a
63 charter school may file, requests to waive provisions of the general
64 statutes and regulations not required by sections 10-66aa to 10-66ff,
65 inclusive, and which are within the jurisdiction of the State Board of
66 Education.

67 Sec. 3. Section 10-66ee of the general statutes is repealed and the
68 following is substituted in lieu thereof:

69 (a) For the purposes of education equalization aid under section 10-
70 262h a student enrolled (1) in a local charter school shall be considered
71 a student enrolled in the school district in which such student resides,
72 and (2) in a state charter school shall not be considered a student
73 enrolled in the school district in which such student resides.

74 (b) The local board of education of the school district in which a
75 student enrolled in a local charter school resides shall pay, annually, in
76 accordance with its charter, to the fiscal authority for the charter school
77 for each such student the amount specified in its charter, including the
78 reasonable special education costs of students requiring special
79 education. The board of education shall be eligible for reimbursement
80 for such special education costs pursuant to section 10-76g.

81 (c) (1) The state shall, annually, pay in accordance with this
82 subsection, to the fiscal authority for a state charter school, seven
83 thousand five hundred dollars for each student enrolled in such
84 school. Such payments shall be made as follows: Twenty-five per cent
85 of the amount not later than July fifteenth and September fifteenth

86 based on estimated student enrollment on May first, and twenty-five
87 per cent of the amount not later than January fifteenth and the
88 remaining amount not later than April fifteenth, each based on student
89 enrollment on October first. (2) In the case of a student identified as
90 requiring special education, the school district in which the student
91 resides shall: (A) Hold the planning and placement team meeting for
92 such student and shall invite representatives from the charter school to
93 participate in such meeting; and (B) pay the state charter school, on a
94 quarterly basis, an amount equal to the difference between the
95 reasonable cost of educating such student and the sum of the amount
96 received by the state charter school for such student pursuant to
97 subdivision (1) of this subsection and amounts received from other
98 state, federal, local or private sources calculated on a per pupil basis.
99 Such school district shall be eligible for reimbursement pursuant to
100 section 10-76g. The charter school a student requiring special
101 education attends shall be responsible for ensuring that such student
102 receives the services mandated by the student's individualized
103 education program whether such services are provided by the charter
104 school or by the school district in which the student resides.

105 (d) Notwithstanding any provision of the general statutes to the
106 contrary, if at the end of a fiscal year amounts received by a state
107 charter school, pursuant to subdivision (1) of this subsection, are
108 unexpended, the charter school (1) may use, for the expenses of the
109 charter school for the following fiscal year, up to ten per cent of such
110 amounts, and (2) may (A) create a reserve fund to finance a specific
111 capital or equipment purchase or another specified project as may be
112 approved by the commissioner, and (B) deposit into such fund up to
113 five per cent of such amounts.

114 (e) The local or regional board of education of the school district in
115 which the charter school is located shall provide transportation
116 services for students of the charter school who reside in such school
117 district pursuant to section 10-273a unless the charter school makes
118 other arrangements for such transportation. [Any local or regional
119 board of education may provide transportation services to a student

120 attending a charter school outside of the district in which the student
121 resides and, if it elects to provide such transportation, shall be
122 reimbursed pursuant to section 10-266m for the reasonable costs of
123 such transportation.] Any local or regional board of education
124 providing transportation services under this subsection or subsection
125 (f) of this section may suspend such services in accordance with the
126 provisions of section 10-233c. The parent or guardian of any student
127 denied the transportation services required to be provided pursuant to
128 this subsection or subsection (f) of this section may appeal such denial
129 in the manner provided in sections 10-186 and 10-187.

130 (f) (1) A local or regional board of education, regional educational
131 service center or cooperative arrangement pursuant to section 10-158a
132 which transports a child to a state charter school in a town other than
133 the town in which the child resides shall be eligible to receive a grant
134 for the cost of transporting such child in accordance with this
135 subsection. The amount of such grant shall not exceed an amount
136 equal to the number of such children transported multiplied by one
137 thousand two hundred dollars. The Department of Education shall
138 provide such grants within available appropriations. Nothing in this
139 subsection shall be construed to prevent a local or regional board of
140 education, regional educational service center or cooperative
141 arrangement from receiving reimbursement under section 10-266m for
142 reasonable transportation expenses for which such board, service
143 center or cooperative arrangement is not reimbursed pursuant to this
144 section.

145 (2) Grants under this subsection shall be contingent on documented
146 costs of providing such transportation. Eligible local and regional
147 boards of education, regional educational service centers and
148 cooperative arrangements shall submit applications for grants under
149 this section to the Commissioner of Education in such form and at such
150 times as the commissioner prescribes. Grants pursuant to this
151 subsection shall be paid as follows: In October one-half of the
152 estimated eligible transportation costs and the balance of such costs in
153 May.

154 (3) Each local and regional board of education, regional educational
155 service center and cooperative arrangement participating in the grant
156 program shall prepare a financial statement of expenditures which
157 shall be submitted to the Department of Education on or before
158 September first of the fiscal year immediately following each fiscal
159 year in which the school district, regional educational service center or
160 cooperative arrangement participates in the grant program. Based on
161 such statement, any underpayment or overpayment may be calculated
162 and adjusted by the state Department of Education in the grant for any
163 subsequent year.

164 (4) The Department of Education may retain up to one per cent of
165 the amount appropriated pursuant to this section for program
166 evaluation and administration.

167 ~~[(f)]~~ (g) Charter schools shall be eligible to the same extent as boards
168 of education for any grant for special education, competitive state
169 grants and grants pursuant to sections 10-17g and 10-266w.

170 ~~[(g)]~~ (h) If the commissioner finds that any charter school uses a
171 grant under this section for a purpose that is inconsistent with the
172 provisions of this part, the commissioner may require repayment of
173 such grant to the state.

174 ~~[(h)]~~ (i) Charter schools shall receive, in accordance with federal law
175 and regulations, any federal funds available for the education of any
176 pupils attending public schools.

177 ~~[(i)]~~ (j) The governing council of a charter school may (1) contract or
178 enter into other agreements for purposes of administrative or other
179 support services, transportation, plant services or leasing facilities or
180 equipment, and (2) receive and expend private funds or public funds,
181 including funds from local or regional boards of education and funds
182 received by local charter schools for out-of-district students, for school
183 purposes.

184 Sec. 4. Subsection (a) of section 10-266m of the general statutes is

185 repealed and the following is substituted in lieu thereof:

186 (a) A local or regional board of education providing transportation
187 in accordance with the provisions of sections 10-54, [10-66ee,] 10-97,
188 10-158a, 10-273a, 10-277, [and] 10-281 and subsection (e) of section 10-
189 66ee, as amended by this act, shall be reimbursed for a percentage of
190 such transportation costs as follows:

191 (1) The percentage of pupil transportation costs reimbursed to a
192 local board of education shall be determined by (A) ranking each town
193 in the state in descending order from one to one hundred sixty-nine
194 according to such town's adjusted equalized net grand list per capita,
195 as defined in section 10-261; (B) based upon such ranking, and
196 notwithstanding the provisions of section 2-32a, (i) except as otherwise
197 provided in this subparagraph, a percentage of zero shall be assigned
198 to towns ranked from one to thirteen and a percentage of not less than
199 zero nor more than sixty shall be determined for the towns ranked
200 from fourteen to one hundred sixty-nine on a continuous scale, except
201 that any such percentage shall be increased by twenty percentage
202 points in accordance with section 10-97, where applicable, and (ii) for
203 the fiscal year ending June 30, 1997, and for each fiscal year thereafter,
204 a percentage of zero shall be assigned to towns ranked from one to
205 seventeen and a percentage of not less than zero nor more than sixty
206 shall be determined for the towns ranked from eighteen to one
207 hundred sixty-nine on a continuous scale.

208 (2) The percentage of pupil transportation costs reimbursed to a
209 regional board of education shall be determined by its ranking. Such
210 ranking shall be determined by (A) multiplying the total population, as
211 defined in section 10-261, of each town in the district by such town's
212 ranking, as determined in subdivision (1) of this section, (B) adding
213 together the figures determined under subparagraph (A) of this
214 subdivision, and (C) dividing the total computed under subparagraph
215 (B) of this subdivision by the total population of all towns in the
216 district. The ranking of each regional board of education shall be
217 rounded to the next higher whole number and each such board shall

218 receive the same reimbursement percentage as would a town with the
219 same rank, provided such percentage shall be increased in the case of a
220 secondary regional school district by an additional five percentage
221 points and, in the case of any other regional school district by an
222 additional ten percentage points.

223 (3) Notwithstanding the provisions of subdivisions (1) and (2) of
224 this section, for the fiscal year ending June 30, 1997, and for each fiscal
225 year thereafter, no local or regional board of education shall receive a
226 grant of less than one thousand dollars.

227 Sec. 5. (NEW) (a) For the fiscal year ending June 30, 2002, and each
228 fiscal year thereafter, if the charter of a state charter school has been
229 renewed at least once pursuant to subsection (g) of section 10-66bb of
230 the general statutes, the governing council of such state charter school
231 may be eligible for a grant for a percentage of the reasonable costs of a
232 school building project for such state charter school. Grants pursuant
233 to this section shall be subject to the requirements established in
234 chapter 173 of the general statutes. The percentage of school building
235 project grant money a state charter school may be eligible to receive
236 shall be the same as the percentage determined pursuant to section
237 10-285a of the general statutes, for the town in which the state charter
238 school is located. The commissioner shall only approve applications
239 for grants under this section that the commissioner finds will reduce
240 racial, ethnic and economic isolation.

241 (b) If the school building ceases to be used for the purposes for
242 which the grant was provided within twenty years of the date of
243 approval by the General Assembly of the project, the Commissioner of
244 Education shall determine whether (1) title to the building and any
245 legal interest in appurtenant land shall revert to the state, or (2) the
246 governing council of the state charter school shall reimburse the state
247 for the amount of the grant.

248 Sec. 6. Subdivision (3) of section 10-282 of the general statutes is
249 repealed and the following is substituted in lieu thereof:

250 (3) "School building project", except as used in section 10-289, means
251 (A) the construction, purchase, extension, replacement, renovation or
252 major alteration of a building to be used for public school purposes,
253 including the equipping and furnishing of any such construction,
254 purchase, extension, replacement, renovation or major alteration, the
255 improvement of land therefor, or the improvement of the site of an
256 existing building for public school purposes, but shall not include the
257 cost of a site, except as provided in subsection (b) of section 10-286d;
258 (B) the construction and equipping and furnishing of any such
259 construction of any building which the towns of Norwich, Winchester
260 and Woodstock may provide by lease or otherwise for use by the
261 Norwich Free Academy, Gilbert School and Woodstock Academy,
262 respectively, in furnishing education for public school pupils under the
263 provisions of section 10-34; [and] (C) the addition to, renovation of and
264 equipping and furnishing of any such addition to or renovation of any
265 building which may be leased, upon the approval of the State Board of
266 Education, to any local or regional board of education for a term of
267 twenty years or more for use by such local or regional board in
268 furnishing education of public school pupils; and (D) the refinancing
269 of a mortgage secured by a state charter school.

270 Sec. 7. (NEW) If a town received a school building grant pursuant to
271 chapter 173 of the general statutes, for an interdistrict magnet school
272 located in such town, the local or regional board of education for such
273 town's school district shall be eligible to receive a host town incentive
274 payment in accordance with this section. The Department of Education
275 shall provide such payments annually within available appropriations.
276 The amount of the payment for each student from such school district
277 who is enrolled in the interdistrict magnet school shall be equal to the
278 difference between (1) the average per student educational
279 expenditure of the interdistrict magnet school, and (2) the sum of the
280 per student education equalization aid of the town pursuant to section
281 10-262h of the general statutes, and the amount of the state payment
282 for a student from such school district pursuant to section 10-264l of
283 the general statutes, as amended by this act.

284 Sec. 8. Section 10-264l of the general statutes is repealed and the
285 following is substituted in lieu thereof:

286 (a) The Department of Education shall, within available
287 appropriations, establish a grant program to assist local and regional
288 boards of education, regional educational service centers and
289 cooperative arrangements pursuant to section 10-158a with the
290 operation of interdistrict magnet school programs. For the purposes of
291 this section "an interdistrict magnet school program" means a program
292 which (1) supports racial, ethnic and economic diversity, (2) offers a
293 special and high quality curriculum, and (3) requires students who are
294 enrolled to attend at least half-time. An interdistrict magnet school
295 program does not include a regional vocational agriculture school, a
296 regional vocational-technical school or a regional special education
297 center. [On and after]

298 (b) From July 1, 2000, to June 30, 2005, the governing authority for
299 each interdistrict magnet school program shall restrict the number of
300 students that may enroll in the program from a participating district to
301 eighty per cent of the total enrollment of the program. On and after
302 July 1, 2005, the governing authority for each interdistrict magnet
303 school program shall (1) restrict the number of students that may
304 enroll in the program from a participating district to seventy-five per
305 cent of the total enrollment of the program, and (2) maintain a school
306 enrollment such that at least twenty-five per cent but not more than
307 seventy-five per cent of the students enrolled are pupils of racial
308 minorities, as defined in section 10-226a. No student enrolled in a
309 magnet school during the 2000-2001 school year shall be displaced as a
310 result of enrollment restrictions pursuant to this section.

311 [(b)] (c) Applications for interdistrict magnet school program
312 operating grants awarded pursuant to this section shall be submitted
313 annually to the Commissioner of Education at such time and in such
314 manner as the commissioner prescribes. In determining whether an
315 application shall be approved and funds awarded pursuant to this
316 section, the commissioner shall consider, but such consideration shall

317 not be limited to: (1) Whether the program offered by the school is
318 likely to increase student achievement; (2) whether the program is
319 likely to reduce racial, ethnic and economic isolation; and (3) the
320 percentage of the student enrollment in the program from each
321 participating district. [On and after] From July 1, 2000, to June 30, 2005,
322 the commissioner shall not award a grant to a program if more than
323 eighty per cent of its total enrollment is from one school district, except
324 that the commissioner may award a grant for good cause, for any one
325 year, on behalf of an otherwise eligible magnet school program, if
326 more than eighty per cent of the total enrollment is from one district.
327 On and after July 1, 2005, the commissioner shall not award a grant to
328 a program if more than seventy-five per cent of its total enrollment is
329 from one school district or if less than twenty-five or more than
330 seventy-five per cent of the students enrolled are pupils of racial
331 minorities, as defined in section 10-226a, except that the commissioner
332 may award a grant for good cause, for one year, on behalf of an
333 otherwise eligible magnet school program, if more than seventy-five
334 per cent of the total enrollment is from one district or less than twenty-
335 five or more than seventy-five per cent of the students enrolled are
336 pupils of racial minorities. The commissioner may not award grants
337 pursuant to such an exception for a second consecutive year.

338 [(c) The] (d) For the fiscal years ending June 30, 2002, to June 30,
339 2005, inclusive, the maximum amount each interdistrict magnet school
340 program shall be eligible to receive per enrolled student shall be
341 determined as follows: (1) For each participating district whose magnet
342 school program enrollment is equal to or less than thirty per cent of the
343 magnet school program total enrollment, ninety per cent of the
344 foundation as defined in subdivision (7) of section 10-262f; (2) for each
345 participating district whose magnet school program enrollment is
346 greater than thirty per cent but less than or equal to sixty per cent of
347 the magnet school program total enrollment, a percentage between
348 sixty and ninety per cent of said foundation that is inversely
349 proportional to the percentage of magnet school program students
350 from such district; and (3) for each participating district whose magnet

351 school program enrollment is greater than sixty per cent but less than
352 or equal to ninety per cent of the magnet school program total
353 enrollment, a percentage between zero and sixty per cent of said
354 foundation that is inversely proportional to the percentage of magnet
355 school program students from such district. For the fiscal year ending
356 June 30, 2006, and each fiscal year thereafter, the maximum amount
357 each interdistrict magnet school program shall be eligible to receive
358 per enrolled student shall be determined as follows: (A) For each
359 participating district whose magnet school program enrollment is
360 equal to or less than twenty-five per cent of the magnet school
361 program total enrollment, ninety per cent of the foundation as defined
362 in subdivision (7) of section 10-262f; (B) for each participating district
363 whose magnet school program enrollment is greater than twenty-five
364 per cent but less than or equal to fifty per cent of the magnet school
365 program total enrollment, a percentage between sixty and ninety per
366 cent of said foundation that is inversely proportional to the percentage
367 of magnet school program students from such district; and (C) for each
368 participating district whose magnet school program enrollment is
369 greater than fifty per cent but less than or equal to seventy-five per
370 cent of the magnet school program total enrollment, a percentage
371 between zero and sixty per cent of said foundation that is inversely
372 proportional to the percentage of magnet school program students
373 from such district. The amounts so determined shall be
374 proportionately adjusted, if necessary, within the limit of the available
375 appropriation, and in no case shall any grant pursuant to this section
376 exceed the reasonable operating budget of the magnet school program,
377 less revenues from other sources. Any magnet school program
378 operating less than full-time but at least half-time shall be eligible to
379 receive a grant equal to sixty-five per cent of the grant amount
380 determined pursuant to this subsection.

381 [(d)] (e) Grants made pursuant to this section shall be paid as
382 follows: Fifty per cent by September first and the balance by January
383 first of each fiscal year. The January first payment shall be adjusted to
384 reflect actual interdistrict magnet school program enrollment as of the

385 preceding October first, if the actual level of enrollment is lower than
386 the projected enrollment stated in the approved grant application.

387 [(e)] (f) The Department of Education may retain up to one per cent
388 of the amount appropriated for purposes of this section for program
389 evaluation and administration.

390 [(f)] (g) Each local or regional school district in which an interdistrict
391 magnet school is located shall provide the same kind of transportation
392 to its children enrolled in such interdistrict magnet school as it
393 provides to its children enrolled in other public schools in such local or
394 regional school district. The parent or guardian of a child denied the
395 transportation services required to be provided pursuant to this
396 subsection may appeal such denial in the manner provided in sections
397 10-186 and 10-187.

398 [(g)] (h) On or before October fifteenth of each year, the
399 Commissioner of Education shall determine if interdistrict magnet
400 school enrollment is below the number of students for which funds
401 were appropriated. If the commissioner determines that the
402 enrollment is below such number, the additional funds shall not lapse
403 but shall be used by the commissioner for grants for interdistrict
404 cooperative programs pursuant to section 10-74d.

405 [(h)] (i) In the case of a student identified as requiring special
406 education, the school district in which the student resides shall: (1)
407 Hold the planning and placement team meeting for such student and
408 shall invite representatives from the interdistrict magnet school to
409 participate in such meeting; and (2) pay the interdistrict magnet school
410 an amount equal to the difference between the reasonable cost of
411 educating such student and the sum of the amount received by the
412 interdistrict magnet school for such student pursuant to subsection
413 [(c)] (f) of this section and amounts received from other state, federal,
414 local or private sources calculated on a per pupil basis. Such school
415 district shall be eligible for reimbursement pursuant to section 10-76g.
416 If a student requiring special education attends an interdistrict magnet

417 school on a full-time basis, such interdistrict magnet school shall be
418 responsible for ensuring that such student receives the services
419 mandated by the student's individualized education program whether
420 such services are provided by the interdistrict magnet school or by the
421 school district in which the student resides.

422 Sec. 9. Section 10-266aa of the general statutes is repealed and the
423 following is substituted in lieu thereof:

424 (a) As used in this section:

425 (1) "Receiving district" means any school district that accepts
426 students under the program established pursuant to this section; [and]

427 (2) "Sending district" means any school district that sends students it
428 would otherwise be legally responsible for educating to another school
429 district under the program; and

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

432 (b) There is established, within available appropriations, [a state-
433 wide] an interdistrict public school attendance program. The purpose
434 of the program shall be to: (1) Improve academic achievement; (2)
435 reduce racial, ethnic and economic isolation or preserve racial and
436 ethnic balance; and (3) provide a choice of educational programs for
437 students enrolled in the public schools. The Department of Education
438 shall provide oversight for the program, including the setting of
439 reasonable limits for the transportation of students participating in the
440 program, and may provide for the incremental expansion of the
441 program for the school year commencing in 2000 for each town
442 required to participate in the program pursuant to subsection (c) of
443 this section.

444 (c) The program shall be phased in as provided in this subsection.
445 [(1) For the fiscal year ending June 30, 1998, the Department of
446 Education shall provide grants in the amount of fifty thousand dollars

447 each to the regional educational service centers for the Hartford, New
448 Haven and Bridgeport regions to assist school districts in planning for
449 the operation of the program. (2)] (1) For the school year commencing
450 in 1998, and for each school year thereafter, the program shall be in
451 operation in the Hartford, New Haven and Bridgeport regions. The
452 Hartford program shall operate as a continuation of the program
453 described in section 10-266j. Students who reside in Hartford, New
454 Haven or Bridgeport may attend school in another school district in
455 the region and students who reside in such other school districts may
456 attend school in Hartford, New Haven or Bridgeport, provided,
457 beginning with the 2001-2002 school year, the proportion of students
458 who are not minority students to the total number of students leaving
459 Hartford, Bridgeport or New Haven to participate in the program shall
460 not be greater than the proportion of students who were not minority
461 students in the prior school year to the total number of students
462 enrolled in Hartford, Bridgeport or New Haven in the prior school
463 year. The regional educational service center operating the program
464 shall make program participation decisions in accordance with the
465 requirements of this subdivision. (2) For the school year commencing
466 in 2000, and for each school year thereafter, the program shall be in
467 operation in New London and Windham, provided beginning with the
468 2001-2002 school year, the proportion of students who are not minority
469 students to the total number of students leaving New London and
470 Windham to participate in the program shall not be greater than the
471 proportion of students who were not minority students in the prior
472 year to the total number of students enrolled in New London and
473 Windham in the prior school year. The regional educational service
474 center operating the program shall make program participation
475 decisions in accordance with this subdivision. (3) The Department of
476 Education may provide, within available appropriations, grants for the
477 fiscal [years ending June 30, 1999, and June 30, 2000] year ending June
478 30, 2003, to the remaining regional educational service centers to assist
479 school districts in planning for [the expansion of the program to] a
480 voluntary program of student enrollment in every priority school
481 district, pursuant to section 10-266p, [in the state. (3) For the school

482 year commencing in 2000, and for each school year thereafter, the
483 program shall be in operation in New Britain, New London,
484 Waterbury and Windham. (4)] which is interested in participating in
485 accordance with this subdivision. For the school year commencing in
486 [2001] 2003, and for each school year thereafter, the voluntary
487 enrollment program [shall] may be in operation in every priority
488 school district in the state. Students from other school districts in the
489 area of a priority school district, as determined by the regional
490 educational service center pursuant to subsection (d) of this section,
491 may attend school in the priority school district, [and students from
492 the priority school district may attend school in any school district in
493 such area in accordance with the provisions of this section, including
494 the purposes specified in subsection (b) of this section] provided such
495 students bring racial, ethnic and economic diversity to the priority
496 school district and do not increase the racial, ethnic and economic
497 isolation in the priority school district.

498 (d) Once the program is in operation in the region served by a
499 regional educational service center pursuant to subsection (c) of this
500 section, the Department of Education shall provide [, annually, a grant
501 in the amount of one hundred seventy-five thousand dollars] an
502 annual grant to such a regional educational service center to assist
503 school districts in its area in administering the program and to provide
504 staff to assist students participating in the program to make the
505 transition to a new school and to act as a liaison between the parents of
506 such students and the new school district. The amount of the grant
507 shall be equal to fifty thousand dollars plus a per pupil allotment. The
508 per pupil allotment shall be determined by subtracting, from the
509 amount appropriated for the purposes of this section, fifty thousand
510 dollars multiplied by the number of regional educational service
511 centers eligible for grants pursuant to this section, and dividing the
512 remainder by the number of students participating in the program on
513 October first of the prior school year. Each regional educational service
514 center shall determine which school districts in its area are located
515 close enough to a priority school district to make participation in the

516 program feasible in terms of student transportation pursuant to
517 subsection (e) of this section, provided any student participating in the
518 program prior to July 1, 1999, shall be allowed to continue to attend the
519 same school such student attended prior to said date in the receiving
520 district until the student completes the highest grade in such school.
521 Each regional educational service center shall convene, annually, a
522 meeting of representatives of such school districts in order for such
523 school districts to report, by March thirty-first, the number of spaces
524 available for the following school year for out-of-district students
525 under the program. For the Hartford, Bridgeport and New Haven
526 regions the Commissioner of Education may require the reporting of
527 additional long-term projections concerning the availability of spaces
528 in order to ensure that the demand for participation in the program is
529 met in those regions. Annually, each regional educational service
530 center shall provide a count of such spaces to the Department of
531 Education by April fifteenth. If there are more students who seek to
532 attend school in a receiving district than there are spaces available, the
533 regional educational service center shall assist the school district in
534 determining attendance by the use of a lottery or lotteries designed to
535 preserve or increase racial, ethnic and economic diversity, except that
536 the regional educational service center shall give preference to siblings
537 and to students who would otherwise attend a school that has lost its
538 accreditation by the New England Association of Schools and Colleges.
539 The admission policies shall be consistent with section 10-15c, except
540 that enrollment shall be controlled to ensure that the conditions of
541 subsection (c) of this section are met. No receiving district shall recruit
542 students under the program for athletic or extracurricular purposes.
543 Each receiving district shall allow out-of-district students it accepts to
544 attend school in the district until they graduate from high school.

545 (e) The Department of Education shall provide grants to regional
546 educational service centers or local or regional boards of education for
547 the reasonable cost of transportation for students participating in the
548 program. For the fiscal year ending June 30, 2000, and each fiscal year
549 thereafter, the department shall provide such grants within available

550 appropriations, provided the state-wide average of such grants does
551 not exceed an amount equal to two thousand one hundred dollars for
552 each student transported. The regional educational service centers
553 shall provide reasonable transportation services to high school
554 students who wish to participate in supervised extracurricular
555 activities. For purposes of this section, the number of students
556 transported shall be determined on September first of each fiscal year.

557 (f) The Department of Education shall provide, within available
558 appropriations, an annual grant to the local or regional board of
559 education for each receiving district in an amount not to exceed two
560 thousand dollars for each out-of-district student who attends school in
561 the receiving district under the program. Each town which receives
562 funds pursuant to this subsection shall make such funds available to its
563 local or regional board of education in supplement to any other local
564 appropriation, other state or federal grant or other revenue to which
565 the local or regional board of education is entitled.

566 (g) Notwithstanding any provision of this chapter, each sending
567 district and each receiving district shall divide the number of children
568 participating in the program who reside in such district or attend
569 school in such district by two for purposes of the counts for
570 subdivision (22) of section 10-262f and subdivision (2) of subsection (a)
571 of section 10-261.

572 (h) In the case of an out-of-district student who requires special
573 education and related services, the sending district shall pay the
574 receiving district an amount equal to the difference between the
575 reasonable cost of providing such special education and related
576 services to such student and the amount received by the receiving
577 district pursuant to subdivision (f) of this section. The sending district
578 shall be eligible for reimbursement pursuant to section 10-76g.

579 (i) Nothing in this section shall prohibit school districts from
580 charging tuition to other school districts that do not have a high school
581 pursuant to section 10-33.

582 (j) On or before October fifteenth of each year, the Commissioner of
583 Education shall determine if the enrollment in the program for the
584 fiscal year is below the number of students for which funds were
585 appropriated. If the commissioner determines that the enrollment is
586 below such number, the additional funds shall not lapse but shall be
587 used by the commissioner in accordance with this subsection. (1) Any
588 amount up to three hundred fifty thousand dollars of such nonlapsing
589 funds shall be used for supplemental grants to receiving districts on a
590 pro rata basis for each out-of-district student in the program who
591 attends the same school in the receiving district as at least nine other
592 such out-of-district students, not to exceed one thousand dollars per
593 student. (2) Any remaining nonlapsing funds shall be used for
594 interdistrict cooperative grants pursuant to section 10-74d, as amended
595 by this act.

596 (k) For purposes of the state-wide mastery examinations under
597 section 10-14n, students participating in the program established
598 pursuant to this section shall be considered residents of the school
599 district in which they attend school.

600 Sec. 10. Subsection (b) of section 10-74d of the general statutes is
601 repealed and the following is substituted in lieu thereof:

602 (b) To be eligible for a grant under this section, each application
603 shall be submitted pursuant to a cooperative arrangement on behalf of
604 two or more local or regional boards of education, by a regional
605 educational service center solely or pursuant to a cooperative
606 arrangement with one or more local or regional boards of education,
607 or, in the case of a lighthouse school, by a local or regional board of
608 education or regional educational service center. Applications shall be
609 submitted annually to the Commissioner of Education at such times
610 and in such manner as the commissioner prescribes. In determining
611 whether an application shall be approved and funds awarded
612 pursuant to this section, the commissioner shall consider, but such
613 consideration shall not be limited to, the following factors: (1) The
614 specific objectives and description of the proposed program; (2) the

615 cost; (3) the number of school districts and students that will benefit,
616 provided [on and after] from July 1, 1998, to June 30, 2005, the
617 commissioner shall not award a grant for a program, other than a
618 lighthouse school, in which more than eighty per cent of the students
619 are from one school district and on and after July 1, 2005, the
620 commissioner shall not award a grant for a program, other than a
621 lighthouse school, in which more than seventy-five per cent of the
622 students are from one school district; (4) the relative wealth of the
623 participating school districts; and (5) whether the proposed program is
624 likely to (A) increase student achievement, and (B) reduce racial, ethnic
625 and economic isolation.

626 Sec. 11. This act shall take effect July 1, 2001.

ED

Joint Favorable Subst. C/R

APP