



General Assembly

February Session, 2002

Raised Bill No. 385

LCO No. 1615

Referred to Committee on Education

Introduced by:
(ED)

**AN ACT CONCERNING CHARTER SCHOOLS AND INTERDISTRICT
MAGNET SCHOOLS.**

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

1 Section 1. Subsection (d) of section 10-66bb of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (d) Applications pursuant to this section shall include a description
5 of: (1) The mission, purpose and any specialized focus of the proposed
6 charter school; (2) the interest in the community for the establishment
7 of the charter school; (3) the school governance and procedures for the
8 establishment of a governing council that (A) includes teachers and
9 parents and guardians of students enrolled in the school, except as
10 may otherwise be approved by the State Board of Education, and (B) is
11 responsible for the oversight of charter school operations, provided no
12 member or employee of the governing council may have a personal or
13 financial interest in the assets, real or personal, of the school; (4) the
14 financial plan for operation of the school, provided no application fees
15 or other fees for attendance, except as provided in section 10-66ee, as
16 amended by this act, may be charged; (5) the educational program,

17 instructional methodology and services to be offered to students; (6)
18 the number and qualifications of teachers and administrators to be
19 employed in the school; (7) the organization of the school in terms of
20 the ages or grades to be taught and the total estimated enrollment of
21 the school; (8) the student admission criteria and procedures to (A)
22 ensure effective public information, (B) ensure open access on a space
23 available basis, (C) promote a diverse student body, and (D) ensure
24 that the school complies with the provisions of section 10-15c and that
25 it does not discriminate on the basis of disability, athletic performance
26 or proficiency in the English language, provided the school may limit
27 enrollment to a particular grade level or specialized educational focus
28 and, if there is not space available for all students seeking enrollment,
29 the school may give preference to siblings but shall otherwise
30 determine enrollment by a lottery; (9) a means to assess student
31 performance that includes participation in state-wide mastery
32 examinations pursuant to chapter 163c; (10) procedures for teacher
33 evaluation and professional development for teachers and
34 administrators; (11) the provision of school facilities, pupil
35 transportation and student health and welfare services; (12)
36 procedures to encourage involvement by parents and guardians of
37 enrolled students in student learning, school activities and school
38 decision-making; (13) document efforts to increase the racial and
39 ethnic diversity of staff; and (14) a five-year plan to sustain the
40 maintenance and operation of the school. Subject to the provisions of
41 subsection (b) of section 10-66dd, an application may include, or a
42 charter school may file, requests to waive provisions of the general
43 statutes and regulations not required by sections 10-66aa to 10-66ff,
44 inclusive, as amended, and which are within the jurisdiction of the
45 State Board of Education.

46 Sec. 2. Subsections (a) and (b) of section 10-217a of the general
47 statutes, as amended by section 9 of public act 01-1 of the June special
48 session, are repealed and the following is substituted in lieu thereof
49 (*Effective July 1, 2002*):

50 (a) Each town or regional school district which provides health
51 services for children attending its public schools in any grade, from
52 kindergarten to twelve, inclusive, shall provide the same health
53 services for children in such grades attending private nonprofit schools
54 and state charter schools therein, when a majority of the children
55 attending such schools are residents of the state of Connecticut. Any
56 such town or district may also provide such services for children in
57 prekindergarten programs in such private nonprofit schools or state
58 charter schools when a majority of the children attending such schools
59 are residents of the state of Connecticut. Such determination shall be
60 based on the percentage of resident pupils enrolled in such school on
61 October first, or the full school day immediately preceding such date,
62 during the school year next prior to that in which the health services
63 are to be provided. The provisions of this section shall not be
64 construed to require a town or district to provide such services to any
65 child who is not a resident of this state. Such health services shall
66 include the services of a school physician, school nurse and dental
67 hygienist, provided such health services shall not include special
68 education services which, if provided to public school students, would
69 be eligible for reimbursement pursuant to section 10-76g, as amended.
70 For purposes of this section, a resident is a person with continuous and
71 permanent physical presence within the state, except that temporary
72 absences for short periods of time shall not affect the establishment of
73 residency.

74 (b) Any town or regional school district providing such services for
75 children attending such private schools or state charter schools shall be
76 reimbursed by the state for a percentage of the amount paid from local
77 tax revenues for such services as follows:

78 (1) The percentage of the amount paid from local tax revenues for
79 such services reimbursed to a local board of education shall be
80 determined by (A) ranking each town in the state in descending order
81 from one to one hundred sixty-nine according to such town's adjusted
82 equalized net grand list per capita, as defined in section 10-261, as

83 amended; (B) based upon such ranking, (i) for reimbursement paid in
84 the fiscal year ending June 30, 1990, a percentage of not less than forty-
85 five nor more than ninety shall be determined for each town on a
86 continuous scale, except that for any town in which the number of
87 children under the temporary family assistance program, as defined in
88 subdivision (17) of section 10-262f, is greater than one per cent of the
89 total population of the town, as defined in subdivision (7) of
90 subsection (a) of section 10-261, the percentage shall be not less than
91 eighty, (ii) for reimbursement paid in the fiscal years ending June 30,
92 1991, to June 30, 2001, inclusive, a percentage of not less than ten nor
93 more than ninety shall be determined for each town on a continuous
94 scale, except that for any town in which the number of children under
95 the temporary family assistance program, as defined in said
96 subdivision (17) of section 10-262f, is greater than one per cent of the
97 total population of the town, as defined in subdivision (7) of
98 subsection (a) of section 10-261, and for any town which has a wealth
99 rank greater than thirty when towns are ranked pursuant to
100 subparagraph (A) of this subdivision and which provides such services
101 to greater than one thousand five hundred children who are not
102 residents of the town, the percentage shall be not less than eighty, and
103 (iii) for reimbursement paid in the fiscal years ending June 30, 2002,
104 and June 30, 2003, a percentage of not less than ten nor more than
105 ninety shall be determined for each town on a continuous scale, except
106 that for any town in which the number of children under the
107 temporary family assistance program, as defined in said subdivision
108 (17) of section 10-262f, for the fiscal year ending June 30, 1997, was
109 greater than one per cent of the total population of the town, as
110 defined in subdivision (7) of subsection (a) of section 10-261 for the
111 fiscal year ending June 30, 1997, and for any town which has a wealth
112 rank greater than thirty when towns are ranked pursuant to
113 subparagraph (A) of this subdivision and which provides such services
114 to greater than one thousand five hundred children who are not
115 residents of the town, the percentage shall be not less than eighty.

116 (2) The percentage of the amount paid from local tax revenues for

117 such services reimbursed to a regional board of education shall be
118 determined by its ranking. Such ranking shall be determined by (A)
119 multiplying the total population, as defined in section 10-261, as
120 amended, of each town in the district by such town's ranking, as
121 determined in subdivision (1) of this subsection, (B) adding together
122 the figures determined under subparagraph (A) of this subdivision,
123 and (C) dividing the total computed under subparagraph (B) of this
124 subdivision by the total population of all towns in the district. The
125 ranking of each regional board of education shall be rounded to the
126 next higher whole number and each such board shall receive the same
127 reimbursement percentage as would a town with the same rank.

128 Sec. 3. Subsection (g) of section 10-217a of the general statutes is
129 repealed and the following is substituted in lieu thereof (*Effective July*
130 *1, 2002*):

131 (g) A town or regional school district may provide, at its own
132 expense, the services of a school psychologist, speech remedial
133 services, school social worker's services and special language teachers
134 for non-English-speaking students to children attending private
135 nonprofit schools and state charter schools in such town or district.

136 Sec. 4. Subsection (a) of section 10-264i of the general statutes is
137 repealed and the following is substituted in lieu thereof (*Effective July*
138 *1, 2002*):

139 (a) A local or regional board of education, regional educational
140 service center, or cooperative arrangement pursuant to section 10-158a
141 which transports a child to an interdistrict magnet school program, as
142 defined in section 10-264l, as amended, in a town other than the town
143 in which the child resides shall be eligible pursuant to section 10-264e
144 to receive a grant for the cost of transporting such child in accordance
145 with this section. The amount of such grant shall not exceed an amount
146 equal to the number of such children transported multiplied by (1) one
147 thousand two hundred dollars for school years commencing prior to
148 July 1, 2002, (2) two thousand three hundred dollars for the 2002-2003

149 school year, and (3) two thousand five hundred dollars for the 2003-
150 2004 school year and each school year thereafter. The Department of
151 Education shall provide such grants within available appropriations.
152 Nothing in this subsection shall be construed to prevent a local or
153 regional board of education, regional educational service center or
154 cooperative arrangement from receiving reimbursement under section
155 10-266m for reasonable transportation expenses for which such board,
156 service center or cooperative arrangement is not reimbursed pursuant
157 to this section.

158 Sec. 5. Subsection (c) of section 10-66ee of the general statutes, as
159 amended by section 27 of public act 01-1 of the June special session, is
160 repealed and the following is substituted in lieu thereof (*Effective July*
161 *1, 2002*):

162 (c) (1) The state shall, annually, pay in accordance with this
163 subsection, to the fiscal authority for a state charter school, seven
164 thousand dollars for each student enrolled in such school. On and after
165 July 1, 2002, the state shall, annually, increase the per student funding
166 in an amount equal to the increase, if any, in the most recent calendar
167 year average in the consumer price index for urban consumers. Such
168 payments shall be made as follows: Twenty-five per cent of the
169 amount not later than July fifteenth and September fifteenth based on
170 estimated student enrollment on May first, and twenty-five per cent of
171 the amount not later than January fifteenth and the remaining amount
172 not later than April fifteenth, each based on student enrollment on
173 October first. (2) In the case of a student identified as requiring special
174 education, the school district in which the student resides shall: (A)
175 Hold the planning and placement team meeting for such student and
176 shall invite representatives from the charter school to participate in
177 such meeting; and (B) pay the state charter school, on a quarterly basis,
178 an amount equal to the difference between the reasonable cost of
179 educating such student and the sum of the amount received by the
180 state charter school for such student pursuant to subdivision (1) of this
181 subsection and amounts received from other state, federal, local or

182 private sources calculated on a per pupil basis. Such school district
183 shall be eligible for reimbursement pursuant to section 10-76g, as
184 amended. The charter school a student requiring special education
185 attends shall be responsible for ensuring that such student receives the
186 services mandated by the student's individualized education program
187 whether such services are provided by the charter school or by the
188 school district in which the student resides.

189 Sec. 6. Subsection (f) of section 10-66ee of the general statutes, as
190 amended by section 27 of public act 01-1 of the June special session, is
191 repealed and the following is substituted in lieu thereof (*Effective July*
192 *1, 2002*):

193 [(f) The local or regional board of education of the school district in
194 which the charter school is located shall provide transportation
195 services for students of the charter school who reside in such school
196 district pursuant to section 10-273a unless the charter school makes
197 other arrangements for such transportation. Any local or regional
198 board of education may provide transportation services to a student
199 attending a charter school outside of the district in which the student
200 resides and, if it elects to provide such transportation, shall be
201 reimbursed pursuant to section 10-266m for the reasonable costs of
202 such transportation.]

203 (f) Each local and regional board of education shall provide
204 transportation services for students of a state charter school who reside
205 in its school district. Each local and regional board of education shall
206 be eligible to receive a grant for the full cost of such transportation. The
207 Department of Education shall provide such grants within available
208 appropriations. Grants under this subsection shall be contingent upon
209 documented costs of providing such transportation. Local and regional
210 boards of education shall submit applications for such grants to the
211 Commissioner of Education in such form and at such times as the
212 commissioner prescribes. Grants under this subsection shall be paid as
213 follows: In October one-half of the estimated transportation cost and

214 the balance in May. Each local and regional board of education shall
215 prepare a financial statement of expenditures which shall be submitted
216 to the Department of Education on or before September first of the
217 fiscal year immediately following each fiscal year in which the board
218 of education provides transportation services pursuant to this
219 subsection. Based on such statement, any underpayment or
220 overpayment may be calculated and adjusted by the department in the
221 grant for any subsequent year. Any local or regional board of
222 education providing transportation services under this subsection may
223 suspend such services in accordance with the provisions of section 10-
224 233c, as amended. The parent or guardian of any student denied the
225 transportation services required to be provided pursuant to this
226 subsection may appeal such denial in the manner provided in sections
227 10-186 and 10-187.

228 Sec. 7. (NEW) (*Effective July 1, 2002*) (a) The Connecticut Health and
229 Educational Facilities Authority shall establish a program to finance
230 low interest loans and to demonstrate innovative credit enhancement
231 initiatives, as set forth in P.L. 107-110 Title 5 Part B Subpart 2, that
232 assist charter schools pursuant to section 10-66aa of the general
233 statutes, as amended, to address the cost of acquiring, constructing and
234 renovating facilities. Loans shall be made for the purpose of acquiring,
235 constructing and renovating facilities or complying with federal, state
236 and local requirements, including health and safety standards.

237 (b) The Connecticut Health and Educational Facilities Authority
238 may establish a consortium with other state or local governmental
239 agencies or qualified nonprofit organizations which shall be deemed a
240 quasi-public agency for purposes of chapter 12 of the general statutes,
241 in order to carry out the provisions of subsection (a) of this section and
242 to secure a grant distributed pursuant to P.L. 107-110 Title 5 Part B
243 Subpart 2.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

Sec. 2	<i>July 1, 2002</i>
Sec. 3	<i>July 1, 2002</i>
Sec. 4	<i>July 1, 2002</i>
Sec. 5	<i>July 1, 2002</i>
Sec. 6	<i>July 1, 2002</i>
Sec. 7	<i>July 1, 2002</i>

Statement of Purpose:

To allow the State Board of Education to approve exceptions to the requirement that teachers, parents and guardians of students in charter schools serve as members of charter school governing councils. To require towns to provide same health services to charter school students as provided to students in private nonprofit schools. To require districts to provide transportation for students attending charter schools and to provide state funding for such transportation. To increase funding for transportation of students to interdistrict magnet schools. To require an automatic cost of living adjustment in the per pupil state funding of charter schools. To establish a program to finance low interest loans and to demonstrate innovative credit enhancement initiatives that assist charter schools to address the cost of acquiring, constructing and renovating facilities.

[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.]