



General Assembly

January Session, 2005

**Raised Bill No. 6681**

LCO No. 2984

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Referred to Committee on Education

Introduced by:  
(ED)

**AN ACT CONCERNING HEALTH SERVICES AND CHARTER RENEWAL IN CHARTER SCHOOLS.**

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

1 Section 1. Subsections (e) to (g), inclusive, of section 10-66bb of the  
2 general statutes are repealed and the following is substituted in lieu  
3 thereof (*Effective from passage*):

4 (e) An application for the establishment of a local charter school  
5 shall be submitted to the local or regional board of education of the  
6 school district in which the local charter school is to be located for  
7 approval pursuant to this subsection. The local or regional board of  
8 education shall: (1) Review the application; (2) hold a public hearing in  
9 the school district on such application; (3) survey teachers and parents  
10 in the school district to determine if there is sufficient interest in the  
11 establishment and operation of the local charter school; and (4) vote on  
12 a complete application not later than sixty days after the date of receipt  
13 of such application. Such board of education may approve the  
14 application by a majority vote of the members of the board present and  
15 voting at a regular or special meeting of the board called for such  
16 purpose. If the application is approved, the board shall forward the

17 application to the State Board of Education. The State Board of  
18 Education shall vote on the application not later than seventy-five days  
19 after the date of receipt of such application. Subject to the provisions of  
20 subsection (c) of this section, the State Board of Education may  
21 approve the application and grant the charter for the local charter  
22 school or reject such application by a majority vote of the members of  
23 the state board present and voting at a regular or special meeting of  
24 the state board called for such purpose. The State Board of Education  
25 may condition the opening of such school on the school's meeting  
26 certain conditions determined by the Commissioner of Education to be  
27 necessary and may authorize the commissioner to release the charter  
28 when the commissioner determines such conditions are met. The state  
29 board may grant the initial charter for the local charter school for a  
30 period of time of up to five years and may allow the applicant to delay  
31 its opening for a period of up to one school year in order for the  
32 applicant to fully prepare to provide appropriate instructional services.

33 (f) An application for the establishment of a state charter school  
34 shall be (1) submitted to the State Board of Education for approval in  
35 accordance with the provisions of this subsection, and (2) filed with the  
36 local or regional board of education in the school district in which the  
37 charter school is to be located. The state board shall: (A) Review such  
38 application; (B) hold a public hearing on such application in the school  
39 district in which such state charter school is to be located; (C) solicit  
40 and review comments on the application from the local or regional  
41 board of education for the school district in which such charter school  
42 is to be located and from the local or regional boards of education for  
43 school districts that are contiguous to the district in which such school  
44 is to be located; and (D) vote on a complete application not later than  
45 seventy-five days after the date of receipt of such application. The State  
46 Board of Education may approve an application and grant the charter  
47 for the state charter school by a majority vote of the members of the  
48 state board present and voting at a regular or special meeting of the  
49 state board called for such purpose. The State Board of Education may  
50 condition the opening of such school on the school's meeting certain

51 conditions determined by the Commissioner of Education to be  
52 necessary and may authorize the commissioner to release the charter  
53 when the commissioner determines such conditions are met. Charters  
54 shall be granted initially for a period of time of up to five years and  
55 may allow the applicant to delay its opening for a period of up to one  
56 school year in order for the applicant to fully prepare to provide  
57 appropriate instructional services.

58 (g) Charters may be renewed, upon application, in accordance with  
59 the provisions of this section for the granting of such charters. Upon  
60 application for such renewal, the State Board of Education may  
61 commission an independent appraisal of the performance of the  
62 charter school that includes, but is not limited to, an evaluation of the  
63 school's compliance with the provisions of this section. The State Board  
64 of Education shall consider the results of any such appraisal in  
65 determining whether to renew such charter. Charters may be renewed  
66 for a period of time up to ten years, depending upon the results of any  
67 such appraisal. The State Board of Education may deny an application  
68 for the renewal of a charter if (1) student progress has not been  
69 sufficiently demonstrated, as determined by the commissioner, (2) the  
70 governing council has not been sufficiently responsible for the  
71 operation of the school or has misused or spent public funds in a  
72 manner that is detrimental to the educational interests of the students  
73 attending the charter school, or (3) the school has not been in  
74 compliance with applicable laws and regulations. If the State Board of  
75 Education does not renew a charter, it shall notify the governing  
76 council of the charter school of the reasons for such nonrenewal.

77 Sec. 2. Subsections (a) and (b) of section 10-217a of the general  
78 statutes are repealed and the following is substituted in lieu thereof  
79 (*Effective July 1, 2005*):

80 (a) Each town or regional school district which provides health  
81 services for children attending its public schools in any grade, from  
82 kindergarten to twelve, inclusive, shall provide the same health

83 services for children in such grades attending private nonprofit schools  
84 [therein] and charter schools in such town or district, when a majority  
85 of the children attending such schools are residents of the state of  
86 Connecticut. Any such town or district may also provide such services  
87 for children in prekindergarten programs in such private nonprofit  
88 schools when a majority of the children attending such schools are  
89 residents of the state of Connecticut. Such determination shall be based  
90 on the percentage of resident pupils enrolled in such school on October  
91 first, or the full school day immediately preceding such date, during  
92 the school year next prior to that in which the health services are to be  
93 provided. The provisions of this section shall not be construed to  
94 require a town or district to provide such services to any child who is  
95 not a resident of this state. Such health services shall include the  
96 services of a school physician, school nurse and dental hygienist,  
97 provided such health services shall not include special education  
98 services which, if provided to public school students, would be eligible  
99 for reimbursement pursuant to section 10-76g. For purposes of this  
100 section, a resident is a person with continuous and permanent physical  
101 presence within the state, except that temporary absences for short  
102 periods of time shall not affect the establishment of residency.

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

107 (1) The percentage of the amount paid from local tax revenues for  
108 such services reimbursed to a local board of education shall be  
109 determined by (A) ranking each town in the state in descending order  
110 from one to one hundred sixty-nine according to such town's adjusted  
111 equalized net grand list per capita, as defined in section 10-261; (B)  
112 based upon such ranking, (i) for reimbursement paid in the fiscal year  
113 ending June 30, 1990, a percentage of not less than forty-five or more  
114 than ninety shall be determined for each town on a continuous scale,  
115 except that for any town in which the number of children under the

116 temporary family assistance program, as defined in subdivision (17) of  
117 section 10-262f, is greater than one per cent of the total population of  
118 the town, as defined in subdivision (7) of subsection (a) of section 10-  
119 261, the percentage shall be not less than eighty, (ii) for reimbursement  
120 paid in the fiscal years ending June 30, 1991, to June 30, 2001, inclusive,  
121 a percentage of not less than ten or more than ninety shall be  
122 determined for each town on a continuous scale, except that for any  
123 town in which the number of children under the temporary family  
124 assistance program, as defined in subdivision (17) of section 10-262f, is  
125 greater than one per cent of the total population of the town, as  
126 defined in subdivision (7) of subsection (a) of section 10-261, and for  
127 any town which has a wealth rank greater than thirty when towns are  
128 ranked pursuant to subparagraph (A) of this subdivision and which  
129 provides such services to greater than one thousand five hundred  
130 children who are not residents of the town, the percentage shall be not  
131 less than eighty, and (iii) for reimbursement paid in the fiscal year  
132 ending June 30, 2002, and each fiscal year thereafter, a percentage of  
133 not less than ten or more than ninety shall be determined for each  
134 town on a continuous scale, except that for any town in which the  
135 number of children under the temporary family assistance program, as  
136 defined in subdivision (17) of section 10-262f, for the fiscal year ending  
137 June 30, 1997, was greater than one per cent of the total population of  
138 the town, as defined in subdivision (7) of subsection (a) of section 10-  
139 261, for the fiscal year ending June 30, 1997, and for any town which  
140 has a wealth rank greater than thirty when towns are ranked pursuant  
141 to subparagraph (A) of this subdivision and which provides such  
142 services to greater than one thousand five hundred children who are  
143 not residents of the town, the percentage shall be not less than eighty.

144 (2) The percentage of the amount paid from local tax revenues for  
145 such services reimbursed to a regional board of education shall be  
146 determined by its ranking. Such ranking shall be determined by (A)  
147 multiplying the total population, as defined in section 10-261, of each  
148 town in the district by such town's ranking, as determined in  
149 subdivision (1) of this subsection, (B) adding together the figures

150 determined under subparagraph (A) of this subdivision, and (C)  
151 dividing the total computed under subparagraph (B) of this  
152 subdivision by the total population of all towns in the district. The  
153 ranking of each regional board of education shall be rounded to the  
154 next higher whole number and each such board shall receive the same  
155 reimbursement percentage as would a town with the same rank.

156 Sec. 3. Subsection (g) of section 10-217a of the general statutes is  
157 repealed and the following is substituted in lieu thereof (*Effective July*  
158 *1, 2005*):

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-66bb(e) to (g)
Sec. 2	<i>July 1, 2005</i>	10-217a(a) and (b)
Sec. 3	<i>July 1, 2005</i>	10-217a(g)

**Statement of Purpose:**

To provide that the State Board of Education may renew charter school charters for up to ten years and to require towns to provide to state charter schools the same health services that they are required to provide to nonpublic schools and to make towns eligible for reimbursement for a portion of the costs of providing these services.

*[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.]*