



General Assembly

January Session, 2005

Raised Bill No. 1314

LCO No. 4481

04481_____ED_

Referred to Committee on Education

Introduced by:
(ED)

AN ACT CONCERNING CHARTER SCHOOLS.

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

1 Section 1. Subsection (c) of section 10-66bb of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2005*):

4 (c) The State Board of Education shall review, annually, all
5 applications and grant charters, provided for the period from July 1,
6 1997, to June 30, 1999, no more than twenty-four charters for charter
7 schools are granted and, [on and after] for the period from July 1, 1999,
8 to June 30, 2005, no state charter school enrolls (1) (A) more than two
9 hundred fifty students or (B) in the case of a kindergarten to grade
10 eight, inclusive, school, more than three hundred students, or (2)
11 twenty-five per cent of the enrollment of the school district in which
12 the state charter school is to be located, whichever is less, and on and
13 after July 1, 2005, the Department of Education shall determine
14 enrollment limits of each school. The State Board of Education shall
15 give preference to applicants for charter schools that will serve
16 students who reside in a priority school district pursuant to section 10-
17 266p or in a district in which seventy-five per cent or more of the

18 enrolled students are members of racial or ethnic minorities and to
19 applicants for state charter schools that will be located at a work-site or
20 that are institutions of higher education. In determining whether to
21 grant a charter, the State Board of Education shall consider the effect of
22 the proposed charter school on the reduction of racial, ethnic and
23 economic isolation in the region in which it is to be located, [the
24 regional distribution of charter schools in the state and the potential of
25 over concentration of charter schools within a school district or in
26 contiguous school districts] and should give preference to charter
27 school applicants that have a record or plan for raising academic
28 achievement.

29 Sec. 2. Subsection (c) of section 10-66ee of the general statutes is
30 repealed and the following is substituted in lieu thereof (*Effective July*
31 *1, 2005*):

32 (c) (1) The state shall, annually, pay in accordance with this
33 subsection, to the fiscal authority for a state charter school, [seven
34 thousand two hundred fifty dollars] for each student enrolled in such
35 school an amount equal to the current year state-wide net current
36 expenditures per pupil with a fair adjustment of costs of special
37 education paid by the local and regional boards of education, as
38 determined by the Commissioner of Education. Such payments shall
39 be made as follows: Twenty-five per cent of the amount not later than
40 July fifteenth and September fifteenth based on estimated student
41 enrollment on May first, and twenty-five per cent of the amount not
42 later than January fifteenth and the remaining amount not later than
43 April fifteenth, each based on student enrollment on October first. [If,
44 for any fiscal year, the total amount appropriated for grants pursuant
45 to this subdivision exceeds seven thousand two hundred fifty dollars
46 per student, the amount of such grants payable per student shall be
47 increased proportionately. For the fiscal year ending June 30, 2005,
48 such increase shall be limited to one hundred ten dollars per student.]
49 (2) In the case of a student identified as requiring special education, the
50 school district in which the student resides shall: (A) Hold the

51 planning and placement team meeting for such student and shall
52 invite representatives from the charter school to participate in such
53 meeting; and (B) pay the state charter school, on a quarterly basis, an
54 amount equal to the difference between the reasonable cost of
55 educating such student and the sum of the amount received by the
56 state charter school for such student pursuant to subdivision (1) of this
57 subsection and amounts received from other state, federal, local or
58 private sources calculated on a per pupil basis. Such school district
59 shall be eligible for reimbursement pursuant to section 10-76g. The
60 charter school a student requiring special education attends shall be
61 responsible for ensuring that such student receives the services
62 mandated by the student's individualized education program whether
63 such services are provided by the charter school or by the school
64 district in which the student resides.

65 Sec. 3. Section 10-66hh of the general statutes is repealed and the
66 following is substituted in lieu thereof (*Effective July 1, 2005*):

67 (a) For the fiscal years ending June 30, 2002, June 30, 2003, and June
68 30, 2004, the Commissioner of Education shall establish, within
69 available appropriations and bond authorizations, a grant program to
70 assist state charter schools in financing (1) school building projects, as
71 defined in section 10-282, (2) general improvements to school
72 buildings, as defined in subsection (a) of section 10-265h, and (3)
73 repayment of debt incurred for prior school building projects.
74 Eligibility for such grants shall be limited to state charter schools
75 whose charters were renewed in the fiscal years ending June 30, 2001,
76 June 30, 2002, and June 30, 2003, pursuant to subsection (g) of section
77 10-66bb. The governing authorities of such state charter schools may
78 apply for such grants to the Department of Education at such time and
79 in such manner as the commissioner prescribes. Each state charter
80 school may receive no more than one grant under this section and no
81 grant under this section shall exceed five hundred thousand dollars.

82 (b) The Commissioner of Education shall establish an annual grant

83 program to assist state charter schools in providing adequate school
84 facilities. The grant shall be awarded in an amount equal to the charter
85 school applicant's actual cost of providing a school facility including,
86 but not limited to, payments for rent, debt service and building repairs,
87 or one thousand dollars per pupil, whichever is less.

88 (c) State charter schools that (1) have been in existence for five years
89 or more and have had their charter renewed, or (2) submit a special
90 application to the Commissioner of Education based on the established
91 record of the applicant holding the charter, may apply and be eligible
92 subsequently to be considered for school construction bond
93 commitments on the same basis as towns pursuant to chapter 173 of
94 the general statutes. The reimbursement rate for such grants shall be
95 ninety per cent.

96 (d) The Commissioner of Education shall publish a list of vacant and
97 unused portions of school buildings based on information that the
98 commissioner requests from local and regional boards of education.
99 Any state charter school that enrolls students from a town with a listed
100 building or portion of a building shall be able to lease from the local or
101 regional board of education such building or portion of a building at
102 an annual rate equal to the sum of five per cent of the depreciated costs
103 and the local or regional board of education's actual cost of
104 maintaining the building or portion of building.

105 Sec. 4. (NEW) (*Effective July 1, 2005*) The Commissioner of
106 Education, in consultation with the Connecticut Charter School
107 Network, shall draft a five-year plan for significantly expanding the
108 number of high-performing state charter schools in priority school
109 districts, with an initial goal of opening five new schools of excellence
110 by July 1, 2006. The plan shall: (1) Identify potential school operators
111 with a demonstrable record for raising academic achievement,
112 including outstanding nonprofit public charter school management
113 organizations from outside the state; (2) propose ways to assist these
114 individuals and groups in pursuing and obtaining Connecticut

115 charters; and (3) propose a system to identify the successful models
116 and innovations from high-performing public charter programs and to
117 communicate them to other public schools throughout the state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	10-66bb(c)
Sec. 2	<i>July 1, 2005</i>	10-66ee(c)
Sec. 3	<i>July 1, 2005</i>	10-66hh
Sec. 4	<i>July 1, 2005</i>	New section

Statement of Purpose:

To eliminate the enrollment cap, to increase the state operating grant, to increase facility funding and provide access to vacant schools, and to develop a plan to establish additional high-performing schools.

[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.]