



General Assembly

Substitute Bill No. 1405

January Session, 2007

* _____SB01405APP__050107_____*

**AN ACT CONCERNING THE ADVISORY BOARD FOR
COLLABORATIVE EDUCATION AND AN INTERVENTION MODEL FOR
SCHOOLS IN NEED OF IMPROVEMENT.**

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

1 Section 1. Subsection (a) of section 10-4q of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2007*):

4 (a) The State Board of Education shall establish a State Education
5 Resource Center to assist the board in the provision of programs and
6 activities that will promote educational equity and excellence. Such
7 activities, to be provided by the State Education Resource Center or a
8 regional educational service center, may include training and
9 continuing education seminars, publication of technical materials,
10 research and evaluation, and other related activities. The center (1)
11 may support programs and activities concerning early childhood
12 education, the federal No Child Left Behind Act, P.L. 107-110, and
13 closing the academic achievement gap between socio-economic
14 subgroups, and other related programs, and (2) shall provide
15 administrative support for the Advisory Board for Collaborative
16 Education established under section 2 of this act, including, but not
17 limited to, the issuance of requests for proposals, the evaluation of
18 such proposals and the development of recommendations concerning
19 such proposals for consideration by said advisory board.

20 Sec. 2. (NEW) (*Effective July 1, 2007*) (a) There is established an
21 Advisory Board for Collaborative Education that shall be a cooperative
22 venture between the Department of Education and public and
23 independent institutions of higher education to deliver supplemental
24 assistance and improvement programs to public schools and local and
25 regional school districts identified by the Commissioner of Education
26 to be schools or school districts that could benefit from such
27 supplemental assistance or improvement program including, but not
28 limited to, schools and districts identified as in need of improvement
29 by the commissioner pursuant to section 10-223e of the general
30 statutes. The advisory board shall provide the Department of
31 Education with research and technical expertise necessary to provide
32 such assistance and implement such programs.

33 (b) The Advisory Board for Collaborative Education, established
34 under subsection (a) of this section, shall consist of (1) nonvoting ex-
35 officio members as follows: (A) The Commissioner of Education, or the
36 commissioner's designee, (B) the president of The University of
37 Connecticut, or the president's designee, (C) the chancellor of the
38 Connecticut State University system, or the chancellor's designee, and
39 (D) the president of the Connecticut Conference of Independent
40 Colleges or the president's designee; and (2) five voting members
41 appointed jointly, not later than August 1, 2007, by the Governor, the
42 speaker of the House of Representatives, the majority leader of the
43 House of Representatives, the minority leader of the House of
44 Representatives, the president pro tempore of the Senate, the majority
45 leader of the Senate and the minority leader of the Senate, (A) one of
46 whom shall be a representative of an association of boards of
47 education in this state, (B) one of whom shall be a representative of a
48 state affiliate of a national advocacy group for teachers and public
49 education in this state, (C) one of whom shall be a representative of a
50 state chapter of a nation-wide federation of teachers, (D) one of whom
51 shall be a representative of an association of superintendents of public
52 schools in this state, and (E) one of whom shall be a representative of
53 an association of school principals in this state. Any vacancy shall be

54 filled by the appointing authorities. The Commissioner of Education
55 shall schedule the first meeting of the advisory board, which shall be
56 held no later than September 1, 2007. At such meeting, the advisory
57 board shall select a chairperson of the board who shall be any member
58 of the board, except the commissioner. The board shall have the
59 authority to add members by a unanimous vote of the board.

60 (c) The Commissioner of Education shall specify areas of interest
61 that are critical to school improvement, including, but not limited to,
62 learning and teaching for all students, special education and response
63 to intervention, formative assessments, recruitment, support and
64 retention of teachers and administrators, improvement of learning
65 environments in schools, effective school leadership, expanding
66 learning opportunities, CommPACT schools established under section
67 3 of this act and identification and dissemination of effective practices.
68 The Advisory Board for Collaborative Education, established under
69 subsection (a) of this section, shall notify the State Education Resource
70 Center, established under section 10-4q of the general statutes, as
71 amended by this act, of the need for an issuance of a request for
72 proposals to carry out the provisions of this section.

73 (d) The Advisory Board for Collaborative Education established
74 under subsection (a) of this section shall review recommendations by
75 the State Education Resource Center pursuant to subsection (a) of
76 section 10-4q of the general statutes, as amended by this act,
77 concerning requests for proposal responses and recommend proposals
78 to the Commissioner of Education. The commissioner shall review the
79 recommended proposals and, upon selection of a proposal by the
80 commissioner, approve funding for the proposal.

81 (e) In addition to the selection of proposals under subsection (d) of
82 this section, the Commissioner of Education may enter into
83 memoranda of understanding with public and private institutions of
84 higher education to deliver supplemental assistance and improvement
85 programs to public schools and local and regional school districts
86 identified under subsection (a) of this section.

87 (f) Not later than October 1, 2008, and annually thereafter, the
88 Advisory Board for Collaborative Education established under
89 subsection (a) of this section shall, in accordance with the provisions of
90 section 11-4a of the general statutes, report on the educational
91 outcomes of supplemental assistance and improvement programs
92 provided to public schools and school districts pursuant to this section
93 to the Governor and the joint standing committees of the General
94 Assembly having cognizance of matters relating to education and
95 higher education.

96 Sec. 3. (NEW) (*Effective July 1, 2007*) (a) For purposes of this section
97 and section 2 of this act, "CommPACT school" means a public,
98 nonsectarian school which is (1) approved by the local or regional
99 board of education of the school district in which it is located and by
100 the State Board of Education pursuant to subsection (b) of this section,
101 (2) organized as a nonprofit entity under state law, (3) a public agency
102 for purposes of the Freedom of Information Act, as defined in section
103 1-200 of the general statutes, and (4) operated by a governing council
104 of members of the community served by the school, parents and
105 guardians of students who attend the school, and teachers and
106 administrators employed by the school.

107 (b) An application for the establishment of a CommPACT school
108 shall be submitted to the local or regional board of education of the
109 school district in which the CommPACT school is to be located for
110 approval pursuant to this subsection. The local or regional board of
111 education shall: (1) Review the application; (2) hold a public hearing in
112 the school district on such application; (3) survey teachers and parents
113 in the school district to determine if there is sufficient interest in the
114 establishment and operation of the CommPACT school; and (4) vote
115 on a complete application not later than sixty days after the date of
116 receipt of such application. Such board of education may approve the
117 application by a majority vote of the members of the board present and
118 voting at a regular or special meeting of the board called for such
119 purpose. If the application is approved, the board shall forward the
120 application to the State Board of Education. An application may

121 include a request to waive provisions of the general statutes and
122 regulations, which are within the jurisdiction of the State Board of
123 Education. The State Board of Education shall vote on the application
124 not later than seventy-five days after the date of receipt of such
125 application. Subject to the provisions of subsection (c) of this section,
126 the State Board of Education may approve the application and grant
127 approval for the CommPACT school or reject such application by a
128 majority vote of the members of the state board present and voting at a
129 regular or special meeting of the state board called for such purpose.
130 The State Board of Education may condition the opening of such
131 school on the school's meeting certain conditions determined by the
132 Commissioner of Education to be necessary and may authorize the
133 commissioner to release the application to the public when the
134 commissioner determines such conditions are met. The state board
135 may approve operation of such school for a period of time of up to five
136 years and may allow the applicant to delay its opening for a period of
137 up to one school year in order for the applicant to fully prepare to
138 provide appropriate instructional services.

139 (c) The local board of education of the school district in which a
140 student enrolled in a CommPACT school resides shall pay, annually,
141 to the fiscal authority for the CommPACT school for each such student
142 the amount specified in its application pursuant to subsection (b) of
143 this section, including the reasonable special education costs of
144 students requiring special education. The board of education shall be
145 eligible for reimbursement for such special education costs pursuant to
146 section 10-76g of the general statutes.

147 Sec. 4. Section 10-66aa of the general statutes is repealed and the
148 following is substituted in lieu thereof (*Effective July 1, 2007*):

149 As used in sections 10-66aa to 10-66ff, inclusive, as amended by this
150 act, and section 10-66hh, as amended by this act:

151 [(1)] "Charter school" means a new public, nonsectarian school
152 which is [(A)] (1) established under a charter granted pursuant to

153 section 10-66bb, as amended by this act, [(B)] (2) organized as a
154 nonprofit entity under state law, [(C)] (3) a public agency for purposes
155 of the Freedom of Information Act, as defined in section 1-200, and
156 [(D)] (4) operated independently of any local or regional board of
157 education in accordance with the terms of its charter and the
158 provisions of sections 10-66aa to 10-66ff, inclusive, as amended by this
159 act, provided no member or employee of a governing council of a
160 charter school shall have a personal or financial interest in the assets,
161 real or personal, of the school. [;]

162 [(2) "Local charter school" means a public school or part of a public
163 school that is converted into a charter school and is approved by the
164 local or regional board of education of the school district in which it is
165 located and by the State Board of Education pursuant to subsection (e)
166 of section 10-66bb; and

167 (3) "State charter school" means a new public school approved by
168 the State Board of Education pursuant to subsection (f) of section 10-
169 66bb.]

170 Sec. 5. Section 10-66bb of the general statutes is repealed and the
171 following is substituted in lieu thereof (*Effective July 1, 2007*):

172 (a) On and after July 1, 1997, the State Board of Education may
173 grant, within available appropriations, charters for [local and state]
174 charter schools in accordance with this section.

175 (b) Any person, association, corporation, organization or other
176 entity, public or independent institution of higher education, local or
177 regional board of education or two or more boards of education
178 cooperatively, or regional educational service center may apply to the
179 Commissioner of Education, at such time and in such manner as the
180 commissioner prescribes, to establish a charter school, provided no
181 nonpublic elementary or secondary school may be established as a
182 charter school and no parent or group of parents providing home
183 instruction may establish a charter school for such instruction.

184 (c) The State Board of Education shall review, annually, all
185 applications and grant charters in accordance with subsection [(f)] (e)
186 of this section. (1) Except as provided for in subdivision (2) of this
187 subsection, no [state] charter school shall enroll (A) (i) more than two
188 hundred fifty students, or (ii) in the case of a kindergarten to grade
189 eight, inclusive, school, more than three hundred students, or (B)
190 twenty-five per cent of the enrollment of the school district in which
191 the [state] charter school is to be located, whichever is less. (2) In the
192 case of a [state] charter school found by the State Board of Education to
193 have a demonstrated record of achievement, such school may, upon
194 application to and approval by said board, enroll up to eighty-five
195 students per grade, if within available appropriations. The State Board
196 of Education shall give preference to applicants for charter schools (A)
197 that will serve students who reside in a priority school district
198 pursuant to section 10-266p or in a district in which seventy-five per
199 cent or more of the enrolled students are members of racial or ethnic
200 minorities, [and to applicants for state charter schools that] (B) will be
201 located at a work-site, or [that] (C) are institutions of higher education.
202 In determining whether to grant a charter, the State Board of
203 Education shall consider the effect of the proposed charter school on
204 the reduction of racial, ethnic and economic isolation in the region in
205 which it is to be located, the regional distribution of charter schools in
206 the state and the potential of over-concentration of charter schools
207 within a school district or in contiguous school districts.

208 (d) Applications pursuant to this section shall include a description
209 of: (1) The mission, purpose and any specialized focus of the proposed
210 charter school; (2) the interest in the community for the establishment
211 of the charter school; (3) the school governance and procedures for the
212 establishment of a governing council that (A) includes teachers and
213 parents and guardians of students enrolled in the school, and (B) is
214 responsible for the oversight of charter school operations, provided no
215 member or employee of the governing council may have a personal or
216 financial interest in the assets, real or personal, of the school; (4) the
217 financial plan for operation of the school, provided no application fees

218 or other fees for attendance, except as provided in section 10-66ee, as
219 amended by this act, may be charged; (5) the educational program,
220 instructional methodology and services to be offered to students; (6)
221 the number and qualifications of teachers and administrators to be
222 employed in the school; (7) the organization of the school in terms of
223 the ages or grades to be taught and the total estimated enrollment of
224 the school; (8) the student admission criteria and procedures to (A)
225 ensure effective public information, (B) ensure open access on a space
226 available basis, (C) promote a diverse student body, and (D) ensure
227 that the school complies with the provisions of section 10-15c and that
228 it does not discriminate on the basis of disability, athletic performance
229 or proficiency in the English language, provided the school may limit
230 enrollment to a particular grade level or specialized educational focus
231 and, if there is not space available for all students seeking enrollment,
232 the school may give preference to siblings but shall otherwise
233 determine enrollment by a lottery; (9) a means to assess student
234 performance that includes participation in state-wide mastery
235 examinations pursuant to chapter 163c; (10) procedures for teacher
236 evaluation and professional development for teachers and
237 administrators; (11) the provision of school facilities, pupil
238 transportation and student health and welfare services; (12)
239 procedures to encourage involvement by parents and guardians of
240 enrolled students in student learning, school activities and school
241 decision-making; (13) document efforts to increase the racial and
242 ethnic diversity of staff; and (14) a five-year plan to sustain the
243 maintenance and operation of the school. Subject to the provisions of
244 subsection (b) of section 10-66dd, as amended by this act, an
245 application may include, or a charter school may file, requests to waive
246 provisions of the general statutes and regulations not required by
247 sections 10-66aa to 10-66ff, inclusive, as amended by this act, and
248 which are within the jurisdiction of the State Board of Education.

249 [(e) An application for the establishment of a local charter school
250 shall be submitted to the local or regional board of education of the
251 school district in which the local charter school is to be located for

252 approval pursuant to this subsection. The local or regional board of
253 education shall: (1) Review the application; (2) hold a public hearing in
254 the school district on such application; (3) survey teachers and parents
255 in the school district to determine if there is sufficient interest in the
256 establishment and operation of the local charter school; and (4) vote on
257 a complete application not later than sixty days after the date of receipt
258 of such application. Such board of education may approve the
259 application by a majority vote of the members of the board present and
260 voting at a regular or special meeting of the board called for such
261 purpose. If the application is approved, the board shall forward the
262 application to the State Board of Education. The State Board of
263 Education shall vote on the application not later than seventy-five days
264 after the date of receipt of such application. Subject to the provisions of
265 subsection (c) of this section, the State Board of Education may
266 approve the application and grant the charter for the local charter
267 school or reject such application by a majority vote of the members of
268 the state board present and voting at a regular or special meeting of
269 the state board called for such purpose. The State Board of Education
270 may condition the opening of such school on the school's meeting
271 certain conditions determined by the Commissioner of Education to be
272 necessary and may authorize the commissioner to release the charter
273 when the commissioner determines such conditions are met. The state
274 board may grant the charter for the local charter school for a period of
275 time of up to five years and may allow the applicant to delay its
276 opening for a period of up to one school year in order for the applicant
277 to fully prepare to provide appropriate instructional services.]

278 [(f)] (e) An application for the establishment of a [state] charter
279 school shall be (1) submitted to the State Board of Education for
280 approval in accordance with the provisions of this subsection, and (2)
281 filed with the local or regional board of education in the school district
282 in which the charter school is to be located. The state board shall: (A)
283 Review such application; (B) hold a public hearing on such application
284 in the school district in which such [state] charter school is to be
285 located; (C) solicit and review comments on the application from the

286 local or regional board of education for the school district in which
287 such charter school is to be located and from the local or regional
288 boards of education for school districts that are contiguous to the
289 district in which such school is to be located; and (D) vote on a
290 complete application not later than seventy-five days after the date of
291 receipt of such application. The State Board of Education may approve
292 an application and grant the charter for the [state] charter school by a
293 majority vote of the members of the state board present and voting at a
294 regular or special meeting of the state board called for such purpose.
295 The State Board of Education may condition the opening of such
296 school on the school's meeting certain conditions determined by the
297 Commissioner of Education to be necessary and may authorize the
298 commissioner to release the charter when the commissioner
299 determines such conditions are met. Charters shall be granted for a
300 period of time of up to five years and may allow the applicant to delay
301 its opening for a period of up to one school year in order for the
302 applicant to fully prepare to provide appropriate instructional services.

303 [(g)] (f) Charters may be renewed, upon application, in accordance
304 with the provisions of this section for the granting of such charters.
305 Upon application for such renewal, the State Board of Education may
306 commission an independent appraisal of the performance of the
307 charter school that includes, but is not limited to, an evaluation of the
308 school's compliance with the provisions of this section. The State Board
309 of Education shall consider the results of any such appraisal in
310 determining whether to renew such charter. The State Board of
311 Education may deny an application for the renewal of a charter if (1)
312 student progress has not been sufficiently demonstrated, as
313 determined by the commissioner, (2) the governing council has not
314 been sufficiently responsible for the operation of the school or has
315 misused or spent public funds in a manner that is detrimental to the
316 educational interests of the students attending the charter school, or (3)
317 the school has not been in compliance with applicable laws and
318 regulations. If the State Board of Education does not renew a charter, it
319 shall notify the governing council of the charter school of the reasons

320 for such nonrenewal.

321 [(h)] (g) The Commissioner of Education may at any time place a
322 charter school on probation if (1) the school has failed to (A)
323 adequately demonstrate student progress, as determined by the
324 commissioner, (B) comply with the terms of its charter or with
325 applicable laws and regulations, (C) achieve measurable progress in
326 reducing racial, ethnic and economic isolation, or (D) maintain its
327 nonsectarian status, or (2) the governing council has demonstrated an
328 inability to provide effective leadership to oversee the operation of the
329 charter school or has not ensured that public funds are expended
330 prudently or in a manner required by law. If a charter school is placed
331 on probation, the commissioner shall provide written notice to the
332 charter school of the reasons for such placement, not later than five
333 days after the placement, and shall require the charter school to file
334 with the Department of Education a corrective action plan acceptable
335 to the commissioner not later than thirty-five days from the date of
336 such placement. The charter school shall implement a corrective action
337 plan accepted by the commissioner not later than thirty days after the
338 date of such acceptance. The commissioner may impose any additional
339 terms of probation on the school that the commissioner deems
340 necessary to protect the educational or financial interests of the state.
341 The charter school shall comply with any such additional terms not
342 later than thirty days after the date of their imposition. The
343 commissioner shall determine the length of time of the probationary
344 period, which may be up to one year, provided the commissioner may
345 extend such period, for up to one additional year, if the commissioner
346 deems it necessary. In the event that the charter school does not file or
347 implement the corrective action plan within the required time period
348 or does not comply with any additional terms within the required time
349 period, the Commissioner of Education may withhold grant funds
350 from the school until the plan is fully implemented or the school
351 complies with the terms of probation, provided the commissioner may
352 extend the time period for such implementation and compliance for
353 good cause shown. Whenever a charter school is placed on probation,

354 the commissioner shall notify the parents or guardians of students
355 attending the school of the probationary status of the school and the
356 reasons for such status. During the term of probation, the
357 commissioner may require the school to file interim reports concerning
358 any matter the commissioner deems relevant to the probationary
359 status of the school, including financial reports or statements. No
360 charter school on probation may increase its student enrollment or
361 engage in the recruitment of new students without the consent of the
362 commissioner.

363 [(i)] (h) The State Board of Education may revoke a charter if a
364 charter school has failed to: (1) Comply with the terms of probation,
365 including the failure to file or implement a corrective action plan; (2)
366 demonstrate satisfactory student progress, as determined by the
367 commissioner; (3) comply with the terms of its charter or applicable
368 laws and regulations; or (4) manage its public funds in a prudent or
369 legal manner. Unless an emergency exists, prior to revoking a charter,
370 the State Board of Education shall provide the governing council of the
371 charter school with a written notice of the reasons for the revocation,
372 including the identification of specific incidents of noncompliance with
373 the law, regulation or charter or other matters warranting revocation
374 of the charter. It shall also provide the governing council with the
375 opportunity to demonstrate compliance with all requirements for the
376 retention of its charter by providing the State Board of Education or a
377 subcommittee of the board, as determined by the State Board of
378 Education, with a written or oral presentation. Such presentation shall
379 include an opportunity for the governing council to present
380 documentary and testimonial evidence to refute the facts cited by the
381 State Board of Education for the proposed revocation or in justification
382 of its activities. Such opportunity shall not constitute a contested case
383 within the meaning of chapter 54. The State Board of Education shall
384 determine, not later than thirty days after the date of an oral
385 presentation or receipt of a written presentation, whether and when
386 the charter shall be revoked and notify the governing council of the
387 decision and the reasons therefor. A decision to revoke a charter shall

388 not constitute a final decision for purposes of chapter 54. In the event
389 an emergency exists in which the commissioner finds that there is
390 imminent harm to the students attending a charter school, the State
391 Board of Education may immediately revoke the charter of the school,
392 provided the notice concerning the reasons for the revocation is sent to
393 the governing council not later than ten days after the date of
394 revocation and the governing council is provided an opportunity to
395 make a presentation to the board not later than twenty days from the
396 date of such notice.

397 Sec. 6. Subsection (b) of section 10-66cc of the general statutes is
398 repealed and the following is substituted in lieu thereof (*Effective July*
399 *1, 2007*):

400 (b) The governing council of each charter school shall submit
401 annually, to the Commissioner of Education, at such time and in such
402 manner as the commissioner prescribes, [and, in the case of a local
403 charter school, to the local or regional board of education for the school
404 district in which the school is located,] a report on the condition of the
405 school, including (1) the educational progress of students in the school,
406 (2) the financial condition of the school, including a certified audit
407 statement of all revenues and expenditures, (3) accomplishment of the
408 mission, purpose and any specialized focus of the charter school, (4)
409 the racial and ethnic composition of the student body and efforts taken
410 to increase the racial and ethnic diversity of the student body, and (5)
411 best practices employed by the school that contribute significantly to
412 the academic success of students.

413 Sec. 7. Subdivision (4) of subsection (b) of section 10-66dd of the
414 general statutes is repealed and the following is substituted in lieu
415 thereof (*Effective July 1, 2007*):

416 (4) The [state] charter school governing council shall act as a board
417 of education for purposes of collective bargaining. [The school
418 professionals employed by a local charter school shall be members of
419 the appropriate bargaining unit for the local or regional school district

420 in which the local charter school is located and shall be subject to the
421 same collective bargaining agreement as the school professionals
422 employed by said district. A majority of those employed or to be
423 employed in the local charter school and a majority of the members of
424 the governing council of the local charter school may modify, in
425 writing, such collective bargaining agreement, consistent with the
426 terms and conditions of the approved charter, for purposes of
427 employment in the charter school.]

428 Sec. 8. Section 10-66ee of the general statutes is repealed and the
429 following is substituted in lieu thereof (*Effective July 1, 2007*):

430 (a) For the purposes of education equalization aid under section 10-
431 262h a student enrolled [(1) in a local charter school shall be considered
432 a student enrolled in the school district in which such student resides,
433 and (2)] in a [state] charter school shall not be considered a student
434 enrolled in the school district in which such student resides.

435 [(b) The local board of education of the school district in which a
436 student enrolled in a local charter school resides shall pay, annually, in
437 accordance with its charter, to the fiscal authority for the charter school
438 for each such student the amount specified in its charter, including the
439 reasonable special education costs of students requiring special
440 education. The board of education shall be eligible for reimbursement
441 for such special education costs pursuant to section 10-76g.]

442 [(c)] (b) (1) The state shall pay in accordance with this subsection, to
443 the fiscal authority for a [state] charter school, for the fiscal year ending
444 June 30, 2006, seven thousand six hundred twenty-five dollars for each
445 student enrolled in such school, and for the fiscal year ending June 30,
446 2007, and for each fiscal year thereafter, eight thousand dollars for each
447 student enrolled in such school. Such payments shall be made as
448 follows: Twenty-five per cent of the amount not later than July
449 fifteenth and September fifteenth based on estimated student
450 enrollment on May first, and twenty-five per cent of the amount not
451 later than January fifteenth and the remaining amount not later than

452 April fifteenth, each based on student enrollment on October first. If,
453 for any fiscal year, the total amount appropriated for grants pursuant
454 to this subdivision exceeds eight thousand dollars per student, the
455 amount of such grants payable per student shall be increased
456 proportionately, except that such per student increase shall not exceed
457 seventy dollars. Any amount of such appropriation remaining after
458 such per student increase shall be used by the Department of
459 Education for supplemental grants to interdistrict magnet schools
460 pursuant to subdivision (2) of subsection (c) of section 10-264l. For the
461 fiscal year ending June 30, 2005, such increase shall be limited to one
462 hundred ten dollars per student. (2) In the case of a student identified
463 as requiring special education, the school district in which the student
464 resides shall: (A) Hold the planning and placement team meeting for
465 such student and shall invite representatives from the charter school to
466 participate in such meeting; and (B) pay the [state] charter school, on a
467 quarterly basis, an amount equal to the difference between the
468 reasonable cost of educating such student and the sum of the amount
469 received by the [state] charter school for such student pursuant to
470 subdivision (1) of this subsection and amounts received from other
471 state, federal, local or private sources calculated on a per pupil basis.
472 Such school district shall be eligible for reimbursement pursuant to
473 section 10-76g. The charter school a student requiring special
474 education attends shall be responsible for ensuring that such student
475 receives the services mandated by the student's individualized
476 education program whether such services are provided by the charter
477 school or by the school district in which the student resides.

478 [(d)] (c) On or before October fifteenth of the fiscal years beginning
479 July 1, 2001, and July 1, 2002, the Commissioner of Education shall
480 determine if the enrollment in the program for the fiscal year is below
481 the number of students for which funds were appropriated. If the
482 commissioner determines that the enrollment is below such number,
483 the additional funds shall not lapse but shall be used by the
484 commissioner for (1) grants for interdistrict cooperative programs
485 pursuant to section 10-74d, (2) grants for open choice programs

486 pursuant to section 10-266aa, or (3) grants for interdistrict magnet
487 schools pursuant to section 10-264l.

488 [(e)] (d) Notwithstanding any provision of the general statutes to the
489 contrary, if at the end of a fiscal year amounts received by a [state]
490 charter school, pursuant to subdivision (1) of subsection [(c)] (b) of this
491 section, are unexpended, the charter school (1) may use, for the
492 expenses of the charter school for the following fiscal year, up to ten
493 per cent of such amounts, and (2) may (A) create a reserve fund to
494 finance a specific capital or equipment purchase or another specified
495 project as may be approved by the commissioner, and (B) deposit into
496 such fund up to five per cent of such amounts.

497 [(f)] (e) The local or regional board of education of the school district
498 in which the charter school is located shall provide transportation
499 services for students of the charter school who reside in such school
500 district pursuant to section 10-273a unless the charter school makes
501 other arrangements for such transportation. Any local or regional
502 board of education may provide transportation services to a student
503 attending a charter school outside of the district in which the student
504 resides and, if it elects to provide such transportation, shall be
505 reimbursed pursuant to section 10-266m for the reasonable costs of
506 such transportation. Any local or regional board of education
507 providing transportation services under this subsection may suspend
508 such services in accordance with the provisions of section 10-233c. The
509 parent or guardian of any student denied the transportation services
510 required to be provided pursuant to this subsection may appeal such
511 denial in the manner provided in sections 10-186 and 10-187.

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

515 [(h)] (g) If the commissioner finds that any charter school uses a
516 grant under this section for a purpose that is inconsistent with the
517 provisions of this part, the commissioner may require repayment of

518 such grant to the state.

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

522 [(j)] (i) The governing council of a charter school may (1) contract or
523 enter into other agreements for purposes of administrative or other
524 support services, transportation, plant services or leasing facilities or
525 equipment, and (2) receive and expend private funds or public funds,
526 including funds from local or regional boards of education, [and funds
527 received by local charter schools for out-of-district students,] for school
528 purposes.

529 Sec. 9. Section 10-66hh of the general statutes is repealed and the
530 following is substituted in lieu thereof (*Effective July 1, 2007*):

531 For the fiscal years ending June 30, 2006, and June 30, 2007, the
532 Commissioner of Education shall establish, within available bond
533 authorizations, a grant program to assist [state] charter schools in
534 financing (1) school building projects, as defined in section 10-282, (2)
535 general improvements to school buildings, as defined in subsection (a)
536 of section 10-265h, and (3) repayment of debt incurred prior to July 1,
537 2005, for school building projects. The governing authorities of such
538 [state] charter schools may apply for such grants to the Department of
539 Education at such time and in such manner as the commissioner
540 prescribes. The commissioner shall give preference to applications that
541 provide for matching funds from nonstate sources.

542 Sec. 10. Subsection (b) of section 10-145j of the general statutes is
543 repealed and the following is substituted in lieu thereof (*Effective July*
544 *1, 2007*):

545 (b) Such persons may only be employed in a position at the
546 elementary or secondary level where no certified teacher suitable to
547 the position is available. Such persons shall (1) be enrolled in a
548 planned program leading to certification in the subject area they are

549 teaching, or enrolled in an approved alternate route to certification
550 program or a program with state approval pending and that meets the
551 standards for an alternate route to certification program, and (2) have
552 completed at least twelve semester hours of credit or have passed the
553 assessment approved by the State Board of Education in the subject
554 area they will teach. The State Board of Education may grant a
555 durational shortage area permit, endorsed consistent with this section,
556 to a person who meets the qualifications for such permit as modified
557 by this section. In granting such permits, the board shall give priority
558 to addressing the needs of the schools operated by the boards of
559 education for the towns of Bridgeport, Hartford and New Haven, and
560 then to the needs of [state] charter schools located in such towns. Such
561 permit shall be valid for one year and shall be renewable once.

562 Sec. 11. Subsection (a) of section 10-215b of the general statutes is
563 repealed and the following is substituted in lieu thereof (*Effective July*
564 *1, 2007*):

565 (a) The State Board of Education is authorized to expend in each
566 fiscal year an amount equal to (1) the money required pursuant to the
567 matching requirements of said federal laws and shall disburse the
568 same in accordance with said laws, and (2) ten cents per lunch served
569 in the prior school year in accordance with said laws by any local or
570 regional board of education, the regional vocational-technical school
571 system or governing authority of a [state] charter school, interdistrict
572 magnet school or endowed academy approved pursuant to section 10-
573 34 that participates in the National School Lunch Program and certifies
574 pursuant to section 10-215f that the nutrition standards established by
575 the Department of Education pursuant to section 10-215e shall be met.

576 Sec. 12. Subsection (a) of section 10-215f of the general statutes is
577 repealed and the following is substituted in lieu thereof (*Effective July*
578 *1, 2007*):

579 (a) Each local and regional board of education, the regional
580 vocational-technical school system, and the governing authority for

581 each [state] charter school, interdistrict magnet school and endowed
582 academy approved pursuant to section 10-34 that participates in the
583 National School Lunch Program shall certify in its annual application
584 to the Department of Education for school lunch funding whether,
585 during the school year for which such application is submitted, all
586 food items made available for sale to students in schools under its
587 jurisdiction and not exempted from the nutrition standards published
588 by the Department of Education pursuant to section 10-215e will meet
589 said standards. Except as otherwise provided in subsection (b) of this
590 section, such certification shall include food not exempted from said
591 nutrition standards and offered for sale to students at all times, and
592 from all sources, including, but not limited to, school stores, vending
593 machines, school cafeterias, and any fundraising activities on school
594 premises, whether or not school sponsored.

595 Sec. 13. Section 10-221p of the general statutes is repealed and the
596 following is substituted in lieu thereof (*Effective July 1, 2007*):

597 Each local and regional board of education and governing authority
598 for each [state] charter school, interdistrict magnet school and
599 endowed academy approved pursuant to section 10-34, shall make
600 available in the schools under its jurisdiction for purchase by students
601 enrolled in such schools nutritious and low-fat foods, which shall
602 include, but shall not be limited to, low-fat dairy products and fresh or
603 dried fruit at all times when food is available for purchase by students
604 in such schools during the regular school day.

605 Sec. 14. Subsection (a) of section 10-221q of the general statutes is
606 repealed and the following is substituted in lieu thereof (*Effective July*
607 *1, 2007*):

608 (a) Except as otherwise provided in subsection (b) of this section,
609 each local and regional board of education and the governing
610 authority for each [state] charter school, interdistrict magnet school
611 and endowed academy approved pursuant to section 10-34, shall
612 permit at schools under its jurisdiction the sale of only the following

613 beverages to students from any source, including, but not limited to,
614 school stores, vending machines, school cafeterias, and any fund-
615 raising activities on school premises, whether or not school sponsored:
616 (1) Milk that may be flavored but contain no artificial sweeteners and
617 no more than four grams of sugar per ounce, (2) nondairy milks such
618 as soy or rice milk, which may be flavored but contain no artificial
619 sweeteners, no more than four grams of sugar per ounce, no more than
620 thirty-five per cent of calories from fat per portion and no more than
621 ten per cent of calories from saturated fat per portion, (3) one hundred
622 per cent fruit juice, vegetable juice or combination of such juices,
623 containing no added sugars, sweeteners or artificial sweeteners, (4)
624 beverages that contain only water and fruit or vegetable juice and have
625 no added sugars, sweeteners or artificial sweeteners, and (5) water,
626 which may be flavored but contain no added sugars, sweeteners,
627 artificial sweeteners or caffeine. Portion sizes of beverages, other than
628 water as described in subdivision (5) of this subsection, that are offered
629 for sale pursuant to this subsection shall not exceed twelve ounces.

630 Sec. 15. Subsection (d) of section 10-262n of the general statutes is
631 repealed and the following is substituted in lieu thereof (*Effective July*
632 *1, 2007*):

633 (d) (1) Each school district shall be eligible to receive a minimum
634 grant under the program as follows: (A) Each school district in towns
635 ranked from one to one hundred thirteen, inclusive, when all towns
636 are ranked in ascending order from one to one hundred sixty-nine
637 based on town wealth, as defined in subdivision (26) of section 10-262f,
638 shall be eligible to receive a minimum grant in the amount of thirty
639 thousand dollars, and (B) each school district in towns ranked from
640 one hundred fourteen to one hundred sixty-nine, inclusive, when all
641 towns are ranked in ascending order from one to one hundred sixty-
642 nine based on town wealth, as defined in subdivision (26) of section
643 10-262f, shall be eligible to receive a minimum grant under the
644 program in the amount of fifteen thousand dollars. Such minimum
645 grant may be increased for certain school districts pursuant to
646 subdivision (4) of this subsection. (2) The department shall use (A) one

647 hundred thousand dollars of the amount appropriated for purposes of
648 this section for the vocational-technical schools for wiring and other
649 technology initiatives at such schools, and (B) fifty thousand dollars of
650 the amount appropriated for purposes of this section for technology
651 grants to [state] charter schools. The amount of the grant each [state]
652 charter school receives shall be based on the number of students
653 enrolled in the school. (3) The department may retain up to one per
654 cent of the amount appropriated for purposes of this section for
655 coordination, program evaluation and administration. (4) Any
656 remaining appropriated funds shall be used to increase the grants to
657 (A) priority school districts pursuant to section 10-266p, (B) transitional
658 school districts pursuant to section 10-263c, and (C) school districts in
659 towns ranked from one to eighty-five, inclusive, when all towns are
660 ranked in ascending order from one to one hundred sixty-nine based
661 on town wealth, as defined in section 10-262f. Each such school district
662 shall receive an amount based on the ratio of the number of resident
663 students, as defined in said section 10-262f, in such school district to
664 the total number of resident students in all such school districts.

665 Sec. 16. Section 10-285h of the general statutes is repealed and the
666 following is substituted in lieu thereof (*Effective July 1, 2007*):

667 (a) For the fiscal year ending June 30, 2006, there shall be established
668 a pilot program for the development of a school building facility to be
669 used for a [state] charter school. The Commissioner of Education may
670 receive applications for the purchase and renovation of a building to
671 be used as a [state] charter school facility. The amount of the grant
672 shall be equal to the net eligible expenditures multiplied by the school
673 construction reimbursement rate for the town in which the facility will
674 be located. Enrollment projections identified in the application may
675 exceed current charter school enrollment limitations, if approved by
676 the commissioner. The provisions of this chapter concerning school
677 construction projects and regulations adopted by the State Board of
678 Education, in accordance with this chapter, shall apply to the project,
679 except as provided by this section.

680 (b) Eligible applicants shall be successful [state] charter school
681 governing boards that have operated a charter school for at least five
682 years and have had the charter of the school renewed by the State
683 Board of Education. The application shall include information
684 concerning the charter school that describes: (1) Academic success,
685 including test results on mastery examinations pursuant to section 10-
686 14n, (2) attendance records of students, (3) student success in
687 completing the program of studies offered by the school, (4) parental
688 involvement in the operation and decisions of the governing board,
689 and (5) other such information as is required by the Commissioner of
690 Education. The application shall be submitted in such form, manner
691 and time as determined by the commissioner.

692 (c) The Commissioner of Education may select one application for
693 state grant assistance. The commissioner shall notify the school
694 construction committee pursuant to section 10-283a of the
695 commissioner's selection and the proposed funding for such [state]
696 charter school project. The school construction committee shall
697 consider the application in conjunction with the committee's review of
698 the listing of eligible projects developed in accordance with section 10-
699 283. If the school construction committee approves the request for
700 funding, the committee shall include such grant request as a
701 separately-listed item on a special supplementary schedule for such
702 pilot charter school project on the listing of eligible projects developed
703 in accordance with section 10-283.

704 (d) If a [state] charter school that received a grant pursuant to this
705 section ceases to be used as a [state] charter school facility, the
706 Commissioner of Education shall determine whether title to the
707 building and any legal interest in appurtenant land shall revert to the
708 state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	10-4q(a)

Sec. 2	<i>July 1, 2007</i>	New section
Sec. 3	<i>July 1, 2007</i>	New section
Sec. 4	<i>July 1, 2007</i>	10-66aa
Sec. 5	<i>July 1, 2007</i>	10-66bb
Sec. 6	<i>July 1, 2007</i>	10-66cc(b)
Sec. 7	<i>July 1, 2007</i>	10-66dd(b)(4)
Sec. 8	<i>July 1, 2007</i>	10-66ee
Sec. 9	<i>July 1, 2007</i>	10-66hh
Sec. 10	<i>July 1, 2007</i>	10-145j(b)
Sec. 11	<i>July 1, 2007</i>	10-215b(a)
Sec. 12	<i>July 1, 2007</i>	10-215f(a)
Sec. 13	<i>July 1, 2007</i>	10-221p
Sec. 14	<i>July 1, 2007</i>	10-221q(a)
Sec. 15	<i>July 1, 2007</i>	10-262n(d)
Sec. 16	<i>July 1, 2007</i>	10-285h

APP *Joint Favorable Subst.*