



# House of Representatives

General Assembly

**File No. 665**

February Session, 2008

Substitute House Bill No. 5026

*House of Representatives, April 17, 2008*

The Committee on Appropriations reported through REP. MERRILL of the 54th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING INTERDISTRICT MAGNET SCHOOLS AND SCHOOL READINESS.**

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

1 Section 1. Subsection (j) of section 10-264~~l~~ of the 2008 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2008*):

4 (j) (1) After accommodating students from participating districts in  
5 accordance with [the] an approved enrollment agreement, an  
6 interdistrict magnet school operator that has unused student capacity  
7 may enroll directly into its program any interested student. A student  
8 from a district that is not participating in [the] an interdistrict magnet  
9 school or the interdistrict student attendance program pursuant to  
10 section 10-266aa of the 2008 supplement to the general statutes, as  
11 amended by this act, to an extent determined by the Commissioner of  
12 Education shall be given preference. The local or regional board of  
13 education otherwise responsible for educating such student shall  
14 contribute funds to support the operation of the interdistrict magnet

15 school in an amount equal to the per student tuition, if any, charged to  
16 participating districts.

17 (2) For the fiscal year ending June 30, 2009, [such tuition shall be in  
18 an amount that is equal to seventy-five per cent of the difference  
19 between the average per pupil expenditure of the magnet school for  
20 the prior fiscal year and the amount of any per pupil state subsidy  
21 calculated under subsection (c) of this section. If any such board of  
22 education fails to pay such tuition, the commissioner may withhold  
23 from such school district a sum payable under section 10-262h in an  
24 amount not to exceed the amount of the unpaid tuition to the magnet  
25 school and transfer such money to the fiscal agent for the interdistrict  
26 magnet school as a supplementary grant for the operation of the  
27 interdistrict magnet school program. For purposes of calculating  
28 grants pursuant to subsection (c) of this section, "participating district"  
29 includes districts whose students enroll directly in interdistrict magnet  
30 schools pursuant to this subsection] any tuition charged to a local or  
31 regional board of education by a regional educational service center  
32 operating an interdistrict magnet school shall be in an amount equal to  
33 at least seventy-five per cent of the difference between (A) the average  
34 per pupil expenditure of the magnet school for the prior fiscal year,  
35 and (B) the amount of any per pupil state subsidy calculated under  
36 subsection (c) of this section plus any revenue from other sources  
37 calculated on a per pupil basis. If any such board of education fails to  
38 pay such tuition, the commissioner may withhold from such board's  
39 town or towns a sum payable under section 10-262i of the 2008  
40 supplement to the general statutes in an amount not to exceed the  
41 amount of the unpaid tuition to the magnet school and pay such  
42 money to the fiscal agent for the magnet school as a supplementary  
43 grant for the operation of the interdistrict magnet school program.

44 (3) A participating district shall provide opportunities for its  
45 students to attend an interdistrict magnet school in a number that is at  
46 least equal to the number specified in any written agreement with an  
47 interdistrict magnet school operator or in a number that is at least  
48 equal to the average number of students that the participating district

49 enrolled in such magnet school during the previous three school years.

50       Sec. 2. (*Effective from passage*) Notwithstanding the provisions of  
51 subsections (a) and (b) of section 10-264l of the 2008 supplement to the  
52 general statutes, for the fiscal years ending June 30, 2008, and June 30,  
53 2009, the requirement that no more than seventy-five per cent of the  
54 pupils attending an approved interdistrict magnet school program be  
55 from a participating town and the requirement that the pupils enrolled  
56 in such programs who are pupils of racial minorities, as defined in  
57 section 10-226a of the general statutes, comprise at least twenty-five  
58 per cent but not more than seventy-five per cent of the total pupil  
59 enrollment shall not apply to the approved interdistrict magnet school  
60 program operated by Bloomfield, provided for the fiscal year ending  
61 June 30, 2008, the grant pursuant to subdivision (1) of subsection (c) of  
62 section 10-264l of the 2008 supplement to the general statutes, for said  
63 program shall be reduced by fifty per cent.

64       Sec. 3. Subdivision (2) of subsection (b) of section 10-16q of the 2008  
65 supplement to the general statutes is repealed and the following is  
66 substituted in lieu thereof (*Effective from passage*):

67       (2) For fiscal year ending June 30, [2008] 2009, the per child cost of  
68 the Department of Education school readiness [component of the]  
69 program offered by a school readiness provider shall not exceed [six  
70 thousand nine hundred twenty-five] eight thousand twenty-five  
71 dollars, except that such per child cost shall be increased for the month  
72 of January, 2008, and each month thereafter. The increase shall be  
73 determined by the department so that the cost of the increase shall  
74 equal fifty per cent of [what] the amount that the department estimates  
75 on January 1, 2008, will be unspent by June 30, 2008, from the  
76 appropriation for purposes of subsection (c) of section 10-16p of the  
77 2008 supplement to the general statutes. In no event shall such increase  
78 cause the per child cost to exceed eight thousand two hundred sixty-  
79 six dollars. Notwithstanding the provisions of subsection (e) of section  
80 10-16p of the 2008 supplement to the general statutes, the Department  
81 of Education shall not provide funding to any school readiness



The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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### **OFA Fiscal Note**

#### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 09 \$</b>	<b>FY 10 \$</b>
Education, Dept.	GF - See Below	See Below	See Below

Note: GF=General Fund

#### **Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 09 \$</b>	<b>FY 10 \$</b>
Various Municipalities	See Below	See Below	See Below

### **Explanation**

The bill provides for a per child cost of \$8,025 for school readiness slots funded by the State Department of Education. sHB 5021, AAC The State Budget for the Biennium Ending June 30, 2009, and Making Appropriations Thereof, as passed by the Appropriations Committee, contains an additional \$13.15 million in early childhood funding for priority school districts.

The bill also makes adjustments in the tuition charge a magnet school can make to participating school districts. The adjustment results in a lower tuition allowance by including revenue from other than state sources to be deducted from the average per pupil cost in addition to the state subsidy as currently in statute.

### **The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sHB 5026*****AN ACT CONCERNING INTERDISTRICT MAGNET SCHOOLS AND SCHOOL READINESS.*****SUMMARY:**

This bill limits the law requiring districts not participating in an interdistrict magnet school to pay for students to attend that school. It does this by requiring a magnet school's operator to give preference to students from districts that do not participate in any interdistrict magnet schools or in the Open Choice program, rather than just the school in question. It limits current law's tuition formula for these students to tuition charged by interdistrict magnet schools operated by regional education service centers (RESCs). The bill also sets requirements for districts to maintain participation in an interdistrict magnet school. It also removes a reference to participating districts to conform to a 2007 change.

For FYs 08 and 09, the bill exempts the Bloomfield interdistrict magnet school from existing statutory provisions (1) limiting the number of students from a participating town to 75% and (2) requiring racial minorities to comprise between 25% and 75% of the student body. However, for FY 08, it reduces its grant by half.

Finally, the bill sets the per-child cost of the state Department of Education's (SDE's) school readiness program for FY 09; increasing it to \$8,025 from \$6,925 per child.

**EFFECTIVE DATE:** Upon passage, except for the provision on magnet school students from nonparticipating districts, which is effective July 1, 2008.

**STUDENTS FROM NONPARTICIPATING DISTRICTS**

Under current law, after accommodating students from participating districts in accordance with enrollment agreements, an interdistrict magnet school with unused capacity can directly enroll interested students. Students from districts that are not participating in the school must be given preference. The bill specifies that preference must instead be given to students from districts that are not participating in any interdistrict magnet schools or the Open Choice interdistrict student attendance program, to an extent determined by the education commissioner.

By law, the nonparticipating board of education otherwise responsible for educating these students must contribute funds to support the magnet school's operation in an amount equal to the per-student tuition, if any, the school charges participating districts. For FY 09, this tuition must equal 75% of the difference between the school's average per-pupil expenditure for the prior fiscal year and the magnet school per-pupil state grant. If the board fails to pay the tuition, the education commissioner can withhold ECS funds from the district, up to the amount of the unpaid tuition, and transfer it to the fiscal agent for the magnet school as a supplementary operating grant.

The bill limits this payment to tuition a RESC-operated magnet school charges a board and, for tuition calculation purposes, requires adding any revenue from other sources, calculated on a per-pupil basis, to the state subsidy.

Further, the bill requires participating districts to provide opportunities for their students to attend an interdistrict magnet school in a number at least equal to (1) the number specified in any written agreement with an interdistrict magnet school operator or (2) the average number of students that the participating district enrolled in the magnet school during the previous three school years.

## **COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute Change of Reference

Yea 28 Nay 0 (03/18/2008)

Appropriations Committee

Joint Favorable

Yea 54 Nay 0 (03/28/2008)