



General Assembly

January Session, 2009

Raised Bill No. 6658

LCO No. 4415

04415_____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. Section 10-66ee of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 (a) For the purposes of education equalization aid under section 10-
4 262h a student enrolled (1) in a local charter school shall be considered
5 a student enrolled in the school district in which such student resides,
6 and (2) in a state charter school shall not be considered a student
7 enrolled in the school district in which such student resides.

8 (b) The local board of education of the school district in which a
9 student enrolled in a local charter school resides shall pay, annually, in
10 accordance with its charter, to the fiscal authority for the charter school
11 for each such student the amount specified in its charter, including the
12 reasonable special education costs of students requiring special
13 education. The board of education shall be eligible for reimbursement
14 for such special education costs pursuant to section 10-76g.

15 (c) (1) The state shall pay in accordance with this subsection, to the

16 fiscal authority for a state charter school for each student enrolled in
17 such school, for the fiscal year ending June 30, 2006, seven thousand
18 six hundred twenty-five dollars, for the fiscal year ending June 30,
19 2007, eight thousand dollars, for the fiscal year ending June 30, 2008,
20 eight thousand six hundred fifty dollars, for the fiscal year ending June
21 30, 2009, nine thousand three hundred dollars. Such payments shall be
22 made as follows: Twenty-five per cent of the amount not later than
23 July fifteenth and September fifteenth based on estimated student
24 enrollment on May first, and twenty-five per cent of the amount not
25 later than January fifteenth and the remaining amount not later than
26 April fifteenth, each based on student enrollment on October first. If
27 the total amount appropriated for grants pursuant to this subdivision
28 exceeds eight thousand six hundred fifty dollars per student for the
29 fiscal year ending June 30, 2008, and exceeds nine thousand three
30 hundred dollars for the fiscal year ending June 30, 2009, the amount of
31 such grants payable per student shall be increased proportionately,
32 except that such per student increase shall not exceed seventy dollars.
33 Any amount of such appropriation remaining after such per student
34 increase may be used by the Department of Education for
35 supplemental grants to interdistrict magnet schools pursuant to
36 subdivision (2) of subsection (c) of section 10-264*l* to pay for a portion
37 of the audit required pursuant to section 10-66*ll*, to pay for expenses
38 incurred by the Department of Education to ensure the continuity of a
39 charter school where required by a court of competent jurisdiction and,
40 in consultation with the Secretary of the Office of Policy and
41 Management, to pay expenses incurred in the creation of a school
42 pursuant to section 10-74*g*. For the fiscal year ending June 30, 2005,
43 such increase shall be limited to one hundred ten dollars per student.
44 (2) In the case of a student identified as requiring special education, the
45 school district in which the student resides shall: (A) Hold the
46 planning and placement team meeting for such student and shall
47 invite representatives from the charter school to participate in such
48 meeting; and (B) pay the state charter school, on a quarterly basis, an
49 amount equal to the difference between the reasonable cost of

50 educating such student and the sum of the amount received by the
51 state charter school for such student pursuant to subdivision (1) of this
52 subsection and amounts received from other state, federal, local or
53 private sources calculated on a per pupil basis. Such school district
54 shall be eligible for reimbursement pursuant to section 10-76g. The
55 charter school a student requiring special education attends shall be
56 responsible for ensuring that such student receives the services
57 mandated by the student's individualized education program whether
58 such services are provided by the charter school or by the school
59 district in which the student resides.

60 (d) On or before October fifteenth of the fiscal years beginning July
61 1, 2001, and July 1, 2002, the Commissioner of Education shall
62 determine if the enrollment in the program for the fiscal year is below
63 the number of students for which funds were appropriated. If the
64 commissioner determines that the enrollment is below such number,
65 the additional funds shall not lapse but shall be used by the
66 commissioner for (1) grants for interdistrict cooperative programs
67 pursuant to section 10-74d, (2) grants for open choice programs
68 pursuant to section 10-266aa, or (3) grants for interdistrict magnet
69 schools pursuant to section 10-264l.

70 (e) Notwithstanding any provision of the general statutes to the
71 contrary, if at the end of a fiscal year amounts received by a state
72 charter school, pursuant to subdivision (1) of subsection (c) of this
73 section, are unexpended, the charter school (1) may use, for the
74 expenses of the charter school for the following fiscal year, up to ten
75 per cent of such amounts, and (2) may (A) create a reserve fund to
76 finance a specific capital or equipment purchase or another specified
77 project as may be approved by the commissioner, and (B) deposit into
78 such fund up to five per cent of such amounts.

79 (f) The local or regional board of education of the school district in
80 which the charter school is located shall provide transportation
81 services for students of the charter school who reside in such school

82 district pursuant to section 10-273a unless the charter school makes
83 other arrangements for such transportation. Any local or regional
84 board of education may provide transportation services to a student
85 attending a charter school outside of the district in which the student
86 resides and, if it elects to provide such transportation, shall be
87 reimbursed pursuant to section 10-266m for the reasonable costs of
88 such transportation. Any local or regional board of education
89 providing transportation services under this subsection may suspend
90 such services in accordance with the provisions of section 10-233c. The
91 parent or guardian of any student denied the transportation services
92 required to be provided pursuant to this subsection may appeal such
93 denial in the manner provided in sections 10-186 and 10-187.

94 (g) Charter schools shall be eligible to the same extent as boards of
95 education for any grant for special education, competitive state grants
96 and grants pursuant to sections 10-17g and 10-266w.

97 (h) If the commissioner finds that any charter school uses a grant
98 under this section for a purpose that is inconsistent with the provisions
99 of this part, the commissioner may require repayment of such grant to
100 the state.

101 (i) Charter schools shall receive, in accordance with federal law and
102 regulations, any federal funds available for the education of any pupils
103 attending public schools.

104 (j) The governing council of a charter school may (1) contract or
105 enter into other agreements for purposes of administrative or other
106 support services, transportation, plant services or leasing facilities or
107 equipment, and (2) receive and expend private funds or public funds,
108 including funds from local or regional boards of education and funds
109 received by local charter schools for out-of-district students, for school
110 purposes.

111 (k) If in any fiscal year, more than one new state charter school is
112 approved pursuant to section 10-66bb and is awaiting funding

113 pursuant to the provisions of this section, the State Board of Education
114 shall determine which school is funded first based on a consideration
115 of the following factors in order of importance as follows: (1) Whether
116 the applicant has a demonstrated record of academic success by
117 students, (2) whether the school is located in a school district with a
118 demonstrated need for student improvement, and (3) whether the
119 applicant has plans concerning the preparedness of facilities, staffing
120 and outreach to students.

121 (l) Within available appropriations, the state may provide a grant in
122 an amount not to exceed seventy-five thousand dollars to any newly
123 approved state charter school that assists the state in meeting the goals
124 of the 2008 stipulation and order for Milo Sheff, et al. v. William A.
125 O'Neill, et al., as determined by the Commissioner of Education, for
126 start-up costs associated with the new charter school program.

127 (m) Charter schools may, to the same extent as local and regional
128 boards of education, enter into cooperative arrangements as described
129 in section 10-158a, provided such arrangements are approved by the
130 Commissioner of Education. Any state charter school participating in a
131 cooperative arrangement under this subsection shall maintain its
132 status as a state charter school and not be excused from any obligations
133 pursuant to sections 10-66aa to 10-66ll, inclusive.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	10-66ee

Statement of Purpose:

To allow charter schools to participate in cooperative arrangements for educational 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.]