



General Assembly

January Session, 2009

Raised Bill No. 946

LCO No. 2880

02880_____ED_

Referred to Committee on Education

Introduced by:
(ED)

AN ACT CONCERNING INTERDISTRICT MAGNET SCHOOLS.

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

1 Section 1. Subdivision (1) of subsection (a) of section 10-264h of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2009*):

4 (a) (1) For the fiscal year ending June 30, 1996, until the fiscal year
5 ending June 30, 2003, a local or regional board of education, regional
6 educational service center or a cooperative arrangement pursuant to
7 section 10-158a for purposes of an interdistrict magnet school may be
8 eligible for reimbursement up to the full reasonable cost of any capital
9 expenditure for the purchase, construction, extension, replacement,
10 leasing or major alteration of interdistrict magnet school facilities,
11 including any expenditure for the purchase of equipment, in
12 accordance with this section. (A) For the fiscal year ending June 30,
13 2004, and each fiscal year thereafter, such entities, and (B) for the fiscal
14 year ending June 30, 2008, and each fiscal year thereafter, the following
15 entities that operate an interdistrict magnet school that assists the state
16 in meeting the goals of the 2008 stipulation and order for Milo Sheff, et

17 al. v. William A. O'Neill, et al., as determined by the commissioner: (i)
 18 The Board of Trustees of the Community-Technical Colleges on behalf
 19 of a regional community-technical college, (ii) the Board of Trustees of
 20 the Connecticut State University System on behalf of a state university,
 21 (iii) the Board of Trustees for The University of Connecticut on behalf
 22 of the university, (iv) the board of governors for an independent
 23 college or university, as defined in section 10a-37, or the equivalent of
 24 such a board, on behalf of the independent college or university, and
 25 (v) any other third-party not-for-profit corporation approved by the
 26 commissioner may be eligible for reimbursement up to ninety-five per
 27 cent of such cost. To be eligible for reimbursement under this section a
 28 magnet school construction project shall meet the requirements for a
 29 school building project established in chapter 173, except that the
 30 Commissioner of Education may waive any requirement in such
 31 chapter for good cause. On and after July 1, 1997, the commissioner
 32 shall approve only applications for reimbursement under this section
 33 that he finds will reduce racial, ethnic and economic isolation. On and
 34 after July 1, 2009, applications for reimbursement under this section for
 35 the construction of new interdistrict magnet schools shall not be
 36 accepted until the commissioner approves a comprehensive state-wide
 37 interdistrict magnet school plan, unless the commissioner determines
 38 that such construction will assist the state in meeting the goals of the
 39 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et
 40 al.

41 Sec. 2. Subsection (b) of section 10-264l of the general statutes is
 42 repealed and the following is substituted in lieu thereof (*Effective July*
 43 *1, 2009*):

44 (b) (1) Applications for interdistrict magnet school program
 45 operating grants awarded pursuant to this section shall be submitted
 46 annually to the Commissioner of Education at such time and in such
 47 manner as the commissioner prescribes, except that on and after July 1,
 48 2009, applications for such operating grants for new interdistrict
 49 magnet schools, other than those that the commissioner determines

50 will assist the state in meeting the goals of the 2008 stipulation and
51 order for Milo Sheff, et al. v. William A. O'Neill, et al., shall not be
52 accepted until the commissioner approves a comprehensive state-wide
53 interdistrict magnet school plan.

54 (2) In determining whether an application shall be approved and
55 funds awarded pursuant to this section, the commissioner shall
56 consider, but such consideration shall not be limited to: [(1)] (A)
57 Whether the program offered by the school is likely to increase student
58 achievement; [(2)] (B) whether the program is likely to reduce racial,
59 ethnic and economic isolation; [(3)] (C) the percentage of the student
60 enrollment in the program from each participating district; and [(4)]
61 (D) the proposed operating budget and the sources of funding for the
62 interdistrict magnet school. For a magnet school not operated by a
63 local or regional board of education, the commissioner shall only
64 approve a proposed operating budget that, on a per pupil basis, does
65 not exceed the maximum allowable threshold. The maximum
66 allowable threshold is one hundred twenty per cent of the state
67 average of the quotient of net current expenditures, as defined in
68 section 10-261, divided by average daily membership, as defined in
69 said section, for the fiscal year two years prior to the fiscal year for
70 which the operating grant is requested. The Department of Education
71 shall establish the maximum allowable threshold no later than
72 December fifteenth of the fiscal year prior to the fiscal year for which
73 the operating grant is requested. If requested by an applicant that is
74 not a local or regional board of education, the commissioner may
75 approve a proposed operating budget that exceeds the maximum
76 allowable threshold if the commissioner determines that there are
77 extraordinary programmatic needs. In the case of an interdistrict
78 magnet school that will assist the state in meeting the goals of the 2008
79 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
80 as determined by the commissioner, the commissioner shall also
81 consider whether the school is meeting the desegregation standards set
82 forth in said stipulation and order. If such school has not met the
83 desegregation standards by the second year of operation, it shall not be

84 entitled to receive a grant pursuant to this section unless the
85 commissioner finds that it is appropriate to award a grant for an
86 additional year or years for purposes of compliance with said
87 stipulation and order. If requested by the commissioner, the applicant
88 shall meet with the commissioner or the commissioner's designee to
89 discuss the budget and sources of funding.

90 (3) Except as provided in this section, the commissioner shall not
91 award a grant to a program that is in operation prior to July 1, 2005, if
92 more than eighty per cent of its total enrollment is from one school
93 district, except that the commissioner may award a grant for good
94 cause, for any one year, on behalf of an otherwise eligible magnet
95 school program, if more than eighty per cent of the total enrollment is
96 from one district. The commissioner shall not award a grant to a
97 program that begins operations on or after July 1, 2005, if more than
98 seventy-five per cent of its total enrollment is from one school district
99 or if less than twenty-five or more than seventy-five per cent of the
100 students enrolled are pupils of racial minorities, as defined in section
101 10-226a, except that the commissioner may award a grant for good
102 cause, for one year, on behalf of an otherwise eligible interdistrict
103 magnet school program, if more than seventy-five per cent of the total
104 enrollment is from one district or less than twenty-five or more than
105 seventy-five per cent of the students enrolled are pupils of racial
106 minorities. The commissioner may not award grants pursuant to such
107 an exception for a second consecutive year except as provided for in
108 the 2008 stipulation for Milo Sheff, et al. v. William A. O'Neill, et al., as
109 determined by the commissioner.

110 Sec. 3. Section 10-264l of the general statutes is amended by adding
111 subsection (l) as follows (*Effective July 1, 2009*):

112 (NEW) (l) No parent or guardian shall pay the tuition for a student
113 to enroll or who is enrolled full time or part time in an interdistrict
114 magnet school.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	10-264h(a)(1)
Sec. 2	<i>July 1, 2009</i>	10-264l(b)
Sec. 3	<i>July 1, 2009</i>	10-264l

Statement of Purpose:

To limit the annual budgets for magnet schools that are not operated by local or regional school districts to ensure reasonable tuitions for students attending these schools; to suspend the approval of new interdistrict magnet school construction and operation, except for purposes of Sheff, until completion of a comprehensive state-wide interdistrict magnet school plan; and to eliminate the parent-pay option for part time interdistrict magnet 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.]