



House Bill No. 7201

Public Act No. 17-172

AN ACT CONCERNING THE ESTABLISHMENT OF REDUCED-ISOLATION SETTING STANDARDS FOR INTERDISTRICT MAGNET SCHOOL PROGRAMS.

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

Section 1. (NEW) (*Effective July 1, 2017*) Not later than July 1, 2017, the Commissioner of Education shall develop reduced-isolation setting standards for interdistrict magnet school programs that shall serve as the enrollment requirements for purposes of section 10-264l of the general statutes, as amended by this act. Such standards shall (1) define the term "reduced-isolation student" for purposes of the standards, (2) establish a requirement for the minimum percentage of reduced-isolation students that can be enrolled in an interdistrict magnet school program, provided such minimum percentage is not less than twenty per cent of the total school enrollment, (3) allow an interdistrict magnet school program to have a total school enrollment of reduced-isolation students that is not more than one per cent below the minimum percentage established by the commissioner, provided the commissioner approves a plan that is designed to bring the number of reduced-isolation students of such interdistrict magnet school program into compliance with the minimum percentage, and (4) for the school year commencing July 1, 2018, authorize the commissioner to establish on or before May 1, 2018, an alternative

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reduced-isolation student enrollment percentage for an interdistrict magnet school program located in the Sheff region, as defined in subsection (k) of section 10-264l of the general statutes, provided the commissioner (A) determines that such alternative (i) increases opportunities for students who are residents of Hartford to access an educational setting with reduced racial isolation or other categories of diversity, including, but not limited to, geography, socioeconomic status, special education, English language learners and academic achievement, (ii) complies with the decision of *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related stipulation or order in effect, and (B) approves a plan for such interdistrict magnet school program that is designed to bring the number of reduced-isolation students of such interdistrict magnet school program into compliance with such alternative or the minimum percentage described in subdivision (2) of this section. Not later than May 1, 2018, the commissioner shall submit a report on each alternative reduced-isolation student enrollment percentage established, pursuant to subdivision (4) of this section, for an interdistrict magnet school program located in the Sheff region to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes. The reduced-isolation setting standards for interdistrict magnet school programs shall not be deemed to be regulations, as defined in section 4-166 of the general statutes.

Sec. 2. Subsections (a) and (b) of section 10-264l of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2017*):

(a) The Department of Education shall, within available appropriations, establish a grant program (1) to assist (A) local and regional boards of education, (B) regional educational service centers, (C) the Board of Trustees of the Community-Technical Colleges on

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behalf of Quinebaug Valley Community College and Three Rivers Community College, and (D) cooperative arrangements pursuant to section 10-158a, and (2) in assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as determined by the Commissioner of Education, to assist (A) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (B) the Board of Trustees of the Connecticut State University System on behalf of a state university, (C) the Board of Trustees of The University of Connecticut on behalf of the university, (D) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, and (E) any other third-party not-for-profit corporation approved by the commissioner with the operation of interdistrict magnet school programs. All interdistrict magnet schools shall be operated in conformance with the same laws and regulations applicable to public schools. For the purposes of this section "an interdistrict magnet school program" means a program which (i) supports racial, ethnic and economic diversity, (ii) offers a special and high quality curriculum, and (iii) requires students who are enrolled to attend at least half-time. An interdistrict magnet school program does not include a regional agricultural science and technology school, a technical high school or a regional special education center. [On and after July 1, 2000, the governing authority for each interdistrict magnet school program that is in operation prior to July 1, 2005, shall restrict the number of students that may enroll in the program from a participating district to eighty per cent of the total enrollment of the program. The governing authority for each interdistrict magnet school program that begins operations on or after July 1, 2005, shall restrict the number of students that may enroll in the program from a participating district to seventy-five per cent of the total enrollment of

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the program, and maintain such a school enrollment that at least twenty-five per cent but not more than seventy-five per cent of the students enrolled are pupils of racial minorities, as defined in section 10-226a. The governing authority of an interdistrict magnet school that the commissioner determines will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, shall restrict the number of students that may enroll in the program from a participating district in accordance with the provisions of this subsection, provided such enrollment is in accordance with the reduced-isolation setting standards of such 2013 stipulation and order.] For the school years commencing July 1, 2017, and July 1, 2018, the governing authority for each interdistrict magnet school program shall (I) restrict the number of students that may enroll in the school from a participating district to seventy-five per cent of the total school enrollment, and (II) maintain a total school enrollment that is in accordance with the reduced-isolation setting standards for interdistrict magnet school programs, developed by the Commissioner of Education pursuant to section 1 of this act.

(b) (1) Applications for interdistrict magnet school program operating grants awarded pursuant to this section shall be submitted annually to the Commissioner of Education at such time and in such manner as the commissioner prescribes, except that on and after July 1, 2009, applications for such operating grants for new interdistrict magnet schools, other than those that the commissioner determines will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, shall not be accepted until the commissioner develops a comprehensive state-wide interdistrict magnet school plan. The commissioner shall submit such

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comprehensive state-wide interdistrict magnet school plan on or before October 1, 2016, to the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations.

(2) In determining whether an application shall be approved and funds awarded pursuant to this section, the commissioner shall consider, but such consideration shall not be limited to: (A) Whether the program offered by the school is likely to increase student achievement; (B) whether the program is likely to reduce racial, ethnic and economic isolation; (C) the percentage of the student enrollment in the program from each participating district; and (D) the proposed operating budget and the sources of funding for the interdistrict magnet school. For a magnet school not operated by a local or regional board of education, the commissioner shall only approve a proposed operating budget that, on a per pupil basis, does not exceed the maximum allowable threshold established in accordance with this subdivision. The maximum allowable threshold shall be an amount equal to one hundred twenty per cent of the state average of the quotient obtained by dividing net current expenditures, as defined in section 10-261, by average daily membership, as defined in said section, for the fiscal year two years prior to the fiscal year for which the operating grant is requested. The Department of Education shall establish the maximum allowable threshold no later than December fifteenth of the fiscal year prior to the fiscal year for which the operating grant is requested. If requested by an applicant that is not a local or regional board of education, the commissioner may approve a proposed operating budget that exceeds the maximum allowable threshold if the commissioner determines that there are extraordinary programmatic needs. [In] For the fiscal years ending June 30, 2017, and June 30, 2018, in the case of an interdistrict magnet school that will assist the state in meeting [the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the

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goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended] its obligations pursuant to the decision in Sheff v. O'Neill, 238 Conn. 1 (1996), or any related stipulation or order in effect, as determined by the commissioner, the commissioner shall also consider whether the school is meeting the reduced-isolation setting standards [set forth in such 2013 stipulation and order] for interdistrict magnet school programs, developed by the commissioner pursuant to section 1 of this act. If such school has not met [the] such reduced-isolation setting standards, [prescribed in such 2013 stipulation and order,] it shall not be entitled to receive a grant pursuant to this section unless the commissioner finds that it is appropriate to award a grant for an additional year or years [for purposes of compliance with such 2013 stipulation and order] and approves a plan to bring such school into compliance with such reduced-isolation setting standards. If requested by the commissioner, the applicant shall meet with the commissioner or the commissioner's designee to discuss the budget and sources of funding.

(3) [Except as provided in this section, section 116 of public act 14-217 and the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, the commissioner shall not award a grant to (A) a program that is in operation prior to July 1, 2005, if more than eighty per cent of its total enrollment is from one school district, except that the commissioner may award a grant for good cause, for any one year, on behalf of an otherwise eligible magnet school program, if more than eighty per cent of the total enrollment is from one district, and (B) a program that begins operations on or after July 1, 2005, if more than seventy-five per cent of its total enrollment is from one school district or if less than twenty-five or more than seventy-five per cent of the students enrolled are pupils of racial minorities, as defined in section 10-226a, except that the commissioner may award a grant for good cause, for one year, on behalf of an otherwise eligible interdistrict magnet school program, if more than

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seventy-five per cent of the total enrollment is from one district or less than twenty-five or more than seventy-five per cent of the students enrolled are pupils of racial minorities. The commissioner may not award grants pursuant to the exceptions described in subparagraphs (A) and (B) of this subdivision for an additional consecutive year or years, except as provided for in section 116 of public act 14-217, the 2008 stipulation for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as determined by the commissioner.] For the fiscal years ending June 30, 2018, and June 30, 2019, the commissioner shall not award a grant to an interdistrict magnet school program that (A) has more than seventy-five per cent of the total school enrollment from one school district, or (B) does not maintain a total school enrollment that is in accordance with the reduced-isolation setting standards for interdistrict magnet school programs, developed by the Commissioner of Education pursuant to section 1 of this act, except the commissioner may award a grant to such school for an additional year or years if the commissioner finds it is appropriate to do so and approves a plan to bring such school into compliance with such reduced-isolation setting standards.

(4) For the fiscal years ending June 30, 2018, and June 30, 2019, if an interdistrict magnet school program does not maintain a total school enrollment that is in accordance with the reduced-isolation setting standards for interdistrict magnet school programs, developed by the commissioner pursuant to section 1 of this act, for two or more consecutive years, the commissioner may impose a financial penalty on the operator of such interdistrict magnet school program, or take any other measure, in consultation with such operator, as may be appropriate to assist such operator in complying with such reduced-isolation setting standards.

Sec. 3. (*Effective from passage*) Notwithstanding the provisions of

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subdivision (5) of subsection (c) of section 10-264*l* of the general statutes, for the fiscal year ending June 30, 2017, the Center for Global Studies at Brien McMahon High School in the town of Norwalk shall be eligible for a full-time interdistrict magnet school program grant pursuant to subdivision (1) of subsection (c) of section 10-264*l* of the general statutes.

Approved June 26, 2017