

House of Representatives, April 16, 1998. The Committee on Appropriations reported through REP. DYSON, 94th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING INTERDISTRICT PROGRAMS.

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

1 Section 1. Section 10-17f of the general
2 statutes is repealed and the following is
3 substituted in lieu thereof:

4 (a) On or before November 1, 1978, and
5 annually thereafter, the board of education for
6 each local and regional school district shall
7 ascertain, in accordance with regulations
8 established by the State Board of Education, the
9 eligible children in such school district and
10 shall classify such children according to their
11 dominant language.

12 (b) Whenever it is ascertained that there are
13 in any public school within a local or regional
14 school district twenty or more eligible children
15 classified as dominant in any one language other
16 than English, the board of education of such
17 district shall provide a program of bilingual
18 education for such eligible children for the
19 school year next following.

20 (c) IF THE PARENT OR LEGAL GUARDIAN OF AN
21 ELIGIBLE CHILD NOTIFIES THE LOCAL OR REGIONAL
22 BOARD OF EDUCATION, IN WRITING, THAT SUCH PARENT
23 OR GUARDIAN WISHES THE CHILD TO BE EXEMPT FROM THE

24 PROGRAM OF BILINGUAL EDUCATION, THE LOCAL OR
25 REGIONAL BOARD OF EDUCATION SHALL SO EXEMPT THE
26 CHILD.

27 [(c)] (d) The board of education for each
28 local and regional school district which is
29 required to provide a program of bilingual
30 education shall initially endeavor to implement
31 the provisions of subsection (b) of this section
32 through in-service training for existing certified
33 professional employees, and thereafter, shall give
34 preference in hiring to such certified
35 professional employees as are required to maintain
36 said program.

37 [(d)] (e) The State Board of Education shall
38 adopt and enforce regulations concerning
39 requirements for such programs, which may be
40 modeled after policy established by the Department
41 of Education for bilingual education programs.

42 [(e)] (f) Each board of education for a local
43 and regional school district which is required to
44 provide for the first time a program of bilingual
45 education shall prepare and submit to the
46 commissioner of education for review a plan to
47 implement such program, in accordance with
48 regulations adopted by the State Board of
49 Education.

50 Sec. 2. Section 10-66gg of the general
51 statutes is repealed and the following is
52 substituted in lieu thereof:

53 Within available appropriations, the
54 Commissioner of Education shall annually, review
55 and report, in accordance with the provisions of
56 section 11-4a, on the operation of such charter
57 schools as may be established pursuant to sections
58 10-66aa to 10-66ff, inclusive, AS AMENDED, to the
59 joint standing committee of the General Assembly
60 having cognizance of matters relating to
61 education. SUCH REPORT SHALL INCLUDE: (1)
62 RECOMMENDATIONS FOR ANY STATUTORY CHANGES THAT
63 WOULD FACILITATE EXPANSION IN THE NUMBER OF
64 CHARTER SCHOOLS; (2) A COMPILATION OF SCHOOL
65 PROFILES PURSUANT TO SECTION 10-66cc, AS AMENDED;
66 (3) AN ASSESSMENT OF THE ADEQUACY OF FUNDING
67 PURSUANT TO SECTION 10-66ee, AS AMENDED, AND (4)
68 THE ADEQUACY AND AVAILABILITY OF SUITABLE
69 FACILITIES FOR SUCH SCHOOLS.

70 Sec. 3. Subsection (a) of section 10-74d of
71 the general statutes, as amended by section 12 of

72 public act 97-290, is repealed and the following
73 is substituted in lieu thereof:

74 (a) The state Department of Education shall,
75 within available appropriations and after payments
76 made pursuant to [sections 10-264i, 10-264l and]
77 SECTION 10-266j, AS AMENDED BY SECTION 7 OF THIS
78 ACT, maintain a competitive grant program for the
79 purpose of assisting local and regional boards of
80 education and regional educational service centers
81 with the establishment and operation of
82 interdistrict cooperative programs, including
83 programs pursuant to section 13 of [this act]
84 PUBLIC ACT 97-290 and lighthouse schools, as
85 defined in section 18 of [this act] PUBLIC ACT
86 97-290, but excluding interdistrict magnet school
87 programs for which a local or regional board of
88 education or a regional educational service center
89 receives funds pursuant to section 10-264h or
90 10-264l, AS AMENDED BY SECTION 5 OF THIS ACT.

91 Sec. 4. Section 10-264i of the general
92 statutes is repealed and the following is
93 substituted in lieu thereof:

94 (a) A local or regional board of education or
95 regional educational service center which
96 transports a child to an interdistrict magnet
97 school program as defined in section 10-264l, AS
98 AMENDED BY SECTION 5 OF THIS ACT, in a town other
99 than the town in which the child resides shall be
100 eligible pursuant to section 10-264e to receive a
101 grant up to one hundred per cent of the reasonable
102 cost of transporting such child. The Department of
103 Education shall [, within the total amount
104 appropriated for interdistrict cooperative grants
105 pursuant to section 10-74d, use an amount, not to
106 exceed five per cent of such appropriation for
107 interdistrict magnet school program
108 transportation] PROVIDE SUCH GRANTS WITHIN
109 AVAILABLE APPROPRIATIONS. Nothing in this
110 subsection shall be construed to prevent a local
111 or regional board of education from receiving
112 reimbursement under section 10-266m, AS AMENDED,
113 for reasonable transportation expenses for which
114 such board or service center is not reimbursed
115 pursuant to this section.

116 (b) Grants under this section shall be
117 contingent on documented costs of providing such
118 transportation. Eligible local and regional boards
119 of education shall submit applications for grants

120 under this section to the Commissioner of
121 Education in such form and at such times as he
122 prescribes. Grants pursuant to this section shall
123 be paid as follows: In October one-half of the
124 estimated eligible transportation costs and the
125 balance of such costs in May.

126 (c) Each local and regional board of
127 education participating in the grant program shall
128 prepare a financial statement of expenditures
129 which shall be submitted to the Department of
130 Education on or before September first of the
131 fiscal year immediately following each fiscal year
132 in which the school district participates in the
133 grant program. Based on such statement, any
134 underpayment or overpayment may be calculated and
135 adjusted by the state Department of Education in
136 the grant for any subsequent year.

137 (d) THE DEPARTMENT OF EDUCATION MAY RETAIN UP
138 TO ONE PER CENT OF THE AMOUNT APPROPRIATED
139 PURSUANT TO THIS SECTION FOR PROGRAM EVALUATION
140 AND ADMINISTRATION.

141 Sec. 5. Section 10-2641 of the general
142 statutes, as amended by section 16 of public act
143 97-290, is repealed and the following is
144 substituted in lieu thereof:

145 (a) The Department of Education shall, within
146 [the amount appropriated for interdistrict
147 cooperative grants pursuant to section 10-74d, use
148 up to fifty per cent of such appropriation to]
149 AVAILABLE APPROPRIATIONS, establish a competitive
150 grant program to assist local and regional boards
151 of education and regional educational service
152 centers with the operation of interdistrict magnet
153 school programs. For the purposes of this section
154 "an interdistrict magnet school program" means a
155 program which (1) supports racial, ethnic and
156 economic diversity, (2) offers a special and high
157 quality curriculum, and (3) requires students who
158 are enrolled to attend at least half-time. An
159 interdistrict magnet school program does not
160 include a regional vocational agriculture school,
161 a regional vocational-technical school or a
162 regional special education center. On and after
163 July 1, 2000, the governing authority for each
164 interdistrict magnet school program shall restrict
165 the number of students that may enroll in the
166 program from a participating district to eighty
167 per cent of the total enrolment of the program.

168 (b) Applications for interdistrict magnet
169 school program operating grants awarded pursuant
170 to this section shall be submitted annually to the
171 Commissioner of Education at such time and in such
172 manner as the commissioner prescribes. In
173 determining whether an application shall be
174 approved and funds awarded pursuant to this
175 section, the commissioner shall consider, but such
176 consideration shall not be limited to: (1) Whether
177 the program offered by the school is likely to
178 increase student achievement; (2) whether the
179 program is likely to reduce racial, ethnic and
180 economic isolation; (3) the percentage of the
181 student enrolment in the program from each
182 participating district; and (4) whether
183 participating school districts are located within
184 regions described in section 10-264k which
185 approved regional plans in accordance with section
186 10-264c. On and after July 1, 2000, the
187 commissioner shall not award a grant to a program
188 if more than eighty per cent of its total
189 enrolment is from one school district, except that
190 the commissioner may award a grant for good cause,
191 for any one year, on behalf of an otherwise
192 eligible magnet school program, if more than
193 eighty per cent of the total enrolment is from one
194 district.

195 (c) The maximum amount each interdistrict
196 magnet school program shall be eligible to receive
197 per enrolled student shall be determined as
198 follows: (1) For each participating district whose
199 magnet school program enrolment is equal to or
200 less than thirty per cent of the magnet school
201 program total enrolment, ninety per cent of the
202 foundation as defined in subdivision (7) of
203 section 10-262f; (2) for each participating
204 district whose magnet school program enrolment is
205 greater than thirty per cent but less than or
206 equal to sixty per cent of the magnet school
207 program total enrolment, a percentage between
208 sixty and ninety per cent of said foundation that
209 is inversely proportional to the percentage of
210 magnet school program students from such district;
211 and (3) for each participating district whose
212 magnet school program enrolment is greater than
213 sixty per cent but less than or equal to ninety
214 per cent of the magnet school program total
215 enrolment, a percentage between zero and sixty per

216 cent of said foundation that is inversely
217 proportional to the percentage of magnet school
218 program students from such district. The amounts
219 so determined shall be proportionately adjusted,
220 if necessary, within the limit of the available
221 appropriation, and in no case shall any grant
222 pursuant to this section exceed the reasonable
223 operating budget of the magnet school program,
224 less revenues from other sources. Any magnet
225 school program operating less than full-time but
226 at least half-time shall be eligible to receive a
227 grant equal to fifty per cent of the grant amount
228 determined pursuant to this subsection.

229 (d) Grants made pursuant to this section
230 shall be paid as follows: Fifty per cent by
231 September first and the balance by January first
232 of each fiscal year. The January first payment
233 shall be adjusted to reflect actual interdistrict
234 magnet school program enrolment as of the
235 preceding October first, if the actual level of
236 enrolment is lower than the projected enrolment
237 stated in the approved grant application.

238 (e) THE DEPARTMENT OF EDUCATION MAY RETAIN UP
239 TO ONE PER CENT OF THE AMOUNT APPROPRIATED FOR
240 PURPOSES OF THIS SECTION FOR PROGRAM EVALUATION
241 AND ADMINISTRATION.

242 Sec. 6. Subsections (d), (e) and (f) of
243 section 3 of public act 97-290 are repealed and
244 the following is substituted in lieu thereof:

245 (d) Once the program is in operation in the
246 region served by a regional educational service
247 center pursuant to subsection (c) of this section,
248 the Department of Education shall provide,
249 annually, a grant in the amount of one hundred
250 thousand dollars to such a regional educational
251 service center to assist school districts in its
252 area in administering the program. Each regional
253 educational service center shall convene a meeting
254 of representatives of the school districts in its
255 area in order for school districts to report the
256 number of spaces available for out-of-district
257 students under the program. If there are more
258 students who seek to attend school in a receiving
259 district than there are spaces available, the
260 regional educational service center shall assist
261 the school district in determining attendance by
262 the use of a lottery or lotteries designed to
263 preserve or increase racial, ethnic and economic

264 diversity, except that the regional educational
265 service center shall give preference to siblings
266 and to students who would otherwise attend a
267 school that has lost its accreditation by the New
268 England Association of Schools and Colleges. The
269 admission policies shall be consistent with
270 section 10-15c of the general statutes. No
271 receiving district shall recruit students under
272 the program for athletic or extracurricular
273 purposes. Each receiving district shall allow an
274 out-of-district student it accepts to complete the
275 highest grade in the school he is attending under
276 the program established pursuant to this section,
277 UNLESS THE LOCAL OR REGIONAL BOARD OF EDUCATION
278 FOR SUCH DISTRICT IS CHANGING THE SCHOOL
279 ATTENDANCE AREAS ON A DISTRICT-WIDE BASIS.

280 (e) The Department of Education shall
281 provide, within available appropriations, grants
282 to regional educational service centers or local
283 or regional boards of education for the reasonable
284 cost of transportation for students participating
285 in the program, provided such grants do not exceed
286 an amount equal to one thousand TWO HUNDRED
287 dollars for each student transported. The regional
288 education service centers shall ensure that
289 transportation is available for students who wish
290 to participate in after-school activities.

291 (f) The Department of Education shall
292 provide, within available appropriations, an
293 annual grant to each receiving district in an
294 amount not to exceed two thousand dollars for each
295 out-of-district student who attends school in the
296 receiving district under the program. [provided,
297 for the fiscal year ending June 30, 1999, the
298 combined total of students in the program and the
299 program established pursuant to section 10-266j of
300 the general statutes, as amended by section 5 of
301 this act, shall not exceed one thousand students.]

302 Sec. 7. Subsection (d) of section 10-266j of
303 the general statutes, as amended by section 17 of
304 public act 97-247 and section 5 of public act
305 97-290, is repealed and the following is
306 substituted in lieu thereof:

307 (d) For each fiscal year commencing prior to
308 July 1, 1998, the local or regional board of
309 education for each receiving district shall
310 receive, from the amount appropriated for purposes
311 of this subsection, a grant in an amount equal to

312 four hundred sixty-eight dollars for each
313 participating child who attended school in the
314 district in the fiscal year prior to the year in
315 which the grant is to be paid. For the fiscal year
316 ending June 30, 1999, and each fiscal year
317 thereafter, each receiving district shall receive,
318 within available appropriations, a grant from the
319 Department of Education in an amount not to exceed
320 two thousand dollars for each out-of-district
321 student who attends school in the receiving
322 district pursuant to this section. [, provided for
323 the fiscal year ending June 30, 1999, the combined
324 total of students in the program established
325 pursuant to this section and the program
326 established pursuant to section 3 of this act
327 shall not exceed one thousand students.] Each town
328 which receives funds pursuant to this subsection
329 shall make such funds available to its local or
330 regional board of education in supplement to any
331 other local appropriation, other state or federal
332 grant or other revenue to which the local or
333 regional board of education is entitled.
334 Sec. 8. This act shall take effect July 1,
335 1998.

336 ED COMMITTEE VOTE: YEA 30 NAY 1 JFS C/R APP
337 APP COMMITTEE VOTE: YEA 49 NAY 1 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5391

STATE IMPACT Yes, Implements a Provision of the Budget, see explanation below

MUNICIPAL IMPACT None

STATE AGENCY(S) Department of Education

EXPLANATION OF ESTIMATES:

STATE IMPACT: This bill separates the funding for magnet school grants from the Interdistrict Cooperation grant as provided in the budget as passed by the Appropriation Committee (SHB 5021).

Changes which increase maximum grant awards for pupil transportation in interdistrict programs and which eliminate the cap on the number of students which can receive funding for out-of-district transportation for interdistrict programs have no fiscal impact as these funds are provided within available appropriations.

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OLR BILL ANALYSIS

SHB 5391

AN ACT CONCERNING INTERDISTRICT PROGRAMS

SUMMARY:

This bill:

1. increases the maximum state grant for transporting students participating in the

- interdistrict choice program from \$1,000 to \$1,200 per student;
2. removes the 1,000-student cap for 1998-99 on state \$2,000-per-student grants to school districts that enroll out-of-district students under the interdistrict choice and Project Concern programs;
 3. allows receiving districts participating in the interdistrict choice program more flexibility to transfer out-of-district students from school to school within the district;
 4. requires school districts to exempt a child eligible for bilingual education from bilingual programs when they receive a written request from the child's parent or guardian;
 5. establishes separate appropriations for interdistrict cooperative grants and interdistrict magnet school operating and transportation grants and allows the State Department of Education (SDE) to keep up to 1% of the amount appropriated for each one for administration and program evaluation; and
 6. expands the issues the education commissioner must address in his annual report to the Education Committee on charter schools.

EFFECTIVE DATE: July 1, 1998

FURTHER EXPLANATION

Interdistrict Public School Choice Program Changes

Transportation Grants. By law, SDE must provide grants to reimburse regional educational service centers and school boards for the reasonable cost of transporting students participating in the interdistrict choice program. Under current law, the maximum grant is \$1,000 per student. The bill increases it to \$1,200 per student.

Per-Student Grants. By law, a district that accepts out-of-district students under the interdistrict choice

program or the Project Concern program ("receiving district") receives a state grant of up to \$2,000 for each out-of-district student it enrolls. Under current law, state funding is capped at 1,000 students for all districts for the 1998-99 school year. The bill removes the 1,000-student cap.

Transfers. Under current law, a receiving district that enrolls an out-of-district student under the choice program must allow him to complete the highest grade in the school he attends. This bill allows the receiving district to transfer such a student to another school within the district as part of a district-wide change in school attendance areas.

Appropriations Accounts

The bill requires separate appropriations for grants to districts to operate interdistrict magnet schools and transport students to them. Currently, those grants must be funded out of the overall appropriation for interdistrict cooperative program grants. Magnet school operating grants are currently capped at 50% of the amount appropriated for interdistrict cooperative grants and the transportation grants are capped at 5%. The bill also allows the SDE to keep up to 1% of each grant appropriation for administration and program evaluation.

Charter School Report

The bill requires the education commissioner's annual report to the Education Committee on charter schools to include:

1. recommendations for changes in the law to help increase the number of such schools;
2. a compilation of the profiles charter schools must submit to the commissioner on their students' education progress, their financial condition, and the accomplishment of their missions; and
3. assessments of the adequacy of the state's per-pupil grant to charter schools and the adequacy and availability of charter school facilities.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute Change of Reference
Yea 30 Nay 1

Appropriations Committee

Joint Favorable Substitute
Yea 49 Nay 1