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## **OLR Bill Analysis**

### **sSB 1349**

#### ***AN ACT CONCERNING THE CHARTER SCHOOL APPROVAL PROCESS.***

#### **SUMMARY**

This bill creates the Statewide Office of School Choice within the State Department of Education (SDE) to oversee the application process for new charter schools and the renewal process for existing schools, among other duties. SDE has a Statewide School Choice Programs Office, but current statutes are silent on its duties. While the new office oversees the charter school approval process, the authority to approve charter school applications still rests with the State Board of Education (SBE).

The bill also revises the approval process for new charter schools by eliminating the step of SBE granting an initial certificate and instead allowing SBE to grant a full charter school certificate of approval.

The bill requires the new office to develop a report on building greater transparency in the charter school initial funding process, including examples of other states' approval and funding process and ways to improve communication between charter school applicants, families, local and regional boards of education, and other stakeholders.

It also revises an existing biennial charter school report requirement by requiring the education commissioner to produce the report in coordination with the school choice office and expanding the report's required content.

The bill also makes technical and conforming changes (§ 5).

EFFECTIVE DATE: July 1, 2025

#### **§ 1 — STATEWIDE OFFICE OF SCHOOL CHOICE**

The bill creates the Statewide Office of School Choice within SDE and

places it under the management of a chief. The bill requires the office, in coordination with the education commissioner, to:

1. oversee the state charter school request for proposal application process;
2. oversee the charter school renewal process;
3. issue a biennial charter school report (under current law the report is solely the commissioner's responsibility, see § 4);
4. assist the Regional School Choice Office in implementing the *Sheff v. O'Neill* settlement and stipulation (see BACKGROUND); and
5. create, manage, and publish a centralized repository for all information about interdistrict magnet school programs and charter school district governance.

The information repository must include (1) information on the charter school request and renewal processes; (2) board membership and term dates, if applicable; (3) board meeting dates, agendas, and minutes; (4) required budget documents; and (5) interdistrict magnet school program and charter school policies.

### ***Office Chief Qualifications***

Under the bill, the new office chief's qualifications must include experience in charter school authorization, interdistrict magnet school programs and charter school enrollment practices, funding and other resourcing, infrastructure planning and development, and implementing interdistrict magnet school program requirements to help the state meet its obligations under *Sheff*.

## **§ 2 — FUNDING PROCESS TRANSPARENCY REPORT**

The bill requires the office to develop a report on strengthening and building greater transparency in the initial charter school funding process. The report must include:

1. information on other states' charter school approval and initial

funding process;

2. ways to enhance transparency and communication between charter school applicants, families, school boards, magnet school programs, SDE, and SBE; and
3. recommendations to streamline and improve the charter school funding and approval process.

In developing the report, the office must consult with students and families, teachers, administrators, and representatives from the Connecticut Education Association, the Connecticut Charter School Association, and the Connecticut Coalition for Achievement Now. The office must submit the report to the Appropriations and Education committees by July 1, 2026.

### **§ 3 — CHARTER SCHOOL APPROVAL PROCESS**

Under current law, SBE may grant “initial certificates of approval for charters” for local and state charter schools (see BACKGROUND). However, a new school’s initial certificate only takes effect as a full charter when the legislature appropriates funds to SDE for its operations. The school receives its charter as of July 1 in the fiscal year for which the funds are appropriated.

Starting July 1, 2026, the bill eliminates the initial charter step and allows SBE to grant full charters rather than initial certificates of approval. The bill allows charter schools approved either through a new charter or an initial charter certification (presumably, granted under current law, as at least one is still pending) to use any funds as may be available from federal, state, or other sources, as approved by the charter school’s governing authority.

#### ***Requests for Proposals***

The bill requires SDE, beginning by January 1, 2026, to issue a request for charter school proposals once a year with an annual June 1 deadline. As under current law, the proposals may come from non-profit organizations, institutions of higher education, boards of education, regional educational service centers (RESCs), or jointly from two or

more boards of education.

### ***Applications***

SBE must annually review all applications by September 15, 2026, and each following September 15. The bill eliminates the requirement that SBE approve charters in towns that have at least one school designated in the commissioner's network of schools program or as a low-achieving school district, which allows SBE to approve charters in towns that don't meet those criteria.

The bill leaves unchanged most of the steps for the charter application process, including the requirements for SBE to hold a public hearing on the application for a state charter and to act on the application within 90 days after receipt. The process for a local charter is similar, including the hearing requirement, but the application must be submitted to the local board of education for the charter school's proposed location and the application must be acted on within 75 days (then the application goes to SBE which has another 60 days to vote). (It is not clear how the deadlines to vote on an application in current law can sync with the September 15 annual deadline the bill sets for SBE to approve charters.)

### ***Renewal***

By law, SBE may deny an application to renew a charter for a number of reasons, including if:

1. student progress has not been sufficiently demonstrated;
2. the school's governing council has not been sufficiently responsible for school operations or has misused public funds;
3. the school has not complied with the terms of its charter or applicable laws; or
4. the school has not done enough to attract high needs students such as those (a) with low academic performance, (b) who receive free or reduced priced lunches, (c) with a history of behavioral problems, (d) who require special education, or (e) who are multilingual learners.

The bill eliminates the last condition of attracting high needs students as a reason for denying a renewal application.

#### **§ 4 — CHARTER SCHOOL BIENNIAL REPORT**

The bill expands an existing biennial charter school operations report requirement of the education commissioner. It also eliminates a provision specifying the report is only required if it can be completed within available appropriations. The bill requires the commissioner to produce the report in coordination with the Statewide Office of School Choice. It also expands the required content to include:

1. a plan for streamlining student enrollment, mobility and attrition policies, and data collection;
2. a description of effective academic, operational, and human resources practices; and
3. recommendations for expanding interdistrict collaboration, formal partnerships, and cooperatives designed to enhance student academic, art, music, athletic, and extracurricular opportunities.

Under existing law, unchanged by the bill, the report must also include (1) recommendations for legislation to help expand the number of charter schools, (2) a compilation of charter school profiles, and (3) an assessment of the adequacy of state charter school funding.

#### **BACKGROUND**

##### ***Local and State Charter Schools***

By law, local charter schools are part of the public school district where they are located (currently there is only one such school in the state). State charter schools are managed by private boards that are not affiliated with or under the control of any public board of education (CGS § 10-66bb(c), (e), and (f)).

Local charters receive funding through the host school district and students at these schools count towards the host district's education cost sharing (ECS) grant. State charter school students do not count toward

a district's ECS grant, but the state has a separate per-student charter school grant (CGS § 10-66ee).

***Sheff v. O'Neill State Supreme Court Decision***

In this 1996 decision, the Connecticut Supreme Court ruled that the state had a constitutional obligation to remedy the educational inequities in the Hartford schools caused by racial and ethnic isolation (238 Conn. 1 (1996)). The court ordered the state legislature and the governor to craft a solution, and legislation was passed to create voluntary desegregation in Hartford by creating interdistrict magnet schools and programs such as Open Choice.

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute Change of Reference - APP

Yea 30 Nay 14 (03/28/2025)

Appropriations Committee

Joint Favorable

Yea 37 Nay 17 (04/24/2025)