



Substitute Senate Bill No. 138

Public Act No. 26-106

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
DEPARTMENT OF EDUCATION.**

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

Section 1. Subsections (b) and (c) of section 10-66bb of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2026*):

(b) Any not-for-profit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time, public or independent institution of higher education, local or regional board of education or two or more boards of education cooperatively, or regional educational service center may apply to the Commissioner of Education, at such time and in such manner as the commissioner prescribes, to obtain an initial certificate of approval for a charter, provided no nonpublic elementary or secondary school may be established as a charter school and no parent or group of parents providing home instruction may establish a charter school for such instruction. For the biennium beginning July 1, 2027, and each biennium thereafter, the Commissioner of Education shall ensure that the timing for granting initial certificates of approval for charters shall coincide with the preparation of the state budget for

Substitute Senate Bill No. 138

such biennium.

(c) On and after July 1, 2015, the State Board of Education shall review [, annually,] all applications and grant initial certificates of approval for charters, in accordance with subsections (e) and (f) of this section, for a local or state charter school located in a town that has one or more schools that have been designated as a commissioner's network school, pursuant to section 10-223h, as amended by this act, at the time of such application, or a town that has been designated as a low achieving school district, pursuant to section 10-223e, at the time of such application. (1) Except as provided for in subdivision (2) of this subsection, no state charter school shall enroll (A) (i) more than two hundred fifty students, or (ii) in the case of a kindergarten to grade eight, inclusive, school, more than three hundred students, or (B) twenty-five per cent of the enrollment of the school district in which the state charter school is to be located, whichever is less. (2) In the case of a state charter school found by the State Board of Education to have a demonstrated record of achievement, said board shall, upon application by such school to said board, waive the provisions of subdivision (1) of this subsection for such school. (3) The State Board of Education shall give preference to applicants for charter schools (A) whose primary purpose is the establishment of education programs designed to serve one or more of the following student populations: (i) Students with a history of low academic performance, (ii) students who receive free or reduced priced lunches pursuant to federal law and regulations, (iii) students with a history of behavioral and social difficulties, (iv) students identified as requiring special education, (v) students who are multilingual learners, or (vi) students of a single gender; (B) whose primary purpose is to improve the academic performance of an existing school that has consistently demonstrated substandard academic performance, as determined by the Commissioner of Education; (C) that will serve students who reside in a priority school district pursuant to section 10-266p; (D) that will serve students who reside in a district in

Substitute Senate Bill No. 138

which seventy-five per cent or more of the enrolled students are members of racial or ethnic minorities; (E) that demonstrate highly credible and specific strategies to attract, enroll and retain students from among the populations described in subparagraph (A)(i) to (A)(vi), inclusive, of this subdivision; or (F) that, in the case of an applicant for a state charter school, such state charter school will be located at a work-site or such applicant is an institution of higher education. In determining whether to grant an initial certificate of approval for a charter, the State Board of Education shall consider (i) the effect of the proposed charter school on (I) the reduction of racial, ethnic and economic isolation in the region in which it is to be located, (II) the regional distribution of charter schools in the state, (III) the potential of over-concentration of charter schools within a school district or in contiguous school districts, and (IV) the state's efforts to close achievement gaps, as defined in section 10-1600, and (ii) the comments made at a public hearing conducted pursuant to subdivision (2) of subsection (e) of this section or subparagraph (B)(ii) of subdivision (1) of subsection (f) of this section.

Sec. 2. Subdivision (4) of subsection (a) of section 10-264i of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2026*):

(4) Any transportation grant provided to a regional educational service center pursuant to subdivision (3) of this subsection shall be provided upon a comprehensive financial review, by an auditor selected by the Commissioner of Education, the costs of such review may be paid from funds that are part of such transportation grant. For the fiscal year ending June 30, 2026, and each fiscal year thereafter, any such transportation grant shall be paid as follows: Up to ninety-five per cent of the grant on or before June thirtieth of the fiscal year based on documentation provided prior to May thirty-first of the fiscal year, with an amount [equal to] not greater than one-half of the total estimated

Substitute Senate Bill No. 138

transportation cost on or before October thirty-first of the fiscal year, and the remaining total balance paid in increments on or before March first of the following fiscal year upon completion of the comprehensive financial review. If, upon completion of the comprehensive financial review, the commissioner determines there was an overpayment of the grant in the prior fiscal year, such funds shall be refunded to the department.

Sec. 3. Section 10-66q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than April 1, 2014, each regional educational service center shall develop a uniform regional school calendar that may be adopted by each local or regional board of education in the area served by such regional educational service center, in accordance with the provisions of subsection (b) of this section. Such uniform regional school calendars shall be consistent with the guidelines for a uniform regional school calendar developed pursuant to section 321 of public act 13-247. Not later than April 1, 2014, each regional educational service center shall submit such uniform regional school calendar to the State Board of Education for approval. Not later than five days after such approval, such regional educational service center shall submit such approved uniform regional school calendar 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.

(b) For the school year commencing July 1, 2017, and each school year thereafter, a local or regional board of education may adopt the uniform regional school calendar developed and approved pursuant to subsection (a) of this section.

[(c) Not later than July 1, 2017, and annually thereafter, the Commissioner of Education shall submit a report on which boards of education have adopted the uniform regional school calendar and the

Substitute Senate Bill No. 138

implementation of such uniform regional school calendars, pursuant to subsection (b) of this section, and any recommendations for legislation relating to such implementation 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.]

Sec. 4. Section 10-94l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a)] The Commissioner of Education shall administer, within available appropriations and in consultation with the Commissioner of Children and Families, a surrogate parent program. The Commissioner of Children and Families shall select any foster child, as defined in section 17a-110, who resides in the area identified as Region 3 by the Department of Children and Families for participation in the program, and the Commissioner of Education shall appoint a surrogate parent for such child. The surrogate parent shall represent the foster child in the educational decision-making process, provided the parent or guardian of the foster child: (1) Agrees or fails to object to the appointment of a surrogate parent; (2) receives identical notices as the surrogate parent; and (3) may revoke the appointment of a surrogate parent at any time.

[(b)] Not later than January 1, 2016, and annually thereafter, the Commissioners of Education and Children and Families shall jointly submit a report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to children and education on the surrogate parent program.]

Sec. 5. Subsections (i) and (j) of section 10-223h of the 2026 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(i)] Not later than thirty days after the approval of the turnaround plan for a school selected to participate in the commissioner's network

Substitute Senate Bill No. 138

of schools by the State Board of Education, the Commissioner of Education shall submit the operations and instructional audit and the turnaround plan for such school 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.]

[(j)] (i) (1) Not later than February 1, 2018, and annually thereafter, the Commissioner of Education shall annually submit a report on the academic performance of each school participating in the commissioner's network of schools 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. Such report shall include, but not be limited to, (A) the accountability index score, as defined in section 10-223e, for such school, (B) trends for the accountability index scores during the period that such school is participating in the commissioner's network of schools, (C) adjustments for subgroups of students at such school, including, but not limited to, students whose primary language is not English, students receiving special education services and students who are eligible for free or reduced price lunches, and (D) performance evaluation results in the aggregate for teachers and administrators at such school.

[(2) Not later than February 1, 2018, and annually thereafter, the Commissioner of Education shall annually submit a report comparing and analyzing the academic performance of all the schools participating in the commissioner's network of schools 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. Such report shall include, but not be limited to, (A) the accountability index score, as defined in section 10-223e, for the school, (B) trends for the accountability indices during the period that such schools are participating in the commissioner's network of schools, (C) adjustments for subgroups of students at such schools, including, but not limited to,

Substitute Senate Bill No. 138

students whose primary language is not English, students receiving special education services and students who are eligible for free or reduced price lunches, and (D) performance evaluation results in the aggregate for teachers and administrators at such schools.

(3) Not later than February first following the expiration of the turnaround plan for each school participating in the commissioner's network of schools, the commissioner shall submit a final report that (A) evaluates such turnaround plan and the academic performance of such school during the period that such turnaround plan was in effect, and (B) makes recommendations for the operation of such school 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.]

[(4)] (2) Not later than January 1, 2020, the commissioner shall submit a report (A) evaluating the commissioner's network of schools and its effect on improving student academic achievement in participating schools, and (B) making any recommendations for the continued operation of the commissioner's network of schools 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.

[(5)] (3) Not later than February first each year, the Commissioner of Education shall present the items submitted pursuant to subdivisions (1) [to (4), inclusive,] and (2) of this subsection to the joint standing committee of the General Assembly having cognizance of matters relating to education.

Sec. 6. Section 10-262p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a)] The State Board of Education shall adopt grade kindergarten to grade twelve, inclusive, computer technology competency standards for

Substitute Senate Bill No. 138

students by July 1, 2001. [Information on the standards shall be included in the report required pursuant to subsection (b) of this section.]

[(b) On or before July 1, 2001, and biennially thereafter, the Commissioner of Education shall report, in accordance with section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to education on the status of educational technology in the public schools. The report shall include information on the level of funding needed to assure that the technology needs in the areas of infrastructure improvements, educator professional development, curriculum development and student competency development are met.]

Sec. 7. Subsection (a) of section 10-43 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The committee shall, at least semiannually, make progress reports to the participating towns and the State Board of Education in such manner as the committee deems suitable. Upon completion of its study, the committee shall present a written report of its findings and recommendations to the State Board of Education and the town clerk of each participating town. If the committee finds that establishment of the proposed regional school district is inadvisable, its report shall include such findings and an explanation of the reasons for its conclusions. If the findings of the committee support the feasibility and desirability of establishing a regional school district, its report shall contain (1) the findings of the committee with respect to the advisability of establishing a regional school district, (2) the towns to be included, (3) the grade levels for which educational programs are to be provided, (4) detailed educational and budget plans for at least a five-year period including projections of enrollments, staff needs and deployment and a description of all programs and supportive services planned for the proposed regional school district, provided such budget plan shall,

Substitute Senate Bill No. 138

when feasible, be reviewed or audited by an independent third party to determine the viability of such budget plan, (5) the facilities recommended, (6) estimates of the cost of land and facilities, (7) a recommendation concerning the capital contribution of each participating town based on appraisals or a negotiated valuation of existing land and facilities owned and used by each town for public elementary and secondary education which the committee recommends be acquired for use by the proposed regional school district, together with a plan for the transfer of such land and facilities, (8) a recommendation concerning the size of the board of education to serve the proposed regional school district and the representation of each town thereon, (9) a consideration of transportation costs associated with the establishment of such regional school district, and [(9)] (10) such other matters as the committee deems pertinent. The capital contribution of each participating town shall be in the same proportion to the total purchase price or negotiated value of the property transferred as the number of pupils in average daily membership of such town as defined in section 10-261 for the school year preceding that in which the plan is approved by the State Board of Education bears to the total number of such pupils in the participating towns.