

Education Committee JOINT FAVORABLE REPORT

Bill No: SB-138 / [Bill Status](#) / [Public Hearing Testimony](#)

Title: AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT
OF EDUCATION.

Vote Date: 3/18/2026

Vote Action: Joint Favorable Substitute

PH Date: 2/20/2026

File No.:

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SPONSORS OF BILL:

Education Committee

REASONS FOR BILL:

This bill seeks to implement the recommendations of the Department of Education. Through this bill, the Committee hopes to facilitate the work of the Department, ensure equitable access to kindergarten education, and adjust the state's charter and magnet school system to improve efficiency.

SUBSTITUTE LANGUAGE (IF APPLICABLE):

The substitute language makes several revisions to the original bill. It adds new sections (7, 8, and 10) that repeal three additional reporting requirements, while removing sections 2 and 3 related to early kindergarten entry, as those provisions were already enacted in a separate measure. It also eliminates multiple sections that addressed specific education policies. These include provisions on magnet school grants, which would have capped per-student funding increases by tying enrollment growth to the prior year plus any commissioner-approved expansion; requirements for Planning and Placement Team (PPT) meetings in the Open Choice program, which would have shifted responsibility to the sending district instead of the receiving district; and changes related to educator recruitment, which would have broadened eligibility for scholarships and related programs from "diverse" educators to "aspiring educators." Additionally, the substitute modifies prior language concerning Sheff magnet transportation grants, clarifying that grant payments would be based on the actual transportation costs incurred by regional educational service centers, rather than being set at one-half of those costs as under current law.

RESPONSE FROM ADMINISTRATION/AGENCY:

[Charlene Russell-Tucker, Commissioner for the State Department of Education \(SDE\)](#): The Commissioner provides commentary on different parts of the bill, stating that she supports sections 1 through 4 because they would streamline the work of SDE and create more equitable access to kindergarten for Connecticut children. However, she opposes section 5 as written due to it mandating the Commissioner to automatically approve increases in enrollment if a magnet school operator expands enrollment by using the phrase “Commissioner shall approve any increase.” The Commissioner requests that SDE be allowed to use available data to create a framework that guides decision-making in this area. Regarding sections 8 through 10, she states that these sections eliminate redundant and burdensome reporting requirements while offering additional reports that should be added to the language of the bill. Sections 11 through 14, the Commissioner argues, aid in addressing the ongoing teacher shortage by expanding recruitment efforts. She makes several recommendations for language changes in the remainder of the bill, which regard additional reporting and eligibility requirements.

NATURE AND SOURCES OF SUPPORT:

[Kim Walker, Board of Education Chair for the CT Association of Boards of Education \(CABE\)](#): CABE supports the provisions of the bill that include the waiver for kindergarten entry age, the shifting of 504 expenses to magnet schools and having the sending district hold a Planning and Placement Team (PPT) meeting in which they invite the receiving district to partake, and the requirement of new regional districts to conduct an audit by a third party.

Two members of the Alliance of CT Charter Schools (ACCS) support a biennial Request for Proposal (RFP) cycle but stress the need for clear statutory safeguards that could delay or impede access to school options and opportunities for students. They recommend four essential protections: issuing the RFP every two years in a specific window that is not discretionary, establishing clear deadlines for the review process, preventing any caps on approvals, and keeping authorization merit-based, and planning the next RFP to occur in 2026 as a bridge year.

[Jose Pimentel, Chief Executive Officer of the CT ACCS](#)

[Maria Matos, Chief Advocacy Officer of the CT ACCS](#)

[David Brown, Founding Principal of PROUD Academy](#): Mr. Brown supports this bill, arguing that Connecticut should continue to maintain a high bar for charter school authorization to ensure high-quality education for students. He highlights the benefits of coordinating charter school approvals with the biennial budget cycle, which include transparency through a predictable review schedule and clarity for applicants who have already met the State Board’s requirements. To conclude, he offers several recommendations for clarifying language that would establish that the biennial structure is procedural and does not create a cap on applications or approvals.

[Steven Hernandez, Executive Director of ConnCAN](#): Mr. Hernandez supports the standardization of the charter school RFP and aligning it with the biennial budget cycle. He states that this will facilitate their planning, evaluation, and funding decisions. Additionally, he recommends that the Committee codify clear, predictable date windows for each phase of the RFP process to aid compliance and reduce administrative burden. Specifically, he advises statutory windows for issuing the RFP, application deadlines, and State Board action in even-numbered years.

Several members of the public who work with or have children with disabilities testify in support of section 4 of the bill, which would mandate that sending districts pay for IEP (Individualized Education Program) and the costs of special education services. They state that it would allow districts greater oversight over IEP programs and ensure student access to needed services. However, they state that

districts need to receive additional resources to support the IEP process, and they argue that this goal could be met by counting Open Choice students fully within the sending district's ECS (Education Cost Sharing) formula. Additionally, they testify that Hartford's school districts struggle to meet the needs of students, and this bill would bolster and streamline the special education services that children need if the Open Choice adjustments become a part of the bill. By providing revenue alignment while special education costs continue to rise, it would prevent this bill from inadvertently reinforcing structural budget imbalances that could further harm school districts.

[Caitlin Richard, Chief Financial Officer for Hartford Public Schools](#)

[Melissa Becce](#)

[Madison Csejka, Board Member of the Hartford Board of Education](#)

[Juliana Mann](#)

NATURE AND SOURCES OF OPPOSITION:

Two members of the Capitol Region Education Council (CREC) oppose sections 4 and 5 as they are currently written. Regarding section 4, they state that the proposed change would mandate magnet schools to fully fund 504 services without an additional funding mechanism. The 504 plans can have unanticipated costs and rise unpredictably, and without additional fiscal support, the quality of the services would deteriorate. The CREC requests that the legislature maintains CGS 10-264I, which requires the sending district to be financially responsible for 504 services, and remove section 4 from the bill to prevent undue harm to Regional Educational Service Center (RESC) magnet schools. Regarding section 5, this provision could create operational instability from enrollment limitations, thus reducing access to these schools and hindering progress toward integration benchmarks.

[Sarah Vocca, Deputy Superintendent of the CREC](#)

[Desi Nesmith, Executive Director of the CREC](#)

[Joseph Sokolovic, Vice Chair of the Bridgeport Board of Education](#): Mr. Sokolovic opposes this bill, stating that it would create inequities between magnet and charter schools without addressing structural issues. Additionally, he highlights the issue of charter saturation, wherein charter school enrollment is viewed in the singular instead of in aggregate and thus enables multiple small charters to be approved at a time. This in turn can overwhelm a district's staffing and budget. Moreover, he believes that the expansion of charter related structures in the bill should include mandates of proportional enrollment for English learners and special education students. Lastly, he raises issues with the lack of safeguards in the bill, such as fiscal impact protections, mechanisms to prevent the destabilization of local public schools, and proportional enrollment requirements. He offers several recommendations for substitute language.

[Elizabeth Sheff, Sheff v. O'Neill case](#): Ms. Sheff acknowledges the intent of the bill but raises concerns with several sections. She opposes section 4 out of concern for the fiscal harm it could impose on magnet schools. Regarding section 5, while she understands the need for an enrollment framework to facilitate SDE's magnet tuition budgeting process, she warns that the bill as written could interfere with long-range expansion planning for magnet operators. For section 6, she believes that shifting PPT and IEP costs from the receiving district to the sending district would cause a significant fiscal burden on the Hartford school system unless it is implemented in tandem with new funding.

Several members of the public voice concerns regarding the revisions on promoting equity, diversity, and inclusion in public schools. They take issue with the renaming of the initiative, the removal of the 2019 definition of diversity, the elimination of financial incentives for hiring educators from diverse backgrounds, and the discontinuation of programming designed to reduce ethnic and racial isolation. These provisions, they argue, would roll back efforts to diversify the state's teacher workforce. They reference the Sheff v. O'Neill Connecticut Supreme Court decision, which mandates that the state

take steps to reduce racial and ethnic isolation in public schools, and they believe that the bill as written would work against this goal.

[Joy Colon and Faith Sweeney, Racial and Equity Diversity Affairs Commission Chairs for the Connecticut Education Association](#)
[Faith Sweeney, Westport teacher](#)
[Daniel Pearson, Executive Director of Educators for Excellence](#)

[Kate Ericson, Executive Director of LEARN](#): Ms. Ericson, who works for a Regional Educational Service Center (RESC), testifies that magnet schools operate within a structural funding gap. For RESC-operated magnet schools, their main sources of revenue are state grants and tuition structures, which are not enough to adequately serve students and those who are in specialized programs. She stresses the urgency of LEARN's increasing Section 504 costs and believes that this bill, as it is written, would exacerbate education costs in local communities. Only adjusting the funding mechanism without addressing the issue of the funding baseline, she argues, would work to reinforce educational inequities.

[Eric Protulis, Executive Director of EastConn](#): Mr. Protulis opposes the component of this bill that would prevent magnet schools from being reimbursed for Section 504 services. He emphasizes that magnet schools operate with more constrained sources of revenue than other districts, which can often create a funding gap that will be exacerbated by keeping magnet schools from covering the costs of 504 services. Moreover, he argues that moving the responsibility for these costs from a town with taxing capabilities to a magnet operator that does not have any taxation authority is fiscally damaging. He highly recommends that the Committee reject this section and instead, "...Establish a realistic base tuition rate that reflects the actual cost of education in 2026 before implementing any inflation adjustments through an adjustment to the ECS formula."

[Dr. William Rice, Assistant Executive Director at Area Cooperative Educational Services \(ACES\)](#): Dr. Rice opposes the provision requiring magnet schools to absorb 504 costs without providing additional funding, as this would cause significant financial strain. Additionally, he worries that section 5 could change approval authority, enrollment oversight, and operational conditions in a manner that constrains enrollment and recruitment and would thereby work against the statutorily required mandate that magnet schools maintain at least 25% reduced racial and ethnic isolation.

[Sarah Dzialo](#): Ms. Dzialo opposes this bill because it centralizes decision making for education, fails to prioritize local oversight, and places bureaucracy over individual liberty.

GENERAL COMMENTS:

[Kate Dias and Joslyn DeLancey, President and Vice President of the Connecticut Education Association](#): Ms. Dias and Ms. DeLaney provide support for certain sections and raise concerns for others. For section 1, they believe that the two-year cycle that aligns with the biennial budget would help with the haphazard nature of the current approval process. However, they argue that the state should not fund new charter schools and instead fund public schools. They support sections 2 and 3, but have reservations about section 5. Interdistrict magnet schools, in their view, could have their enrollment constrained due to this section and thus hinder the schools' mission of racial integration as established by the Connecticut Supreme Court. Lastly, they lend general support to sections 11 through 17.

[John Flanders, President of the Special Education Equity for Kids \(SEEK\) in Connecticut](#): Mr. Flanders and SEEK are encouraged by this bill but emphasize that far more needs to be done. He references the significant funding losses to the federal Department of Education's Office of Civil Rights (OCR), which weaken the existing protections for students with disabilities. Due to these changes at the federal level, he stresses the need to fund an entity to address disability

discrimination. He highlights that the Ombudsperson position that the legislature established last year has not been filled, and the funding for this position is inadequate. The options that he lists to address this issue include delegating the tasks of the OCR to the state executive branch, legislating the mandate that SDE publish its decisions on written state complaints, and expanding legal resources for parents with children who have disabilities.

[Jeanette Luna, Senior Data and Policy Analyst for the School State and Finance Project](#): Ms. Luna lends support to certain provisions while voicing concern and offering legislative considerations for other components. Regarding section 4, she commends the efforts to ease the financial strain that local districts experience when meeting the needs of students with disabilities. She recommends the continued study of Section 504-related data to better inform policy prior to any changes. This could mean a comprehensive, centralized source of publicly available data. For section 6, she supports the inclusion of sending districts in PPT meetings for students receiving out-of-district special education services while advising that SDE closely monitor the outcomes of these students to ensure that their needs are being met. Lastly, she approves of section 16 and believes that it would promote greater transparency and long-term viability of regional school districts. She suggests that the state provide financial support for conducting regionalization studies and consider items for district fiscal sustainability and student services.

Reported by: Mia Giglietti

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