



General Assembly

Substitute Bill No. 138

February Session, 2026



AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF EDUCATION.

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

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2 statutes are repealed and the following is substituted in lieu thereof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

4 (b) Any not-for-profit organization that is exempt from taxation
5 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any
6 subsequent corresponding internal revenue code of the United States,
7 as amended from time to time, public or independent institution of
8 higher education, local or regional board of education or two or more
9 boards of education cooperatively, or regional educational service
10 center may apply to the Commissioner of Education, at such time and
11 in such manner as the commissioner prescribes, to obtain an initial
12 certificate of approval for a charter, provided no nonpublic elementary
13 or secondary school may be established as a charter school and no
14 parent or group of parents providing home instruction may establish a
15 charter school for such instruction. For the biennium beginning July 1,
16 2027, and each biennium thereafter, the Commissioner of Education
17 shall ensure that the timing for granting initial certificates of approval
18 for charters shall coincide with the preparation of the state budget for
19 such biennium.

20 (c) On and after July 1, 2015, the State Board of Education shall review
21 [, annually,] all applications and grant initial certificates of approval for
22 charters, in accordance with subsections (e) and (f) of this section, for a
23 local or state charter school located in a town that has one or more
24 schools that have been designated as a commissioner's network school,
25 pursuant to section 10-223h, as amended by this act, at the time of such
26 application, or a town that has been designated as a low achieving
27 school district, pursuant to section 10-223e, at the time of such
28 application. (1) Except as provided for in subdivision (2) of this
29 subsection, no state charter school shall enroll (A) (i) more than two
30 hundred fifty students, or (ii) in the case of a kindergarten to grade eight,
31 inclusive, school, more than three hundred students, or (B) twenty-five
32 per cent of the enrollment of the school district in which the state charter
33 school is to be located, whichever is less. (2) In the case of a state charter
34 school found by the State Board of Education to have a demonstrated
35 record of achievement, said board shall, upon application by such
36 school to said board, waive the provisions of subdivision (1) of this
37 subsection for such school. (3) The State Board of Education shall give
38 preference to applicants for charter schools (A) whose primary purpose
39 is the establishment of education programs designed to serve one or
40 more of the following student populations: (i) Students with a history of
41 low academic performance, (ii) students who receive free or reduced
42 priced lunches pursuant to federal law and regulations, (iii) students
43 with a history of behavioral and social difficulties, (iv) students
44 identified as requiring special education, (v) students who are
45 multilingual learners, or (vi) students of a single gender; (B) whose
46 primary purpose is to improve the academic performance of an existing
47 school that has consistently demonstrated substandard academic
48 performance, as determined by the Commissioner of Education; (C) that
49 will serve students who reside in a priority school district pursuant to
50 section 10-266p; (D) that will serve students who reside in a district in
51 which seventy-five per cent or more of the enrolled students are
52 members of racial or ethnic minorities; (E) that demonstrate highly
53 credible and specific strategies to attract, enroll and retain students from
54 among the populations described in subparagraph (A)(i) to (A)(vi),

55 inclusive, of this subdivision; or (F) that, in the case of an applicant for
56 a state charter school, such state charter school will be located at a work-
57 site or such applicant is an institution of higher education. In
58 determining whether to grant an initial certificate of approval for a
59 charter, the State Board of Education shall consider (i) the effect of the
60 proposed charter school on (I) the reduction of racial, ethnic and
61 economic isolation in the region in which it is to be located, (II) the
62 regional distribution of charter schools in the state, (III) the potential of
63 over-concentration of charter schools within a school district or in
64 contiguous school districts, and (IV) the state's efforts to close
65 achievement gaps, as defined in section 10-1600, and (ii) the comments
66 made at a public hearing conducted pursuant to subdivision (2) of
67 subsection (e) of this section or subparagraph (B)(ii) of subdivision (1)
68 of subsection (f) of this section.

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

72 (2) In the case of a student with a plan pursuant to Section 504 of the
73 Rehabilitation Act of 1973, as amended from time to time, the [school
74 district in which the student resides shall pay the interdistrict magnet
75 school an amount equal to the difference between the reasonable cost of
76 educating such student and the sum of the amount received by the
77 interdistrict magnet school for such student pursuant to subsection (c)
78 of this section and amounts received from other state, federal, local or
79 private sources calculated on a per pupil basis. If a student with a plan
80 pursuant to Section 504 of the Rehabilitation Act of 1973, as amended
81 from time to time, attends an interdistrict magnet school on a full-time
82 basis, such] interdistrict magnet school shall [be responsible for
83 ensuring] (A) ensure that such student receives the services mandated
84 by the student's plan, [whether such services are provided by the
85 interdistrict magnet school or by the school district in which the student
86 resides] and (B) pay for the costs of providing such services to such
87 student.

88 Sec. 3. Subdivision (4) of subsection (a) of section 10-264i of the 2026
89 supplement to the general statutes is repealed and the following is
90 substituted in lieu thereof (*Effective July 1, 2026*):

91 (4) Any transportation grant provided to a regional educational
92 service center pursuant to subdivision (3) of this subsection shall be
93 provided upon a comprehensive financial review, by an auditor selected
94 by the Commissioner of Education, the costs of such review may be paid
95 from funds that are part of such transportation grant. For the fiscal year
96 ending June 30, 2026, and each fiscal year thereafter, any such
97 transportation grant shall be paid as follows: Up to ninety-five per cent
98 of the grant on or before June thirtieth of the fiscal year based on
99 documentation provided prior to May thirty-first of the fiscal year, with
100 an amount equal to [one-half of the total estimated] the actual
101 transportation cost paid or incurred by such regional educational
102 service center on or before October thirty-first of the fiscal year, and the
103 remaining total balance paid in increments on or before March first of
104 the following fiscal year upon completion of the comprehensive
105 financial review. If, upon completion of the comprehensive financial
106 review, the commissioner determines there was an overpayment of the
107 grant in the prior fiscal year, such funds shall be refunded to the
108 department.

109 Sec. 4. Section 10-66q of the general statutes is repealed and the
110 following is substituted in lieu thereof (*Effective from passage*):

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

121 such regional educational service center shall submit such approved
122 uniform regional school calendar to the joint standing committee of the
123 General Assembly having cognizance of matters relating to education,
124 in accordance with the provisions of section 11-4a.

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

129 [(c) Not later than July 1, 2017, and annually thereafter, the
130 Commissioner of Education shall submit a report on which boards of
131 education have adopted the uniform regional school calendar and the
132 implementation of such uniform regional school calendars, pursuant to
133 subsection (b) of this section, and any recommendations for legislation
134 relating to such implementation to the joint standing committee of the
135 General Assembly having cognizance of matters relating to education,
136 in accordance with the provisions of section 11-4a.]

137 Sec. 5. Section 10-94l of the general statutes is repealed and the
138 following is substituted in lieu thereof (*Effective from passage*):

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

151 [(b) Not later than January 1, 2016, and annually thereafter, the
152 Commissioners of Education and Children and Families shall jointly

153 submit a report, in accordance with section 11-4a, to the joint standing
154 committees of the General Assembly having cognizance of matters
155 relating to children and education on the surrogate parent program.]

156 Sec. 6. Subsections (i) and (j) of section 10-223h of the 2026
157 supplement to the general statutes are repealed and the following is
158 substituted in lieu thereof (*Effective from passage*):

159 [(i) Not later than thirty days after the approval of the turnaround
160 plan for a school selected to participate in the commissioner's network
161 of schools by the State Board of Education, the Commissioner of
162 Education shall submit the operations and instructional audit and the
163 turnaround plan for such school to the joint standing committee of the
164 General Assembly having cognizance of matters relating to education,
165 in accordance with the provisions of section 11-4a.]

166 [(j)] (i) (1) Not later than February 1, 2018, and annually thereafter,
167 the Commissioner of Education shall annually submit a report on the
168 academic performance of each school participating in the
169 commissioner's network of schools to the joint standing committee of
170 the General Assembly having cognizance of matters relating to
171 education, in accordance with the provisions of section 11-4a. Such
172 report shall include, but not be limited to, (A) the accountability index
173 score, as defined in section 10-223e, for such school, (B) trends for the
174 accountability index scores during the period that such school is
175 participating in the commissioner's network of schools, (C) adjustments
176 for subgroups of students at such school, including, but not limited to,
177 students whose primary language is not English, students receiving
178 special education services and students who are eligible for free or
179 reduced price lunches, and (D) performance evaluation results in the
180 aggregate for teachers and administrators at such school.

181 [(2) Not later than February 1, 2018, and annually thereafter, the
182 Commissioner of Education shall annually submit a report comparing
183 and analyzing the academic performance of all the schools participating
184 in the commissioner's network of schools to the joint standing

185 committee of the General Assembly having cognizance of matters
186 relating to education, in accordance with the provisions of section 11-4a.
187 Such report shall include, but not be limited to, (A) the accountability
188 index score, as defined in section 10-223e, for the school, (B) trends for
189 the accountability indices during the period that such schools are
190 participating in the commissioner's network of schools, (C) adjustments
191 for subgroups of students at such schools, including, but not limited to,
192 students whose primary language is not English, students receiving
193 special education services and students who are eligible for free or
194 reduced price lunches, and (D) performance evaluation results in the
195 aggregate for teachers and administrators at such schools.

196 (3) Not later than February first following the expiration of the
197 turnaround plan for each school participating in the commissioner's
198 network of schools, the commissioner shall submit a final report that (A)
199 evaluates such turnaround plan and the academic performance of such
200 school during the period that such turnaround plan was in effect, and
201 (B) makes recommendations for the operation of such school to the joint
202 standing committee of the General Assembly having cognizance of
203 matters relating to education, in accordance with the provisions of
204 section 11-4a.]

205 ~~[(4)]~~ (2) Not later than January 1, 2020, the commissioner shall submit
206 a report (A) evaluating the commissioner's network of schools and its
207 effect on improving student academic achievement in participating
208 schools, and (B) making any recommendations for the continued
209 operation of the commissioner's network of schools to the joint standing
210 committee of the General Assembly having cognizance of matters
211 relating to education, in accordance with the provisions of section 11-4a.

212 ~~[(5)]~~ (3) Not later than February first each year, the Commissioner of
213 Education shall present the items submitted pursuant to subdivisions
214 (1) [to (4), inclusive,] and (2) of this subsection to the joint standing
215 committee of the General Assembly having cognizance of matters
216 relating to education.

217 Sec. 7. Section 10-226h of the general statutes is repealed and the
218 following is substituted in lieu thereof (*Effective from passage*):

219 (a) A local or regional board of education for purposes of subdivision
220 (3) of section 10-4a, may offer such programs or use such methods as:
221 (1) Interdistrict magnet school programs; (2) charter schools; (3)
222 interdistrict after-school, Saturday and summer programs and sister-
223 school projects; (4) intradistrict and interdistrict public school choice
224 programs; (5) interdistrict school building projects; (6) interdistrict
225 program collaboratives for students and staff; (7) distance learning
226 through the use of technology; and (8) any other experience that
227 increases awareness of the diversity of individuals and cultures.

228 (b) Each local and regional board of education shall report by October
229 1, 2012, and biennially thereafter, to the Commissioner of Education on
230 the programs and activities undertaken in its school district to reduce
231 racial, ethnic and economic isolation, including (1) information on the
232 number and duration of such programs and activities and the number
233 of students and staff involved, and (2) evidence of the progress over
234 time in the reduction of racial, ethnic and economic isolation.

235 [(c) The Commissioner of Education shall report, by January 1, 1999,
236 and biennially thereafter, in accordance with section 11-4a, to the
237 Governor and the General Assembly on activities and programs
238 designed to reduce racial, ethnic and economic isolation. The report
239 shall include statistics on any growth in such programs or expansion of
240 such activities over time, an analysis of the success of such programs
241 and activities in reducing racial, ethnic and economic isolation, a
242 recommendation for any statutory changes that would assist in the
243 expansion of such programs and activities and the sufficiency of the
244 annual grant pursuant to subsection (e) of section 10-266aa and whether
245 additional financial incentives would improve the program established
246 pursuant to section 10-266aa.]

247 Sec. 8. Section 10-262p of the general statutes is repealed and the
248 following is substituted in lieu thereof (*Effective from passage*):

249 [(a)] The State Board of Education shall adopt grade kindergarten to
250 grade twelve, inclusive, computer technology competency standards for
251 students by July 1, 2001. [Information on the standards shall be included
252 in the report required pursuant to subsection (b) of this section.]

253 [(b) On or before July 1, 2001, and biennially thereafter, the
254 Commissioner of Education shall report, in accordance with section 11-
255 4a, to the joint standing committee of the General Assembly having
256 cognizance of matters relating to education on the status of educational
257 technology in the public schools. The report shall include information
258 on the level of funding needed to assure that the technology needs in
259 the areas of infrastructure improvements, educator professional
260 development, curriculum development and student competency
261 development are met.]

262 Sec. 9. Subsection (a) of section 10-43 of the general statutes is
263 repealed and the following is substituted in lieu thereof (*Effective from*
264 *passage*):

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

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

302 Sec. 10. Section 10-146h of the general statutes is repealed. (*Effective*
 303 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2026</i>	10-66bb(b) and (c)
Sec. 2	<i>July 1, 2026</i>	10-264l(h)(2)
Sec. 3	<i>July 1, 2026</i>	10-264i(a)(4)
Sec. 4	<i>from passage</i>	10-66g
Sec. 5	<i>from passage</i>	10-94l
Sec. 6	<i>from passage</i>	10-223h(i) and (j)
Sec. 7	<i>from passage</i>	10-226h
Sec. 8	<i>from passage</i>	10-262p
Sec. 9	<i>from passage</i>	10-43(a)
Sec. 10	<i>from passage</i>	Repealer section

ED *Joint Favorable Subst.*