

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 26-106—sSB 138

Education Committee

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

SUMMARY: This act makes various unrelated changes to education laws, including:

1. aligning the approval process for new charter schools with the governor's biennial budget process, rather than the annual process under prior law (§ 1);
2. requiring the State Department of Education (SDE) to pay transportation grants for *Sheff* region (see BACKGROUND) magnet schools operated by regional educational service centers (RESCs) in an amount of up to one half the total estimated cost paid by the RESC by October 31 of the fiscal year, rather than half the total estimated cost by this date as under prior law (§ 2); and
3. amending what must be in the report by a regional school study committee supporting the district's creation as part of the planning process to consider forming a regional school district (§ 7).

The act also repeals the following required reports that SDE had to submit to the Education Committee under prior law:

1. an annual report on which school boards have adopted the uniform regional school calendar and any related recommendations (§ 3);
2. an annual report on the surrogate parent program (a joint program with the Department of Children and Families), which is also submitted to the Committee on Children (§ 4);
3. several reports that were part of the commissioner's network of schools program, including (a) a one-time report on the turnaround plan for a participating school, (b) an annual report analyzing and comparing the academic performance of all participating schools (although it leaves intact the requirement for an annual report on the academic performance of each school), and (c) the final report at turnaround plan's conclusion evaluating the plan and performance for each participating school (see BACKGROUND) (§ 5); and
4. a biennial report on the status of educational technology in public schools (reported biennially) (§ 6).

EFFECTIVE DATE: Upon passage, except the provisions on charter schools and magnet school transportation grant payments are effective July 1, 2026.

CHARTER SCHOOL APPROVAL PROCESS

The act eliminates prior law's requirement that the State Board of Education

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(SBE) annually review all new charter school applications and grant initial certificates of approval for local and state charter schools (see BACKGROUND).

Starting with the biennium beginning July 1, 2027, the act requires the SDE commissioner to ensure that the timing for granting initial certificates of approval for charters coincides with the preparation of the state budget for that biennium.

By law, a new school's initial certificate of approval only takes effect as a full charter if the legislature appropriates funds to SDE for the school's operation (specifically, it takes effect on July 1 in the fiscal year for which the funds are appropriated). State law allows non-profit organizations; boards of education, either alone or jointly with another board; and institutions of higher education, among others, to submit applications to start a new charter school.

TRANSPORTATION GRANTS TO CERTAIN RESC-OPERATED MAGNET SCHOOLS

By law, SDE provides transportation grants to RESC-operated magnet schools that help the state meet its obligations under *Sheff*. These grants must cover a RESC's reasonable transportation costs, subject to a comprehensive financial review, and be paid according to the schedule set in law.

Prior law required SDE to pay half of the grant (specifically, 50% of the estimated transportation costs) by October 31 of the fiscal year. The act instead requires SDE to pay up to one half of the estimated transportation costs by October 31, while maintaining the existing framework for the remainder of the costs. By law, and unchanged by the act, up to 95% of the estimated costs must be paid by June 30 of the fiscal year, and any remaining balance must be paid after the financial review and before March 30 of the following fiscal year.

REGIONAL SCHOOL DISTRICT STUDY REPORTING

As part of the planning process to consider forming a regional school district, state law requires the creation of a regional school district study committee to evaluate the district's feasibility and participants' desire to continue. At the end of the study, the committee must report to SDE on whether the district should or should not move forward.

If the committee believes it should, the report must address several factors, including having detailed educational and budget plans for at least a five-year period with projected enrollments, staff needs and deployment, and a description of planned programs and supportive services. The act requires that, when feasible, the budget plan be reviewed or audited by an independent third party to determine its viability.

The act also requires the study committee to consider and report on the associated transportation costs in establishing the district.

BACKGROUND

Local and State Charter Schools

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By law, local charter schools are part of the public school district where they are located but have a separate council governing the charter (currently, there is only one school like this in the state). State charter schools are managed by private councils that are not affiliated with or under the control of any public school board (CGS § 10-66bb(c), (e) & (f)). Charter governing councils are made up of private citizens, rather than an elected board of education.

Sheff v. O'Neill State Supreme Court Decision

In this decision, the Connecticut Supreme Court ruled that the state had a constitutional obligation to remedy the educational inequities in Hartford schools caused by racial and ethnic isolation (*Sheff v. O'Neill*, 238 Conn. 1 (1996)). The court ordered the state to craft a solution and the General Assembly enacted legislation to create voluntary desegregation in Hartford through magnet schools and other programs, such as Open Choice.

The “*Sheff* region” includes the school districts of Hartford as well as Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor, Ellington, Farmington, Glastonbury, Granby, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor, and Windsor Locks.

Commissioners Network of Schools Program

Schools selected for the program (those with low-performing students) must (1) craft turnaround plans aimed at improving student achievement and (2) conduct an operations and instructional audit. The program places the school under close SDE supervision while also providing additional resources (CGS § 10-223h).