
OLR Bill Analysis

sSB 138

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF EDUCATION.

SUMMARY

This bill makes various unrelated changes to education law including:

1. aligning the approval process for new charter schools with the governor's biennial budget process, rather than the annual process as under current law (§ 1);
2. making a receiving interdistrict magnet school responsible for the costs of a student's services under a Section 504 accommodation plan (see BACKGROUND) rather than the sending school district as under current law (§ 2);
3. 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 equal to the actual cost incurred or paid by the RESC on or before October 31 of the fiscal year, rather than half of the total estimated cost by this date as under current law (§ 3); and
4. 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 (§ 9).

The bill also repeals various annual (unless frequency otherwise noted) reports that SDE must currently submit to the Education Committee, or other General Assembly committees (noted below), including those for:

1. school boards that have adopted the uniform regional school calendar and any related recommendations (§ 4);
2. the surrogate parent program (a joint program with the Department of Children and Families) also submitted to the Committee on Children (§ 5);
3. the commissioner's network of schools program reports that are required at certain steps of the process including (a) a one-time report on the turnaround plan for a school participating in the program, (b) a report analyzing the academic performance of all schools in the program, and (c) a final report at the conclusion of the turnaround plan evaluating the plan and performance for each participating school (§ 6);
4. activities and programs designed to reduce racial, ethnic, and economic isolation based on information received from school districts (reported biennially to the governor and General Assembly) (§ 7);
5. the status of educational technology in the public schools (reported biennially to the General Assembly) (§ 8); and
6. the quality of teacher preparation programs in Connecticut to the Education and Higher Education and Employment Advancement committees (§ 10).

EFFECTIVE DATE: Upon passage except the provisions on charter schools, 504 plans, and magnet school transportation grant payments are effective July 1, 2026.

CHARTER SCHOOL APPROVAL PROCESS

Current law requires the State Board of Education (SBE) to annually review all new charter school applications and grant initial certificates of approval for local and state charter schools (see BACKGROUND). The bill eliminates the requirement that SBE do so annually.

Starting with the biennium beginning July 1, 2027, the bill 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 when the legislature appropriates funds to SDE for its operation (specifically 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.

SECTION 504 PLAN COST SHARING

Under current law, if a student with a Section 504 accommodation plan attends an interdistrict magnet school, the school district where that student resides is responsible for paying the cost difference between the (1) reasonable cost for educating the student and (2) amount an interdistrict magnet school gets under state law and from other state, federal, local, or private sources, calculated on a per-pupil basis.

The bill instead requires that the magnet school pay the cost difference.

TRANSPORTATION GRANTS TO CERTAIN RESCS

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.

State law requires paying an amount equal to 50% of the estimated transportation costs by October 31 of the fiscal year and, unchanged by the bill, sets targets for covering all other eligible transportation costs (generally by paying most of the remaining amount by June 30 of that fiscal year). The bill instead requires SDE to pay the actual transportation costs a RESC paid or incurred by October 31, while maintaining the existing framework for the remainder of the costs. (Presumably, the change means the grant will be paid after October 31

as the incurred costs cannot be determined until after October 31.)

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 move forward. At the end of the study, the committee must report to SDE whether the district should or should not move forward.

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

The bill also requires the report to consider the associated transportation costs in establishing the district.

BACKGROUND

Local and State Charter Schools

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 board of education (CGS § 10-66bb(c), (e) & (f)). Charter governing councils are made up of private citizens, rather than an elected board of education.

Section 504 Plans

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794; 34 C.F.R. § 104.1 et seq.) protects people with disabilities from discrimination in programs and activities that get federal financial assistance, including public elementary and secondary schools and some private schools. The law aims to eliminate barriers to a student's access to public education by providing reasonable accommodations. The accommodations are agreed to in a plan and commonly include things like more time for tests

or assignments, guaranteeing access to all school resources, modified assignments, and the use of assistive technology. These accommodations are generally expected to be less costly to a school district than providing special education services to qualifying students.

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 for the towns of Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor, Ellington, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor, and Windsor Locks.

Commissioners Network of Schools Program

The law requires schools with low-performing students that are selected for the program to (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).

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 29 Nay 17 (03/18/2026)