

## Background

Charter schools are public, nonsectarian schools established under a charter, and are organized as a nonprofit entity under Connecticut state law. They operate independently of any local or regional board of education.<sup>1</sup> The “charter” is a contract between the governing council of a charter school and the Connecticut State Board of Education (SBOE), and sets forth the roles, powers, responsibilities, and performance expectations of each party to the contract.<sup>2</sup> Charter schools represent one type of Connecticut’s public choice schools, which also include magnet schools, agricultural science centers, and technical high schools.<sup>3</sup>

Charter schools can be overseen by charter management organizations, which are not-for-profit organizations that contract with a charter school for educational design, implementation, or whole school management services (i.e. the financial, business, operational, and administrative functions for a school).<sup>4</sup> However, no member or employee of a governing council of a charter school may have a personal or financial interest in the assets, real or personal, of the school.<sup>5</sup>

There are two types of charter schools in Connecticut: local charter schools and state charter schools. A local charter school is either a public school or part of a public school that has been converted into a charter school, and is approved by both the local or regional board of education of the school district where it is located, as well as by the SBOE.<sup>6</sup> State charter schools are new public schools approved by the SBOE and operate independently of any local or regional boards of education.<sup>7</sup>

In the 2022-23 school year, there were 21 charter schools in Connecticut serving almost 11,000 students.<sup>8</sup> Of these 21 charter schools, one was a local charter school and 20 were state charter schools.<sup>9</sup> Ten different school districts host charter schools and roughly 52 percent of all school districts had students enrolled in charter schools during the 2020-21 school year.<sup>10</sup>

Additionally, two new charter schools have been approved by the SBOE and allocated state funding beginning in fiscal year 2024. The Norwalk Charter School for Excellence and the Edmonds Cofield Preparatory Academy for Young Men (New Haven) will each receive \$200,000 in FY 2024 and, in FY 2025, the Norwalk Charter School for Excellence will receive \$2.1 million for Norwalk and Edmonds Cofield Preparatory Academy for Young Men will receive \$937,500.<sup>11</sup>

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<sup>A</sup> Originally published on January 29, 2019, and revised in September 2020 and June 2023, this policy briefing has been updated with statutory changes from the 2021 and 2023 legislative sessions.

## Student Demographics

Ninety-three percent of the 10,897 students educated at Connecticut's charter schools during the 2022-23 school year were identified as BIPOC.<sup>B</sup> Additionally, 10.9 percent of Connecticut's charter school students required special education services; 8.9 percent required multilingual learner services; and 67.7 percent were classified as economically disadvantaged due to their eligibility for free or reduced-price lunch.

**Table 1: Charter Schools and Student Enrollment, 2022-23<sup>12</sup>**

Charter School Name	Location	Enrollment
Achievement First Hartford Academy	Hartford	1,041
Amistad Academy	New Haven	1,116
Booker T. Washington Academy	New Haven	444
Brass City Charter School	Waterbury	360
Bridgeport Achievement First	Bridgeport	1,084
Capital Preparatory Harbor School	Bridgeport	772
Common Ground High School	New Haven	226
Elm City College Preparatory School	New Haven	783
Elm City Montessori School*	New Haven	298
Explorations	Winsted	93
Great Oaks Charter School	Bridgeport	664
Highville Charter School	Hamden	505
Integrated Day Charter School	Norwich	361
Interdistrict School for Arts and Comm.	New London	281
Jumoke Academy	Hartford	629
New Beginnings Inc. Family Academy	Bridgeport	406
Odyssey Community School	Manchester	374
Park City Prep Charter School	Bridgeport	383
Side By Side Charter School	Norwalk	236
Stamford Charter School for Excellence	Stamford	561
The Bridge Academy	Bridgeport	280
<b>Total Number of Enrolled Students</b>		<b>10,897</b>

\*Local charter school

<sup>B</sup> The School and State Finance Project uses BIPOC (Black, Indigenous, People of Color) to refer to individuals who self-identify as American Indian or Alaska Native; Asian; Black or African American; Hispanic/Latino of any race; Native Hawaiian or other Pacific Islander; or two or more races. Individual demographic categories and data used in this report come from the Connecticut State Department of Education. The acronym BIPOC is used in an effort to be as inclusive, succinct, and accurate as possible when using racial and ethnic demographics in our work. However, we know no single acronym, identifier, or label can accurately define an individual or fully encompass the rich diversity of cultures, heritages, and backgrounds represented in the demographic data we use. For questions or comments about the demographic terms we use, please contact us at [info@schoolstatefinance.org](mailto:info@schoolstatefinance.org).

## Program History

The history of charter schools in Connecticut can be traced back to 1996, when the Connecticut General Assembly passed Public Act 96-214, which was the first piece of legislation passed allowing charter schools to open and operate in Connecticut.<sup>13,14, C</sup> On February 27, 1997, the SBOE authorized 12 charter schools to open in Connecticut — 10 state charter schools and two local charter schools.<sup>15</sup>

In the fall of 1997, the following schools were approved to educate no more than 1,000 students in Connecticut: Jumoke Academy in Hartford, Sports Sciences Academy in Hartford (local charter), Odyssey Community School in Manchester, Integrated Day in Norwich, Interdistrict School for the Arts and Communication in New London, Coventry Science Center in Coventry (local charter), Village Academy in New Haven, Common Ground High School in New Haven, The Bridge Academy in Bridgeport, Side by Side Community School in Norwalk, Ancestors Community Charter School in Waterbury, and Explorations in Winsted.<sup>16</sup> These charter schools were to be reviewed annually and would have to reapply for authorization after a 5-year period.<sup>17</sup> Since 1997, charter schools have opened and closed, and the laws and regulations for Connecticut charter schools have changed many times.

## Application Process for Opening a Charter School

The SBOE is required to review applications for charter schools annually.<sup>18,D</sup> Today, any 501(c)(3) not-for-profit organization, 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 (RESC) can apply to the SBOE for an initial certificate of approval to open a local or state charter school. However, nonpublic schools and parents or groups of parents providing home instruction are prohibited from applying to open a charter school.<sup>19</sup>

As of July 1, 2015, if the SBOE supports an initial certificate of approval for a state or local charter school, the application must then be deemed effective by the General Assembly's Education and Appropriations Committees, and the appropriations for funding the charter school must be authorized before the school can open.<sup>20</sup> Previously, charter schools were deemed authorized simply by the approval of the SBOE.<sup>21,E</sup>

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<sup>C</sup> The legislation received broad support throughout the legislative process, including from organizations such as the Connecticut Business and Industry Association and the Connecticut Education Association. Prior to becoming law, the legislation was passed out of the General Assembly's Education Committee unanimously and the Appropriations Committee by a vote of 33-10. The State Senate passed the legislation 28-7-1 and the House of Representatives passed the legislation 130-16-4. The bill was signed into law by Governor John G. Rowland on June 4, 1996.

<sup>D</sup> Although the SBOE is required to review applications annually, the State has only reviewed applications for new charters in four years since 2008 (2008, 2013, 2014, and 2018).

<sup>E</sup> Currently, there are two state charter schools that have been granted an initial certificate of approval from the SBOE (Danbury Charter School and Capital Preparatory Charter School Middletown) and are awaiting action from the Connecticut General Assembly and Governor Ned Lamont.

Charter schools must use a lottery system to determine student enrollment, with some exceptions, although siblings may receive preference in the lottery process.<sup>F.22</sup> State charter schools are limited to enrolling no more than 250 students (or 300 students for kindergarten through eighth grade schools) or 25 percent of enrollment in the school district where the school is located, whichever is less.<sup>23</sup> However, if the SBOE determines a state charter school has demonstrated a record of achievement, it can waive these enrollment restrictions.<sup>24</sup>

When reviewing applications, the SBOE is required to give preference to state and local charter school applications whose primary purpose is to serve students in one or more of the following populations:

1. Students with a history of low academic performance;
2. Students eligible to receive free or reduced-price lunches (under federal definitions);
3. Students with a history of behavioral and social difficulties;
4. Students identified as requiring special education;
5. Students who are multilingual learner;<sup>G</sup> and/or
6. Students of a single gender.<sup>25</sup>

Additionally, the SBOE must give preference to charter school applications with a primary purpose to either improve academic performance of underperforming schools, serve students in Priority School Districts, or serve students who reside in a district with 75 percent or more racial or ethnic minorities. The SBOE must also give preference to charter school applications that demonstrate highly credible and specific strategies to attract, enroll, and retain students from these groups. For state charter school applicants, preference is also given to schools that will be located in a worksite or institution of higher education. Lastly, the SBOE must consider the effect of a potential charter school on the reduction of racial, ethnic, and economic isolation in the proposed region of the school, the potential overconcentration of charter schools in a single school district or contiguous school districts, the State's efforts to close achievement gaps, and comments made during a public hearing on the application of the charter school.<sup>26</sup>

Applications for opening a charter school must include a description of the school's mission, purpose, any specialized focus, and the community's interest in the school. An application must also include a description of the school governance and procedures for the establishment of a governing council that includes teachers, parents and guardians of students enrolled in the school, and the chair of the local board of education (or appropriate designee). The governing council is responsible for the oversight of charter school operations.

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<sup>F</sup> The exceptions are for schools designed to serve students with a history of behavioral and social difficulties, students requiring special education, students who are multilingual learners, or students of a single gender. A charter school's governing council may apply for a waiver from the lottery process.

<sup>G</sup> Conn. Act 23-150 replaced the term "English Learner" with "multilingual learner" throughout the education statutes.

The application must also discuss the financial plan for operations, the educational program, teaching methodology, and services offered to students. It must also state the number and qualifications of its teachers and administrators, and the ages and grades at the school and total estimated enrollment. It also must include student admission criteria as well as procedures that ensure effective public information, open access on a space available basis (including mid-year enrollment), promote a diverse student body, and not discriminate based on disability, athletic performance, or English language proficiency.

In addition, the application should include:

- A means to assess student performance;
- Procedures for teacher evaluation and staff professional development;
- The provision of school facilities, pupil transportation, and student health and welfare services;
- Procedures to encourage involvement by parents and guardians of enrolled students in student learning, school activities, and school decision-making; and
- Procedures to document efforts to increase the racial and ethnic diversity of staff.

The applying school must submit a 5-year plan to sustain the maintenance and operation of the school and a student recruitment and retention plan that describes how the school intends to attract, enroll, and retain students from the targeted student populations described earlier, as well as how the school plans to share student learning practices with the local or regional board of education where the charter school is proposed to be located. If the school plans to use a charter management organization, then there are specific requirements related to the organization's abilities and oversight that must be described.<sup>27</sup>

### **State Charter Schools**

Potential state charter schools apply directly to the SBOE and file an application with the local or regional board of education in the school district in which the school is to be located. The State must review the application, hold a public hearing in the local school district, solicit and review comments from the local or regional board of education and from the local or regional boards of education for school districts contiguous to the district where the school is to be located, and vote on the application no later than 90 days after the application was received.

The SBOE can grant an initial certificate of approval for the state charter school, or it can condition the opening of the school on meeting certain conditions determined by the commissioner of the CSDE. The initial certificate of approval for a state charter school has to include academic and organizational performance goals developed by the SBOE that set forth the performance indicators, measures, and metrics that will be used by the SBOE to evaluate the charter school. A state charter school may only be approved for a period of up to five years, and the applicant has the option to delay the opening for up to one school year in order to fully prepare for operations.<sup>28</sup>

## Local Charter Schools

Potential local charter schools submit their applications to the local or regional board of education for the school district where the local charter school is applying to be located.<sup>29</sup> The local or regional board of education reviews the application; holds a public hearing within the school district; surveys teachers, parents, and guardians in the school district to determine if there is sufficient interest in the establishment and operations of the local charter school; and votes on the application no later than 75 days after the application is received. If the local or regional board of education approves the application (by majority vote), the board then forwards the application to the SBOE, which has to vote on the application no later than 60 days after the SBOE receives the application.

The SBOE either approves and grants an initial certificate, or rejects the application based on a majority vote. The SBOE may also place conditions on the initial certificate of approval based on whether the local charter school meets certain conditions determined by the commissioner of the CSDE. After the initial approval, the local charter school may receive a charter for a period of up to five years, and has the option to delay the opening in order to fully prepare for operations. Lastly, the initial certificate of approval for a local charter school has to include academic and organizational performance goals (as developed by the SBOE) that set forth the performance indicators, measures, and metrics that will be used by the SBOE to evaluate the local charter school.<sup>30</sup>

## Charter Amendments

A charter school's governing council must make a written request to the SBOE if it plans to make a material change that fundamentally alters a charter school's mission, organizational structure, or educational program, such as:

1. Altering the educational model in a fundamental way;
2. Opening an additional school building;
3. Contracting for or discontinuing a contract with a charter management organization;
4. Renaming the charter school;
5. Changing the grade configurations of the charter school; or
6. Increasing or decreasing the total student enrollment capacity of the charter school by 20 percent or more.<sup>31</sup>

The CSDE reviews the charter school's request and solicits comments from the local or regional board of education of the town in which the charter school is located. If the CSDE recommends approval of the request, the SBOE is required to vote on the request within 60 days of the request.<sup>32</sup> If the request is for an increase in enrollment capacity, the charter school must submit the request by April 1 of the fiscal year that is two years prior to the fiscal year in which the increase would take effect.<sup>33</sup> For instance, if the request is intended to take effect in FY 2025, the request must be made by April 1, 2023. When making its determination, the CSDE must consider the:

1. Financial feasibility of the increased enrollment;
2. Charter school's performance, stewardship, governance and management, student population, and legal compliance; and
3. Any other factors the CSDE deems relevant.<sup>34</sup>

## Renewal Process, Probation, and Revocation

To renew a state or local charter school, the SBOE may commission an independent appraisal of its performance, including its progress toward meeting goals in its charter, and use the results in determining whether or not to renew the charter. The SBOE can deny an application for renewal if the school has not sufficiently demonstrated student progress (determined by the commissioner of the CSDE); the governing council has not been sufficiently responsible for the operation of the school or has misused or misspent funds; the school has not been in compliance with the terms of its charter and applicable laws and regulations; the school has not had sufficient efforts in attracting, enrolling, and retaining students from targeted populations; or the governing council of the charter school has not provided evidence of substantive communication with the local or regional board of education of the town in which the charter school is located to share student learning practices and experiences.<sup>H</sup> If the SBOE does not renew a charter, it must notify the governing council of the charter school of the reasons why it was not renewed. If the SBOE does renew the charter, the SBOE must develop and include academic and organizational performance goals and evaluation criteria.<sup>35</sup>

A charter school can be placed on probation by the commissioner of the CSDE at any time if the school has failed to adequately demonstrate student progress; comply with the terms of its charter or with applicable laws and regulations; achieve measurable progress in reducing racial, ethnic, and economic isolation; or maintain its nonsectarian status. Additionally, a charter school can be placed on probation if the governing council has demonstrated an inability to provide effective leadership to oversee the operation of the charter school, or has not ensured public funds are expended prudently or in a manner required by law. If a charter school is placed on probation, the commissioner decides the length of the probationary period (up to one year) and provides written notice of the probation (within five days) to the charter school, and the parents or guardians of students attending the school, explaining the reasons.<sup>36</sup>

In the case of probationary action, the charter school must file a corrective action plan with the CSDE no later than 35 days from the date the charter school was placed on probation. After the plan is accepted by the commissioner of the CSDE, the school has 30 days after the date the plan was accepted to implement the plan. The commissioner also has the ability to impose any additional probation requirements they deem necessary to protect the educational or financial interests of the State, and can extend the probationary period for up to one additional year. If the charter school does not file or implement the corrective action plan within the required time period, or does not

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<sup>H</sup> The populations are students with a history of low academic performance, students who are eligible to receive free or reduced-price lunches, students with a history of behavioral and social difficulties, students identified as requiring special education services, or students who are multilingual learners.

comply with any additional terms within the required time period, the commissioner can withhold grant funds from the school until the plan is fully implemented or the school complies with the terms of probation. In addition, a charter school on probation cannot increase its student enrollment or recruit new students without the consent of the commissioner.<sup>37</sup>

The SBOE has the authority to revoke a charter under certain circumstances. For instance, if a charter school has failed to meet the terms of probation, including the failure to file or implement a corrective action plan, demonstrate satisfactory student progress, comply with the terms of its charter or applicable laws and regulations, or manage its public funds in a prudent or legal manner, then a school's charter can be revoked.

Unless an emergency exists, prior to revoking a charter, the SBOE shall provide the governing council of the charter school with a written notice of the reasons for the revocation, including the identification of specific incidents of noncompliance with the law, regulation, or charter, or other matters warranting revocation of the charter. The SBOE shall also provide the governing council with the opportunity to demonstrate compliance with all requirements for the retention of its charter by providing the SBOE, or a subcommittee of the Board (as determined by the SBOE), with a written or oral presentation. This presentation shall include an opportunity for the governing council to present documentary and testimonial evidence to refute the facts cited by the SBOE for the proposed revocation or provide justification for the school's activities.

The SBOE shall determine, no later than 30 days after the date of an oral presentation or receipt of a written presentation, whether and when the charter shall be revoked and notify the governing council of the decision and its reasons. In the event an emergency exists in which the commissioner of the CSDE finds there is imminent harm to the students attending a charter school, the SBOE may immediately revoke the charter of the school, provided the notice concerning the reasons for the revocation is sent to the governing council no later than 10 days after the date of revocation and the governing council is provided an opportunity to make a presentation to the SBOE no later than 20 days from the date of such notice.<sup>38</sup>

## Funding for Charter Schools

Charter schools receive funding through local, state, and federal sources, and some receive philanthropic donations or local tuition.<sup>1</sup> For most charter schools, the State provides the primary source of funding. Several charter schools raise additional funding through public and private donations, and some charter schools receive funding from local sources in their host districts.

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<sup>1</sup> There are differences among states in how charter schools are funded. For more information on this variation, see the below source.

School and State Finance Project. (2021). *Charter School Funding in Connecticut and Comparison States*. Hamden, CT: Author. Retrieved from <https://schoolstatefinance.org/resource-assets/Charter-School-Funding-in-Comparison-States.pdf>.



State funding for charter schools is a separate funding stream from local public schools, which receive state dollars primarily through the Education Cost Sharing (ECS) grant and formula that do not include charter schools.<sup>39</sup> State funding for charter schools has grown over the past 10 years as enrollment in charter schools has expanded. Table 2 lists charter school student enrollment and state charter school grant expenditures over the past 10 years.

**Table 2: Charter School Student Enrollment and State Charter Schools Grant Payments, 2014-2023**

School Year	Charter School Students <sup>40</sup>	State Charter School Grant Payments <sup>41</sup>
2013-14	7,093	\$74,371,500
2014-15	8,031	\$87,296,000
2015-16	9,132	\$99,033,000
2016-17	9,573	\$103,499,000
2017-18	10,187	\$108,526,000
2018-19	10,433	\$114,941,250
2019-20	10,806	\$118,046,250
2020-21	10,940	\$118,417,500
2021-22	11,056	\$124,537,357
2022-23	10,897	\$129,203,384

### **State Charter Schools**

The State of Connecticut funds state charter schools with a per-student grant broadly based on the foundation and need weights contained in the ECS formula for local and regional school districts. This per-student grant was first implemented for the 2021-22 school year, and replaced the flat state per-student grant of \$11,250.<sup>42</sup> The current per-student grant provides state charter schools serving students with additional learning needs with additional state funding to support those students. The new per-student grant uses the number of students eligible for free or reduced-price lunch (FRPL), the number of students identified as multilingual learners, and whether the charter school has “concentrated poverty” and serves a high percentage of students who are economically disadvantaged. The additional funding is weighted at 30 percent for each student eligible for FRPL, 25 percent for each multilingual learner, and 15 percent for the number of students at the charter school eligible for FRPL above a 60 percent threshold.

The new foundation and weighted student funding is currently being phased-in over the FY 2024 and 2025 biennium. In FY 2024, state charter schools will receive the ECS foundation amount (\$11,525) plus 36.08 percent of the additional weighted funding for each student enrolled. The enrollment counts used in the calculation of state funding are subject to the maximum approved enrollment for each charter school. In FY 2025 and beyond, state charter schools will receive the ECS foundation amount (\$11,525) plus 56.7 percent of the additional weighted funding for each student enrolled.<sup>43</sup>

**Table 3: Weighted Funding by Student Type**

Student Need	Weight	Funding
General Education Student (No additional learning needs)	N/A	\$11,525
Economically Disadvantaged Student	30 percent	\$14,983
Multilingual Learner	25 percent	\$14,406
Economically Disadvantaged and Multilingual Learner	55 percent	\$17,864
Concentrated Economically Disadvantaged Student	Weight: 15 percent Threshold: 60 percent	\$16,711
Concentrated Economically Disadvantaged Multilingual Learner	70 percent	\$19,593

State grants are paid directly to the state charter school.<sup>J</sup> A student who attends a state charter school is not counted as a resident student in the calculation of the ECS grant for the town in which the student resides.<sup>44</sup> The State may also provide a grant of up to \$75,000 to a newly approved state charter school, if the school helps the State meet its obligations under the 1996 Connecticut Supreme Court ruling in *Sheff v. O'Neill* and the case's subsequent stipulated agreements (as determined by the commissioner of the CSDE).<sup>45</sup> State charter schools may also create reserve funds under certain circumstances for expenses in future years or specific capital or equipment expenditures.<sup>46</sup>

### **Local Charter Schools**

Local charter schools may receive up to \$3,000 per student in state funding. However, this funding is paid to the town where the local charter school is located, not to the school itself.<sup>47</sup> The schedule by which these funds are paid is similar to the funding for state charter schools.<sup>K</sup> For the purposes of ECS funding, students enrolled in local charter schools are considered resident students of the town in which they reside and therefore are included in the town's resident student count and counted in the calculation of the town's ECS grant.

The school district where a student lives is responsible for annual payments to the charter school in the amount specified in its charter. This amount includes reasonable special

<sup>J</sup> These payments are paid according to the following schedule: 25 percent by July 15 and September 1, based on estimated student enrollment on May 1; and 25 percent by January 1 and the remaining amount by April 1, each based on student enrollment on October 1.

Conn. Gen. Statutes ch. 164, §§ 10-66ee (2)(c)(1), (2)(d)(1).

<sup>K</sup> The payment schedule from the State to the town where the local charter school is located is 25 percent of the amount by July 15 and September 1, based on estimated student enrollment from May 1; and 25 percent of the amount by January 1 and the remaining amount by April 1, each based on student enrollment on October 1. The payment schedule from the town to the local charter school is 25 percent of the amount by July 20 and September 15, 25 percent of the amount by January 15, and the remaining amount by April 15.

Conn. Gen. Statutes ch. 164, § 10-66ee(c)(1).

education costs, including costs which are eligible for reimbursement under Connecticut's special education Excess Cost grant.<sup>48</sup> For students who live in the district where the local charter school is located, the school district is responsible for providing funding equal to the per-student expenditure from two fiscal years prior, multiplied by the number of resident students attending the charter school in the current fiscal year.<sup>49</sup> The State may award initial start-up grants of up to \$500,000 to a town with a newly established local charter school.<sup>50</sup> The State of Connecticut provided an initial start-up grant of \$250,000 to the Elm City Montessori School in FY 2015.<sup>51</sup>

### **Special Education Funding**

Charter schools are responsible for ensuring students with disabilities receive appropriate special education services. By statute, the local school district in which a student resides must hold the planning and placement meeting and must invite representatives from the charter school. A student's resident town is statutorily required to pay the state charter school the reasonable cost of educating the student who needs special education services.<sup>52</sup> However, the charter school the student receiving special education services attends is legally responsible for ensuring the student receives the special education services as mandated by the student's individualized education program — regardless of whether the services are provided by the charter school or school district in which the student resides, and regardless of whether or not the charter school is actually being reimbursed for said services by the municipality.

### **Charter School Construction**

Generally, charter schools are responsible for procuring and funding their own facilities, and many charter schools lease their facilities. Charter school construction funds are not granted specifically in statute. Instead, funds are authorized by the legislature on an ad hoc basis. When funds are made available by the General Assembly, governing authorities of state charter schools can apply for grants from the CSDE for either new school buildings, general improvements to school buildings, or repayment of debt incurred for school building projects.<sup>53</sup> Funding for charter school construction projects comes from the State Bond Commission's authority to issue bonds.<sup>54</sup> If a state charter school later abandons, leases, or sells a building, the school is required to refund the unamortized balance of the state grant.<sup>55</sup>

### **Transportation Funding, Other Grants, and Contracting**

The school district where a charter school is located is required to provide transportation services for students of the charter school who live in the school district, unless the charter school makes other arrangements. A school district with a student who attends a charter school outside of the district may elect to provide transportation.<sup>56</sup>

Charter schools are also eligible for some other, smaller state grants.<sup>57</sup> However, if the commissioner of the CSDE finds a charter school misuses any of these grants, the charter school may be required to repay such a grant back to the State.<sup>58</sup> Charter schools may also receive grants from the federal government.<sup>59</sup>

Charter schools can contract for administrative or other support services, transportation, facilities, or equipment, and can receive and spend private funds for school purposes.<sup>60</sup>

Charter schools can also, to the same extent as local or regional boards of education, enter into cooperative agreements with other local or regional boards of education for specific services, provided such arrangements are approved first by the commissioner of the CSDE.<sup>61</sup>

## **BERGIN Commission**

The Building Educational Responsibility with Greater Improvement Networks (BERGIN) Commission, established pursuant to Section 36 of Conn. Acts 23-167, will study educational issues related to charter schools and other school types, including funding, accountability measures, financial reporting, and the impact of school choice programs, such as charter schools, on local school boards and their ECS grant amounts, transportation costs, special education services, and other general educational costs for children who utilize school choice programs.<sup>62</sup>

There are four portions of the Commission's study requirements, two of which apply to charter schools.

- **Funding Entitlements**

This portion, related to charter schools and other school types, reviews 1) the compensation, benefits, retention, and recruitment of teachers, paraprofessionals, and social workers; 2) the restrictions on the use of funds provided under Conn. Acts 23-167; 3) optimal class sizes; and 4) the inclusion of special education as a need factor in the ECS grant formula.<sup>63</sup>

- **Charter Schools**

Also applicable to charter schools is a portion of the Commission's charge that reviews 1) the feasibility of a full grade expansion of existing charters, including grade expansion; 2) an examination of the impact of moratoriums on any new charter school approval; and 3) a consideration of the duration of a charter's validity and the SBOE standards used to determine whether to renew a charter.<sup>64</sup>

The Commission must submit the portion of its study on funding for local and regional boards of education, charter schools, and magnet schools, with findings and recommendations, to the legislature by February 1, 2024. The remaining portions are due to the legislature by January 15, 2025. The Commission terminates when it submits its last report, or July 1, 2025, whichever is later.<sup>65</sup>

## Endnotes

- <sup>1</sup> Conn. Gen. Statutes ch. 164, § 10-66aa(1).
- <sup>2</sup> Conn. Gen. Statutes ch. 164, § 10-66aa(6).
- <sup>3</sup> Moran, J.D., & Bolger, A. (2018). *Comparison of Charter, Magnet, Agricultural Science Centers, and Technical High Schools* (2018-R-0030). Hartford, CT: Connecticut General Assembly, Office of Legislative Research. Retrieved from <https://www.cga.ct.gov/2018/rpt/pdf/2018-R-0030.pdf>.
- <sup>4</sup> Conn. Gen. Statutes ch. 164, § 10-66aa(6).
- <sup>5</sup> Conn. Gen. Statutes ch. 164, § 10-66aa (1).
- <sup>6</sup> Conn. Gen. Statutes ch. 164, § 10-66aa (2).
- <sup>7</sup> Conn. Gen. Statutes ch. 164, § 10-66aa (3).
- <sup>8</sup> Connecticut State Department of Education. (n.d.). EdSight: Public School Enrollment. Available from <http://edsight.ct.gov/SASPortal/main.do>.
- <sup>9</sup> Connecticut State Department of Education. (2022). *Biennial Report on the Operation of Charter Schools in Connecticut*. Hartford, CT: Author. Retrieved from [https://portal.ct.gov/-/media/SDE/Charter-Schools/Biennial\\_Report\\_Operation\\_of\\_CharterSchools.pdf](https://portal.ct.gov/-/media/SDE/Charter-Schools/Biennial_Report_Operation_of_CharterSchools.pdf).
- <sup>10</sup> Ibid.
- <sup>11</sup> H.B. 6941: An Act Concerning the State Budget for the Biennium Ending June 30, 2025, and Making Appropriations Therefor, and Provisions Related to Revenue and Other Items Implementing the State Budget (as amended by House Amendments A and B).
- <sup>12</sup> Connecticut State Department of Education. (n.d.). EdSight: Public School Enrollment. Available from <http://edsight.ct.gov/SASPortal/main.do>.
- <sup>13</sup> Chamberlain, F. (1997, July 1). A New Kind of School for Connecticut. *The New York Times*. Retrieved from <https://www.nytimes.com/1997/06/01/nyregion/a-new-kind-of-school-for-connecticut.html>.
- <sup>14</sup> Conn. Acts 96-214.
- <sup>15</sup> Northeast Charter School Network. (2017). *Connecticut's 20<sup>th</sup> Anniversary of Public Charter Schools* [Interactive timeline]. Retrieved from <https://www.tiki-toki.com/timeline/entry/661452/Connecticuts-20th-Anniversary-of-Public-Charter-Schools/>.
- <sup>16</sup> Chamberlain, F. (1997, July 1). A New Kind of School for Connecticut. *The New York Times*. Retrieved from <https://www.nytimes.com/1997/06/01/nyregion/a-new-kind-of-school-for-connecticut.html>.
- <sup>16</sup> Conn. Acts 96-214.
- <sup>17</sup> Ibid.
- <sup>18</sup> Conn. Gen. Statutes ch. 164, § 10-66bb (c).
- <sup>19</sup> Conn. Gen. Statutes ch. 164, § 10-66bb (b).
- <sup>20</sup> Conn. Gen. Statutes ch. 164, § 10-66bb (a)(1).
- <sup>21</sup> Ibid.
- <sup>22</sup> Conn. Gen. Statutes ch. 164, § 10-66bb(j)(1).
- <sup>23</sup> Conn. Gen. Statutes ch. 164, § 10-66bb(c)(A)(i).
- <sup>24</sup> Ibid.
- <sup>25</sup> Conn. Gen. Statutes ch. 164, § 10-66bb (c)(3).
- <sup>26</sup> Ibid.
- <sup>27</sup> Conn. Gen. Statutes ch. 164, § 10-66bb (d).
- <sup>28</sup> Conn. Gen. Statutes ch. 164, § 10-66bb (f).
- <sup>29</sup> Conn. Gen. Statutes ch. 164, § 10-66aa.
- <sup>30</sup> Conn. Gen. Statutes ch. 164, § 10-66bb (e).
- <sup>31</sup> Conn. Gen. Statutes ch. 164 § 10-66ss(a).
- <sup>32</sup> Conn. Gen. Statutes ch. 164 § 10-66ss(b).
- <sup>33</sup> Conn. Gen. Statutes ch. 164 § 10-66ss(c).
- <sup>34</sup> Ibid.
- <sup>35</sup> Conn. Gen. Statutes ch. 164, § 10-66bb (g).
- <sup>36</sup> Conn. Gen. Statutes ch. 164, § 10-66bb (h).
- <sup>37</sup> Ibid.
- <sup>38</sup> Conn. Gen. Statutes ch. 164, § 10-66bb (i).
- <sup>39</sup> Conn. Gen. Statutes ch. 164, §§ 10-66ee (c)(1), (d)(1).
- <sup>40</sup> Connecticut State Department of Education. (n.d.). EdSight: Public School Enrollment. Available from <http://edsight.ct.gov/SASPortal/main.do>.

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- <sup>41</sup> Connecticut State Department of Education. (2023). *Grant Payment Report*. Available from <https://www.csde.state.ct.us/public/dgm/grantreports1/paydetlMain.aspx>.
- <sup>42</sup> Conn. Acts 17-2 of the June Special Session.
- <sup>43</sup> Section 359 of H.B. 6941: An Act Concerning the State Budget for the Biennium Ending June 30, 2025, and Making Appropriations Therefor, and Provisions Related to Revenue and Other Items Implementing the State Budget (as amended by House Amendments A and B).
- <sup>44</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(a).
- <sup>45</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(l).
- <sup>46</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(e).
- <sup>47</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(c).
- <sup>48</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(b)(1).
- <sup>49</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(b)(2).
- <sup>50</sup> Conn. Gen. Statutes ch. 164, § 10-66nn(a).
- <sup>51</sup> Connecticut State Department of Education. (2022). *Biennial Report on the Operation of Charter Schools in Connecticut*. Hartford, CT: Author. Retrieved from [https://portal.ct.gov/-/media/SDE/Charter-Schools/Biennial\\_Report\\_Operation\\_of\\_CharterSchools.pdf](https://portal.ct.gov/-/media/SDE/Charter-Schools/Biennial_Report_Operation_of_CharterSchools.pdf).
- <sup>52</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(d)(5).
- <sup>53</sup> Conn. Gen. Statutes ch. 164, § 10-66hh(a).
- <sup>54</sup> Conn. Gen. Statutes ch. 164, § 10-66jj.
- <sup>55</sup> Conn. Gen. Statutes ch. 164, § 10-66hh(b).
- <sup>56</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(f).
- <sup>57</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(g).
- <sup>58</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(h).
- <sup>59</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(i).
- <sup>60</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(j).
- <sup>61</sup> Conn. Gen. Statutes ch. 164, § 10-66ee(m).
- <sup>62</sup> Conn. Acts 23-167 § 36.
- <sup>63</sup> Conn. Acts 23-167 § 36(b).
- <sup>64</sup> Conn. Acts 23-167 § 36(b)(3).
- <sup>65</sup> Conn. Acts 23-167 § 36(g).