



Testimony of
Melodie Peters
President, AFT Connecticut, AFL-CIO

Education Committee Hearing
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SB 943 An Act Concerning Charter School Modernization and Reform
SB 942 An Act Implementing the Budget Recommendations
of the Governor Concerning Education
HB 6835 An Act Concerning English Language Learners

Good afternoon Senator Slossberg, Representative Fleischmann and members of the Education Committee. My name is Melodie Peters and I am the President of AFT Connecticut, a diverse state federation of more than 90 local unions representing more than 30,000 public and private sector employees. Our members include more than 15,000 teachers, paraprofessionals, school nurses and other school personnel across the state. It is on their behalf that I appear before you to today.

SB 943 An Act Concerning Charter School Modernization and Reform

In June 2014, we learned just how little we, as taxpayers and public education advocates, know about what goes on in charter schools and charter management organizations (CMOs). It was then revealed that Michael Sharpe, leader of Jumoke Academy charter school in Hartford, had lied about his academic qualifications and was facing other serious allegations. An investigation conducted by the State Department of Education into Jumoke and the CMO that runs it, Families for Excellent Schools (FUSE), also led by Michael Sharpe, uncovered many shocking details. Among those identified were “rampant nepotism,” corruption, inappropriate financial practices between the two organizations and the use of public dollars for renovations to an apartment owned by Jumoke, but personally sublet by Michael Sharpe.¹ The FBI was simultaneously investigating FUSE for its use of public funding.

Some that would argue that Michael Sharpe and others responsible for wrongdoing at Jumoke and FUSE were just a few bad apples. Their actions should not taint the work of other charter schools and CMOs. The truth is, the State Department of Education’s report tells us just as much about SDE’s failures as it does about Jumoke/FUSE shortcomings. The report demonstrates that there were no protocols, policies or procedures in place to provide the kind of oversight required to ensure that the Jumoke/FUSE experience was an isolated one. We don’t know if the only bad apples were at Jumoke/FUSE because SDE has no way of knowing that.

Connecticut’s charter school law, enacted in 1996, is among the weakest in the nation with regard to transparency and accountability. It lacks any mechanism to hold charter schools, CMOs or the State Board of Education accountable for academic, administrative or financial

¹ http://www.ctnewsjunkie.com/upload/2015/01/Jumoke-FUSE_Invest_2014.pdf

functions. Even the National Association of Charter School Authorizers (NACSA), a pro-charter schools organization, ranks Connecticut last in transparent and accountable charter school policies in its report “On the Road to Better Accountability: An Analysis of State Charter School Policies.”²

In order to strengthen the quality and improve the public trust of charter schools, state statute must be enhanced to provide clear expectations, transparency, improved oversight, strict enforcement and most of all, accountability. SB 943, while well intentioned, doesn't do enough to achieve that. We urge you to strengthen this bill by adding the language attached to my testimony. It addresses many of the issues that have clouded the confidence of charter schools. It includes the following:

- **Improved transparency for:**
 - School governance council meetings, agendas and minutes
 - Budget, contracts, expenses and private donors
 - Lottery and waiting list policies and procedures
 - Student behavior modification and disciplinary procedures, including suspension and expulsion policies
 - Parental requirements

- **Improved SDE academic and operational oversight:**
 - New criteria to approve a charter school
 - New criteria for placing charter schools on probation or receivership
 - New criteria for terminating charter schools
 - New criteria to measure student academic success
 - Improved reporting to the General Assembly on charter schools
 - Require that all student populations be served
 - Require collaboration and sharing of best practices with traditional public schools

- **Enhanced financial oversight:**
 - Require charter schools to reimburse districts when students return to traditional neighborhood schools
 - Prohibit using public funds for marketing or advertising purposes.
 - Cap Charter Management Operator CEO and administrator compensation
 - Require audits be performed by the State Auditors of Public Accounts
 - Subject charter schools and CMOs to the Whistleblower Statute

Many of these proposals were recommended in the Annenberg Institute's recent report, “Public Accountability for Charter Schools: Standards and Policy Recommendations for Effective Oversight.”³

² https://s3-us-west-2.amazonaws.com/pageturnpro.com/Publications/201412/3251/62453/PDF/130620128970440000_NACSAstateanalysisFNL.pdf

³ <http://annenberginstitute.org/sites/default/files/CharterAccountabilityStds.pdf>

These recommendations should be paired with a moratorium on the establishment of new charter schools and the expansion of grades or other new seats at existing charter schools. We must give the charter school community an opportunity to implement these improved accountability measures and provide SDE a chance to establish appropriate oversight mechanisms before we proceed with new authorizations. Public trust must be rebuilt before any new public dollars can be designated for charter schools.

SB 942 An Act Implementing the Budget Recommendations of the Governor Concerning Education

We are especially concerned about the provisions in Section 20 of this bill, which eliminates dedicated funding for Commissioner's Network schools while simultaneously removing the cap on how many can be in existence statewide and increasing the number that can be located in any given district by four-fold. We urge the committee to review the Network as a whole and determine if it has been a successful endeavor at improving struggling schools before expanding the program any further. We also encourage the committee to consider including mandatory standards into the Commissioner's Network turnaround plans. At the very least, a school should be able to use Commissioner's Network funds to provide full day Kindergarten (if it's not already provided) and reduce class sizes. These are two interventions that we know work and that all high performing schools have. Yet there are existing Commissioner's Network elementary schools with no full day Kindergarten and very large class sizes.

HB 6835 An Act Concerning English Language Learners

AFT Connecticut fully supports the expansion of bilingual education from thirty months to sixty months and the reduction in the threshold that triggers districts to provide bilingual education services. Connecticut has approximately 35,000 ELL identified students and they all deserve an equal opportunity to succeed. Bilingual education uses and develops the student's native language and culture to help the student acquire academic skills, positive self-concept skills and develop English proficiency. The model is based on research which asserts that to be successful in the mainstream, emergent bilingual students must continue to develop cognitive and linguistic skills in their native language, while they are learning English. This approach allows students to successfully transfer those abilities, skills and strategies to their new language. A student is fully transitioned into the mainstream curriculum program after he/she has reached a sufficient level of proficiency in English to ensure equal access to instruction in the mainstream classroom.

Some make the mistake to assume that once a student can converse in English, he or she will naturally perform well academically in English. But in fact, interpersonal communications skills and cognitive learning skills are two very different things. That is why bilingual instruction must be extended beyond 30 months. Exiting because time is up, rather than when readiness is achieved, does not assure the ability to learn in English.

Too often, being bilingual is seen as a liability, rather than an asset. Instead of embracing the potential of emerging bilingual students, they have, in many cases, been inappropriately identified as students with disabilities or students in need of special education. The thirty-month limit on bilingual education contributes to these unwarranted designations. Without native language literacy development we cannot tell if the issue is English language knowledge or a cognitive disability. We urge you to act favorably on this bill.

Thank you for the opportunity to testify. I would be happy to answer any questions you may have.

LEGISLATIVE PROPSAL TO IMPROVE TRANSPARENCY, ACCOUNTABILITY AND PUBLIC TRUST IN CHARTER SCHOOLS

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

Section 1. Section 10-66aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

As used in sections 10-66aa to 10-66ff, inclusive, and sections 10-66hh to 10-66kk, inclusive:

(1) "Charter school" means a public, nonsectarian school which is (A) established under a charter granted pursuant to section 10-66bb, (B) organized as a nonprofit entity under state law, (C) a public agency for purposes of the Freedom of Information Act, as defined in section 1-200 and a large state contractor for the purposes of the Whistleblower Act, as defined in 4-61dd ~~and~~; (D) operated within a facility that provides students with daily access to classrooms, teachers, and other physical school resources during the school year, and (E) operated independently of any local or regional board of education in accordance with the terms of its charter and the provisions of sections 10-66aa to 10-66ff, inclusive, provided no member or employee of a governing council of a charter school shall have a personal or financial interest in the assets, real or personal, of the school or a charter management organization; as defined in subsection (4) and (E) subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, need for special education services or proficiency in the English language with regard to employment pursuant to Section 4-275 and public school access pursuant to Section 10-15c.

(2) "Local charter school" means a public school or part of a public school that is converted into a charter school and is approved by the local or regional board of education of the school district in which it is located and by the State Board of Education pursuant to subsection (e) of section 10-66bb;

(3) "State charter school" means a new public school approved by the State Board of Education pursuant to subsection (f) of section 10-66bb;

(4) "Charter management organization" means any entity that (A) a charter school contracts with for educational design, implementation or whole school management services, (B) is organized as a nonprofit entity under state law, provided no member or employee of a charter management organization shall have a personal or financial interest in the assets, real or personal, of a school with which it is party to a contract,

and (C) is a public agency for purposes of the Freedom of Information Act, as defined in section 1-200; and

(5) "Whole school management services" means the financial, business, operational and administrative functions for a school.

(6) "By subgroup" means data disaggregated by race, ethnicity, gender, age, grade level, free and reduced priced lunch status, disability and special education status, and English language learner status.

(7) "cyber school" means a method of instruction where courses or curricula are delivered within or outside of school settings primarily through online or web-based methods, including delivery via mobile devices.

Section 2. (NEW) (*Effective July 1, 2015*). (a) Each charter school management organization doing business in Connecticut shall post on its primary web site (1) the schedule, location, agenda, and minutes of each governing board meeting, including any meeting of subcommittees of the board; (2) the organization's budget and sources of revenue, including (A) names and affiliations of any donors and amount of each donation such donations' duration, (B) expenses incurred for marketing each school to prospective parents and students and the source of those funds, and (C) any financing, tax credits, or other instruments used by the organization to fund school facilities in the state; (3) information about management and other contracts providing educational, financial, or other services to a state charter school, including the posting of full contracts and addendums, within 10 days of any such contracts execution.

(b) A charter school management organization doing business in Connecticut shall not select, employ, retain or otherwise compensate an attorney, accountant, or auditing firm that provides services to a charter school that has contract with the management organization.

Section 3. Section 10-66bb of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) On and after July 1, 1997, the State Board of Education may grant charters for local and state charter schools in accordance with this section. Between July 1, 2015 and July 1, 2017, the total number of state charter schools operating at any one time shall not exceed eighteen.

(b) Any person, association, corporation, organization or other entity, 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 may apply to the Commissioner of Education, at such time and in such manner as the

commissioner prescribes, to establish a charter school, provided no nonpublic elementary or secondary school may be established as a charter school and no parent or group of parents providing home instruction may establish a charter school for such instruction.

(c) On and after July 1, 2012, the State Board of Education shall review, annually, all applications and grant charters, in accordance with subsections (e) and (f) of this section, for a local or state charter school located in a town that has one or more schools that have been designated as a commissioner's network school, pursuant to section 10-223h, at the time of such application, or a town that has been designated as a low achieving school district, pursuant to section 10-223e, at the time of such application.-

(1) Except as provided for in subdivision (2) of this subsection, no state charter school shall enroll ~~(A)~~ (i) more than two hundred fifty students, or (ii) in the case of a kindergarten to grade eight, inclusive, school, more than three hundred students, ~~or (B) twenty-five per cent of the enrollment of the school district in which the state charter school is to be located, whichever is less.~~ (2) In the case of a state charter school found by the State Board of Education to have a demonstrated record of achievement, the governing council of such charter may apply in accordance with subdivision (1) of subsection (f) of this section may apply for a waiver from the provisions of subdivision (1) of this subsection for such school said board shall, upon application by such school to said board, waive the provisions of subdivision (1) of this subsection for such school. (3) No charter management organization shall contract with schools located in any district where the total enrollment of such schools exceeds 10% of the district's enrollment or contract with schools in the state where the total enrollment of such schools exceeds 1% of the total enrollment of students in public schools in the state. (4) The total enrollment of all charter schools in the state shall not exceed 8,000 students (5) The State Board of Education shall give preference to applicants for charter schools (A) whose primary purpose is the establishment of education programs designed to serve one or more of the following student populations: (i) Students with a history of low academic performance, (ii) students who receive free or reduced priced lunches pursuant to federal law and regulations, (iii) students with a history of behavioral and social difficulties, (iv) students identified as requiring special education, (v) students who are English language learners, or (vi) students of a single gender; (B) whose primary purpose is to improve the academic performance of an existing school that has consistently demonstrated substandard academic performance, as determined by the Commissioner of Education; (C) that will serve students who reside in a priority school district pursuant to section 10-266p; (D) that will serve students who reside in a district in which seventy-five per cent or more of the enrolled students are members of racial or ethnic minorities; (E) that demonstrate highly credible and specific strategies to attract, enroll and retain students from among the populations described in subparagraph (A)(i) to (A)(vi), inclusive, of this subdivision; or (F) that, in the case of an applicant for a state charter school, such state charter school will be located at a work-site or such applicant is an institution of higher education. ~~In determining whether to~~

~~grant a charter, t~~The State Board of Education shall determine whether to grant a charter based on documented evidence that ~~consider the effect of the proposed charter school on the reduction of~~ will reduce racial, ethnic and economic isolation in the region in which it is to be located, the regional distribution of charter schools in the state, ~~and~~ the potential of over-concentration of charter schools within a school district or in contiguous school districts and the financial impact to existing traditional public schools and students within the school district and the state.

(d) Applications pursuant to this section shall include a description of: (1) The mission, purpose and any specialized focus of the proposed charter school; (2) the proposed primary catchment area and interest in the community for the establishment of the charter school; (3) the school governance and procedures for the establishment of a governing council that (A) shall be substantially comprised of ~~includes~~ (i) ~~teachers,~~ parents and guardians of students enrolled in the school, and enrolled students if the charter school is a high school ~~with and~~ (ii) teachers, with (iii) the chairperson of the local or regional board of education of the town in which the charter school is located and which has jurisdiction over a school that resembles the approximate grade configuration of the charter school, or the designee of such chairperson, provided such designee is a member of the board of education or the superintendent of schools for the school district, and (iv) any other members provided such members reside in the town where such charter school is located, and (B) is responsible for the oversight of charter school operations, provided no member or employee of the governing council may have a personal or financial interest in the assets, real or personal, of the school or any charter management organization or other entity contracting with such school; (4) the financial plan for operation of the school, provided no application fees or other fees for attendance, except as provided in this section, may be charged; (5) the educational program, instructional methodology, provided such program or methodology does not constitute a cyber school, ~~and~~ services to be offered to students, and a student discipline and behavioral policy that minimizes attrition and the use of student suspensions and expulsions; (6) the number and qualifications of teachers and administrators to be employed in the school; (7) the organization of the school in terms of the ages or grades to be taught and the total estimated enrollment of the school; (8) the student admission ~~criteria~~ policies, including admission lottery and waiting list criteria and procedures to (A) ensure effective public information, (B) ensure open access on a space available basis, including the enrollment of students during the school year if spaces become available in the charter school, (C) promote a diverse student body that reduces the racial, ethnic and economic isolation of students in the state, ~~and~~ (D) ensure that the school complies with the provisions of section 10-15c and that it does not discriminate on the basis of disability, athletic performance or proficiency in the English language, provided the school may limit enrollment to a particular grade level or specialized educational focus and, if there is not space available for all students seeking enrollment, the school may give preference to siblings but shall otherwise determine enrollment by an enrollment lottery, as defined in subsection (l) of this

section, except the State Board of Education may ~~waive~~ amend the requirements for such enrollment lottery pursuant to subsection (j) of this section; (9) a means to assess student performance that includes participation in state-wide mastery examinations pursuant to chapter 163c and an articulated plan for improved student performance that includes benchmarks at regular intervals; (10) procedures for teacher evaluation and professional development for teachers and administrators pursuant to the provision of 10-151b and 10-151h; (11) the provision of school facilities, pupil transportation and student health and welfare services; (12) procedures to encourage involvement by parents and guardians of enrolled students in student learning, school activities and school decision-making; (13) procedures to document efforts to increase the racial and ethnic diversity of staff; (14) a five-year plan to sustain the maintenance and operation of the school; (15) a plan for transparent and accountable charter school governance and operations procedures, including required background checks of all charter school staff and board members and charter management organization staff and board members, the adoption and adherence to anti-nepotism and conflict of interest policies for the charter school and the charter management organization, the frequency and standards for required trainings for charter school board members and charter management organization board members on board responsibilities, ethics and best practices in governance; (16) a plan detailing student expulsion and attrition, that shall include, but not be limited to a clear description of a plan detailing the bases and timelines for expelling students and returning them to a traditional public school within the school district; ~~and (1517)~~ a student recruitment and retention plan that shall include, but not be limited to, a clear description of a plan and the capacity of the school to attract, enroll and retain students from among the populations described in subparagraph (A)(i) to (A)(v), inclusive, of subdivision (3) of subsection (c) of this section and to reduce racial, ethnic and economic isolation in the region. Subject to the provisions of subsection (b) of section 10-66dd, an application may include, or a charter school may file, requests to waive provisions of the general statutes and regulations not required by sections 10-66aa to 10-66ff, inclusive, and which are within the jurisdiction of the State Board of Education.

(e) An application for the establishment of a local charter school shall be submitted to the local or regional board of education of the school district in which the local charter school is to be located for approval pursuant to this subsection. The local or regional board of education shall: (1) Review the application; (2) hold a public hearing in the school district on such application; (3) survey teachers and parents in the school district to determine if there is sufficient interest in the establishment and operation of the local charter school; (4) assess the financial impact to existing traditional public schools and students within the school district; and (45) vote on a complete application not later than sixty days after the date of receipt of such application. Such board of education may approve the application by a majority vote of the members of the board present and voting at a regular or special meeting of the board called for such purpose. If the application is approved, the board shall forward the application to the State Board

of Education. The State Board of Education shall vote on the application not later than seventy-five days after the date of receipt of such application. Subject to the provisions of subsection (c) of this section, the State Board of Education may approve the application and grant the charter for the local charter school or reject such application by a majority vote of the members of the state board present and voting at a regular or special meeting of the state board called for such purpose. The State Board of Education may condition the opening of such school on the school's meeting certain conditions determined by the Commissioner of Education to be necessary and may authorize the commissioner to release the charter when the commissioner determines such conditions are met. The state board may grant the charter for the local charter school for a period of time of up to five years and may allow the applicant to delay its opening for a period of up to one school year in order for the applicant to fully prepare to provide appropriate instructional services.

(f) (1) Except as otherwise provided in subdivision (2) of this subsection, an application for the establishment of a state charter school, or a waiver pursuant to subparagraph (c) of this section, shall be submitted to the local or regional board of education of the school district in which the charter school is to be located for approval pursuant to this subsection. The local or regional board of education shall: (1) Review the application; (2) hold a public hearing in the school district on such application; (3) survey teachers and parents in the school district to determine if there is sufficient interest in the establishment and operation of the charter school, or in the case of a waiver, the expansion of a charter school; and (4) vote on a complete application not later than sixty days after the date of receipt of such application. Such board of education may approve the application by a majority vote of the members of the board present and voting at a regular or special meeting of the board called for such purpose. If the application is approved, the board shall forward the application to the State Board of Education. ~~(A) submitted to the State Board of Education for approval in accordance with the provisions of this subsection, and (B) filed with the local or regional board of education in the school district in which the charter school is to be located.~~ The state board shall: (i) Review such application; (ii) hold a public hearing on such application in the school district in which such state charter school is to be located; (iii) solicit and review comments on the application from the local or regional board of education for the school district in which such charter school is to be located and from the local or regional boards of education for school districts that are contiguous to the district in which such school is to be located; (iv) produce an impact statement assessing the fiscal, demographic, and educational effects of the proposed school's operation on the local school district, and the effect of the school on the reduction of racial, ethnic, and economic isolation in the region and the state; and (iv) vote on a complete application not later than ninety days after the date of receipt of such application. The State Board of Education may approve an application and grant the charter or the waiver for the state charter school by a majority vote of the members of the state board present and voting at a regular or special meeting of the state board called for such purpose. The State Board of Education may condition the opening or

expansion of such school on the school's meeting certain conditions determined by the Commissioner of Education to be necessary and may authorize the commissioner to release the charter when the commissioner determines such conditions are met. Charters shall be granted for a period of time of up to five years and may allow the applicant to delay its opening for a period of up to one school year in order for the applicant to fully prepare to provide appropriate instructional services.

(2) On and after July 1, 2012, and before July 1, 2017, the State Board of Education shall not approve more than four applications for the establishment of new state charter schools unless two of the four such applications are for the establishment of two new state charter schools whose mission, purpose and specialized focus is to provide dual language programs or other models focusing on language acquisition for English language learners. Approval of applications under this subdivision shall be in accordance with the provisions of this section.

(g) Charters may be renewed, upon application, in accordance with the provisions of this section for the granting of such charters. Upon application for such renewal, the State Board of Education ~~may~~ shall commission an independent appraisal of the performance of the charter school that includes, but is not limited to, an evaluation of the school's compliance with the provisions of this section. The State Board of Education shall consider the results of any such appraisal in determining whether to renew such charter. The State Board of Education may deny an application for the renewal of a charter if (1) student progress has not been sufficiently demonstrated, as determined by the commissioner based on the charter school's student performance plan, (2) the governing council has not been sufficiently responsible for the operation of the school or has misused or spent public funds in a manner that is detrimental to the educational interests of the students attending the charter school, (3) the school has not been in compliance with the terms of its charter or applicable laws and regulations, ~~[or]~~ (4) the school has not been in compliance with all requirements or conditions required under this section, (5) student suspension or expulsion rates are excessively high when compared to those of the school district in which the charter school is located and (6) the efforts of the school have been insufficient to effectively attract, enroll and retain students from among the following populations at the same percentage as exist within the school district where the charter school is located: (A) Students with a history of low academic performance, (B) students who receive free or reduced priced lunches pursuant to federal law and regulations, (C) students with a history of behavioral and social difficulties, (D) students identified as requiring special education, or (E) students who are English language learners. If the State Board of Education does not renew a charter, it shall notify the governing council of the charter school of the reasons for such nonrenewal.

(h) The Commissioner of Education may at any time place a charter school on probation if (1) the school has failed to (A) adequately demonstrate student progress, as

determined by the commissioner based on the charter school's student performance plan, (B) comply with the terms of its charter or with applicable laws and regulations, (C) achieve measurable progress in reducing racial, ethnic and economic isolation, (D) effectively attract, enroll and retain students from among the following populations at the same percentage as exist within the school district where the charter school is located: (i) Students with a history of low academic performance, (ii) students who receive free or reduced priced lunches pursuant to federal law and regulations, (iii) students with a history of behavioral and social difficulties, (iv) students identified as requiring special education, or (v) students who are English language learners, or (DE) maintain its nonsectarian status, or (2) the governing council has demonstrated an inability to provide effective leadership to oversee the operation of the charter school or has not ensured that public funds are expended prudently or in a manner required by law or (3) the schools is under investigation by any local, state or federal law enforcement agency. If a charter school is placed on probation, the commissioner shall provide written notice to the charter school of the reasons for such placement, not later than five days after the placement, and shall require the charter school to file with the Department of Education a corrective action plan acceptable to the commissioner not later than thirty-five days from the date of such placement. The charter school shall implement a corrective action plan accepted by the commissioner not later than thirty days after the date of such acceptance. The commissioner may impose any additional terms of probation on the school that the commissioner deems necessary to protect the educational or financial interests of the state. The charter school shall comply with any such additional terms not later than thirty days after the date of their imposition. The commissioner shall determine the length of time of the probationary period, which shall be at least six months and may be up to one year, provided the commissioner may extend such period, for up to one additional year, if the commissioner deems it necessary. In the event that the charter school does not file or implement the corrective action plan within the required time period or does not comply with any additional terms within the required time period, the Commissioner of Education ~~may~~ shall withhold grant funds from the school until the plan is fully implemented or the school complies with the terms of probation, provided the commissioner may extend the time period for such implementation and compliance for good cause shown. Whenever a charter school is placed on probation, the commissioner shall notify the parents or guardians of students attending the school of the probationary status of the school and the reasons for such status. During the term of probation, the commissioner ~~may~~ shall require the school to file interim reports concerning all matters that caused the school to be placed on probation and any other matter the commissioner deems relevant ~~to the probationary status of the school~~, including financial reports or statements. No charter school on probation may increase its student enrollment or engage in the recruitment of new students ~~without the consent of the commissioner~~. until such time as the probationary status has been corrected.

(i) The State Board of Education may revoke a charter if a charter school has failed to: (1) Comply with the terms of probation, including the failure to file or implement a corrective action plan; (2) demonstrate satisfactory student progress, as determined by the commissioner based on the charter school's student performance plan; (3) comply with the terms of its charter or applicable laws and regulations; ~~or~~ (4) maintain compliance with all requirements or conditions required under this this section, or (5) manage its public funds in a prudent or legal manner; or (6) cooperate with any by a local, state or federal law enforcement agency. Unless an emergency exists, prior to revoking a charter, the State Board of Education 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. It shall also provide the governing council with the opportunity to demonstrate compliance with all requirements for the retention of its charter by providing the State Board of Education or a subcommittee of the board, as determined by the State Board of Education, with a written or oral presentation. Such presentation shall include an opportunity for the governing council to present documentary and testimonial evidence to refute the facts cited by the State Board of Education for the proposed revocation or in justification of its activities. Such opportunity shall not constitute a contested case within the meaning of chapter 54. The State Board of Education shall determine, not later than thirty 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 the reasons therefor. A decision to revoke a charter shall not constitute a final decision for purposes of chapter 54. In the event an emergency exists in which the commissioner finds that there is imminent harm to the students attending a charter school, the State Board of Education may immediately revoke the charter of the school, provided the notice concerning the reasons for the revocation is sent to the governing council not later than ten days after the date of revocation and the governing council is provided an opportunity to make a presentation to the board not later than twenty days from the date of such notice.

(j) For charter schools that do not successfully complete the probation period pursuant to subsection (h) or for charter schools that are experiencing serious financial, academic or operation problems, or are the subject of allegations of misuse or mismanagement of funds pursuant to Section 4-61dd of the general statutes, the Commissioner of Education, with approval of the State Board of Education, shall appoint a receiver to manage all financial, academic and other operational activities for a period of no less than one full school year. The State Department of Education may serve as a receiver if the Commissioner and State Board of Education deem appropriate. Any other named receiver shall be recommended by the Commissioner and approved by the State Board of Education. The State Board of Education may revoke a charter at any time during the receivership if matters causing the school to be placed in receivership are not successfully addressed.

(j)k (1) The governing council of a state or local charter school may apply to the State Board of Education for a waiver of an amendment to the requirements of the enrollment lottery described in subsections (d) and (l) of this section, provided such state or local charter school has as its primary purpose the establishment of education programs designed to serve one or more of the following populations: (A) Students with a history of behavioral and social difficulties, (B) students identified as requiring special education, (C) students who are English language learners, or (D) students of a single gender. Such amendment shall implement an enrollment lottery system that ensures equal access to such school for the specific population served and meet all notification and inclusion requirements contained in subsection (l).

(2) An enrollment lottery described in subdivision (8) of subsection (d) of this section shall not be held for a local charter school that is established at a school that is among the schools with a percentage equal to or less than five per cent when all schools are ranked highest to lowest in school performance index scores, as defined in section 10-223e.

(l) (a) For the purpose of this section, "enrollment lottery " means a process for issuing an enrollment priority number for students eligible to enroll in a charter school. Such enrollment lottery process shall include (1) a procedure for issuing a priority number to every student in the catchment area as approved by the local or regional school district and the State Board of Education, (2) a procedure for issuing a priority number to any student who does not reside in the catchment area as approved by the local or regional school district and the State Board of Education, but who by request of such student or such student's parent or guardian expresses interest in receiving a priority number, (3) a procedure for notifying participants of their priority number, with such notification indicating (A) that enrollment in the charter school is optional, (B) that such participant will not be deemed to have enrolled in such charter school unless the school receives notification from such student or student's parent or guardian by a date certain that the student will enroll, and (C) that such participant's enrollment status in their local or regional board of education school will remain in effect unless such student's enrollment in a charter school is confirmed by the student or such student's parent or guardian. (b) Any school subject to an enrollment lottery process shall conduct and verify such lottery in public and in a manner described by the commissioner of education.

(b) No charter school or charter management organization shall establish a requirement for testing, performing, parental involvement or volunteering, attending orientations or open houses, or other requirement that could constitute a barrier to participating in a lottery or enrolling in the school, and no person acting on behalf of a charter school or charter school management organization shall convey to any prospective lottery participant or enrollee, or such prospective participant or enrollee's parent or guardian the existence of such requirement or the unavailability

of services to meet the needs of students with special education or English language learner needs.

Section 4. Section 10-66cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) The governing council of a charter school shall submit annually, to the Commissioner of Education, a school profile as described in subsection (c) of section 10-220.

(b) The governing council of each charter school shall submit annually, to the Commissioner of Education and the committee of cognizance in the General Assembly, at such time and in such manner as the commissioner prescribes, and, in the case of a local charter school, to the local or regional board of education for the school district in which the school is located, a report on the condition of the school, including (1) the educational progress of students in the school, (2) the financial condition of the school, including a certified audit statement of all revenues from public and private sources and expenditures, (3) accomplishment of the mission, purpose and any specialized focus of the charter school, (4) the racial and ethnic composition of the student body and efforts taken to increase the racial and ethnic diversity of the student body so that it is representative of the student population in the district in which the charter school is located, (5) the number of special education students and English language learners that are representative of the student population in the district in which the charter school is located; (6) the enrollment trends at the school, including rates of mobility, attrition, suspensions, expulsions, program completion and, for schools serving grades nine through twelve, the number of students enrolled in the school who graduated four years from entry, and (7) best practices employed by the school that contribute significantly to the academic success of students.

Section 5. Section 10-66dd of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) For purposes of this section, "school professional" means any school teacher, administrator or other personnel certified by the State Board of Education pursuant to section 10-145b (*Effective July 1, 2016*).

(b) (1) Subject to the provisions of this subsection and except as may be waived pursuant to subsection (d) of section 10-66bb, charter schools shall be subject to all federal and state laws governing public schools.

(2) Subject to the provisions of subdivision (5) of this subsection, ~~at least one-half of the persons providing instruction or pupil services in a charter school shall possess the proper certificate other than~~ (A) a certificate issued pursuant to subdivision (1) of subsection (c) of section 10-145b, or (B) a temporary certificate issued pursuant to

subsection (c) of section 10-145f on the day the school begins operation ~~and the remaining persons shall possess a certificate issued pursuant to said subdivision (1) or such temporary certificate on such day.~~

(3) The commissioner may not waive the provisions of chapters 163c and 169 and sections [4-61dd](#), 10-15c, [10-145d](#), 10-153a to 10-153g, inclusive, 10-153i, 10-153j, 10-153m [10-220a](#), [10-223e](#), and 10-292.

(4) The state charter school governing council shall act as a board of education for purposes of collective bargaining. The school professionals and persons holding a charter school educator permit, issued by the State Board of Education pursuant to section 10-145q, employed by a local charter school shall be members of the appropriate bargaining unit for the local or regional school district in which the local charter school is located and shall be subject to the same collective bargaining agreement as the school professionals employed by such district. A majority of those employed or to be employed in the local charter school and a majority of the members of the governing council of the local charter school may modify, in writing, such collective bargaining agreement, consistent with the terms and conditions of the approved charter, for purposes of employment in the charter school.

~~(5) For the school year commencing July 1, 2011, and each school year thereafter, the Commissioner of Education may waive the requirements of subdivision (2) of this subsection for any administrator or person providing instruction or pupil services employed by a charter school who holds a charter school educator permit, issued pursuant to section 10-145q, provided not more than thirty per cent of the total number of administrators and persons providing instruction or pupil services employed by a charter school hold the charter school educator permit for the school year.~~

(6) For the school year commencing July 1, 2011, and each school year thereafter, any administrator holding a charter school educator permit, issued pursuant to section 10-145q, shall be authorized to supervise and conduct performance evaluations of any person providing instruction or pupil services in the charter school that such administrator is employed.

(c) School professionals employed by a local or regional board of education shall be entitled to a two-year leave of absence, without compensation, in order to be employed in a charter school provided such leave shall be extended upon request for an additional two years. At any time during or upon the completion of such a leave of absence, a school professional may return to work in the school district in the position in which he was previously employed or a comparable position. Such leave of absence shall not be deemed to be an interruption of service for purposes of seniority and teachers' retirement, except that time may not be accrued for purposes of attaining tenure. A school professional who is not on such a leave of absence and is employed for forty school months of full-time continuous employment by the charter school and is

subsequently employed by a local or regional board of education shall attain tenure after the completion of twenty school months of full-time continuous employment by such board of education in accordance with section 10-151.

(d) (1) An otherwise qualified school professional hired by a charter school prior to July 1, 2010, and employed in a charter school may participate in the state teachers' retirement system under chapter 167a on the same basis as if such professional were employed by a local or regional board of education. The governing council of a charter school shall make the contributions, as defined in subdivision (7) of section 10-183b, for such professional.

(2) An otherwise qualified school professional hired by a charter school on or after July 1, 2010, and who has not previously been employed by a charter school in this state prior to July 1, 2010, shall participate in the state teachers' retirement system under chapter 167a on the same basis as if such professional were employed by a local or regional board of education. The governing council of a charter school shall make the contributions, as defined in subdivision (7) of section 10-183b, for such professional.

(3) Any administrator or person providing instruction or pupil services in a charter school who holds a charter school educator permit issued by the State Board of Education pursuant to section 10-145q shall participate in the state teachers' retirement system under chapter 167a pursuant to subdivision (2) of this section when such administrator or person providing instruction or pupil services obtains professional certification pursuant to section 10-145b.

(4) A person employed or serving on the board at a charter school or charter management organization shall be considered to be employed by a large state contractor for the purpose of the Whistleblower Act, as defined in 4-61dd.

Section 6. Section 10-66ee of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) For the purposes of equalization aid under section 10-262h a student enrolled (1) in a local charter school shall be considered a student enrolled in the school district in which such student resides, and (2) in a state charter school shall not be considered a student enrolled in the school district in which such student resides.

(b) (1) The local board of education of the school district in which a student enrolled in a local charter school resides shall pay, annually, in accordance with its charter, to the fiscal authority for the charter school for each such student the amount specified in its charter, including the reasonable special education costs of students requiring special education. The board of education shall be eligible for reimbursement for such special education costs pursuant to section 10-76g.

(2) The local or regional board of education of the school district in which the local charter school is located shall be responsible for the financial support of such local charter school at a level that is at least equal to the product of (A) the per pupil cost for the prior fiscal year, less the reimbursement pursuant to section 10-76g for the current fiscal year, and (B) the number of students attending such local charter school in the current fiscal year. As used in this subdivision, "per pupil cost" means, for a local or regional board of education, the quotient of the net current expenditures, as defined in subdivision (3) of section 10-261, divided by the average daily membership, as defined in subdivision (2) of section 10-261, of such local or regional board of education.

(c) (1) For the fiscal year ending June 30, 2014, and each fiscal year thereafter, the State Board of Education may approve, within available appropriations, a per student grant to a local charter school described in subsection (b) of section 10-66nn in an amount not to exceed three thousand dollars for each student enrolled in such local charter school, provided the local or regional board of education for such local charter school and the representatives of the exclusive bargaining unit for certified employees, chosen pursuant to section 10-153b, mutually agree on staffing flexibility in such local charter school, and such agreement is approved by the State Board of Education. For the purposes of equalization aid grants pursuant to section 10-262h, the state shall make such payments, in accordance with this subsection, to the town in which a local charter school is located as follows: Twenty-five per cent of the amount not later than July fifteenth and September first based on estimated student enrollment on May first, and twenty-five per cent of the amount not later than January first and the remaining amount not later than April fifteenth, each based on student enrollment on October first.

(2) The town shall pay to the fiscal authority for a local charter school the portion of the amount paid to the town pursuant to subdivision (1) of this subsection attributable for students enrolled in such local charter school. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July twentieth and September fifteenth and twenty-five per cent of the amount not later than January fifteenth and the remaining amount not later than April fifteenth.

(d) (1) For the purposes of equalization aid grants pursuant to section 10-262h, the state shall pay in accordance with this subsection, to the town in which a state charter school is located for each student enrolled in such school, for the fiscal year ending June 30, 2013, ten thousand two hundred dollars, for the fiscal year ending June 30, 2014, eleven thousand dollars, and for the fiscal year ending June 30, 2015, and each fiscal year thereafter, eleven thousand five hundred dollars. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July fifteenth and September first based on estimated student enrollment on May first, and twenty-five per cent of the amount not later than January first and the remaining amount not later than April fifteenth, each based on student enrollment on October first. Notwithstanding the provisions of this subdivision, the payment of the remaining amount made not later

than April 15, 2013, shall be within available appropriations and may be adjusted for each student on a pro rata basis.

(2) The town shall pay to the fiscal authority for a state charter school the portion of the amount paid to the town pursuant to subdivision (1) of this subsection attributable for students enrolled in such state charter school. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July twentieth and September fifteenth and twenty-five per cent of the amount not later than January fifteenth and the remaining amount not later than April fifteenth.

(3) State charter schools shall reimburse local school districts all funds on a pro-rated basis for students who are expelled or who otherwise leave a state charter school and return to a traditional public school within his or her home school district.

(4) Local charter schools shall reimburse the local school district all funds on a pro-rated basis for students who are expelled or who otherwise leave a local charter school and return to a traditional public school within the school district.

(35) In the case of a student identified as requiring special education, the school district in which the student resides shall: (A) Hold the planning and placement team meeting for such student and shall invite representatives from the charter school to participate in such meeting; and (B) pay the state charter school, on a quarterly basis, an amount equal to the difference between the reasonable cost of educating such student and the sum of the amount received by the state charter school for such student pursuant to subdivision (2) of this subsection and amounts received from other state, federal, local or private sources calculated on a per pupil basis. Such school district shall be eligible for reimbursement pursuant to section 10-76g. The charter school a student requiring special education attends shall be responsible for ensuring that such student receives the services mandated by the student's individualized education program whether such services are provided by the charter school or by the school district in which the student resides.

(e) Notwithstanding any provision of the general statutes, if at the end of a fiscal year amounts received by a state charter school, pursuant to subdivision (2) of subsection (d) of this section, are unexpended, the charter school (1) may use, for the expenses of the charter school for the following fiscal year, up to ten per cent of such amounts, and (2) may (A) create a reserve fund to finance a specific capital or equipment purchase or another specified project as may be approved by the commissioner, and (B) deposit into such fund up to five per cent of such amounts.

(f) The local or regional board of education of the school district in which the charter school is located shall provide transportation services for students of the charter school who reside in such school district pursuant to section 10-273a unless the charter school makes other arrangements for such transportation. Any local or regional board of

education may provide transportation services to a student attending a charter school outside of the district in which the student resides and, if it elects to provide such transportation, shall be reimbursed pursuant to section 10-266m for the reasonable costs of such transportation. Any local or regional board of education providing transportation services under this subsection may suspend such services in accordance with the provisions of section 10-233c. The parent or guardian of any student denied the transportation services required to be provided pursuant to this subsection may appeal such denial in the manner provided in sections 10-186 and 10-187.

(g) Charter schools shall be eligible to the same extent as boards of education for any grant for special education, competitive state grants and grants pursuant to sections 10-17g and 10-266w. Charter school management organizations shall not be eligible for such grants.

(h) If the commissioner finds that any charter school uses a grant under this section for a purpose that is inconsistent with the provisions of this part, the commissioner may require repayment of such grant to the state.

(i) Charter schools shall receive, in accordance with federal law and regulations, any federal funds available for the education of any pupils attending public schools.

(j) The governing council of a charter school may (1) contract or enter into other agreements for purposes of administrative or other support services, transportation, plant services or leasing facilities or equipment, and (2) receive and expend private funds or public funds, including funds from local or regional boards of education and funds received by local charter schools for out-of-district students, for school purposes.

(k) If in any fiscal year, more than one new state or local charter school is approved pursuant to section 10-66bb and is awaiting funding pursuant to the provisions of this section, the State Board of Education shall determine which school is funded first based on a consideration of the following factors in order of importance as follows: (1) The quality of the proposed program as measured against the criteria required in the charter school application process pursuant to section 10-66bb, (2) whether the applicant has a demonstrated record of academic success by students, (3) whether the school is located in a school district with a demonstrated need for student improvement, and (4) whether the applicant has plans concerning the preparedness of facilities, staffing and outreach to students.

(l) Within available appropriations, the state may provide a grant in an amount not to exceed seventy-five thousand dollars to any newly approved state charter school that assists the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education, for start-up costs associated with the new charter school program.

(m) Charter schools may, to the same extent as local and regional boards of education, enter into cooperative arrangements as described in section 10-158a, provided such arrangements are approved by the Commissioner of Education. Any state charter school participating in a cooperative arrangement under this subsection shall maintain its status as a state charter school and not be excused from any obligations pursuant to sections 10-66aa to 10-66ll, inclusive. Such agreements shall be subject to the Freedom of Information Act.

(n) The Commissioner of Education shall provide any town receiving aid pursuant to subsection (c) or (d) of this section with the amount of such aid to be paid to each state or local charter school located in such town.

(o) Charter schools or charter management organizations shall not use any state or local public funds, including state or local grants appropriated to charter schools, to engage in any marketing or advertising for charter school promotion, recruitment or enrollment or to influence any political or legislative activity. All marketing and advertising materials produced by charter schools or charter management organizations shall include a prominent disclaimer stating the source of funds used to produce such materials.

(p) No school district may promote one school or one set of schools over any other schools and information about school choice options provided by the school district shall include information on all public schools.

(q) No chief executive officer of a charter school shall receive compensation greater than 80% of the compensation of the superintendent of schools of the school district in which the charter school is located. No charter school principal shall receive compensation greater than 10% more than the average compensation for principals in the school district where the charter school is located. A charter school shall include these prohibitions in any contract with any charter management organization.

(r) Charter schools that spend a one-fifth greater share of their spending on administration than the share that the local school district in which the charter school is physically located devotes to central and school administration are subject to audit by the State Auditors of Public Accounts. Such audit shall examine without limitation contracts with charter management organizations, vendor contracts and the use of shared administration with school districts. The audit report shall make recommendations to lower the portion of charter school spending devoted toward administration.

(s) No local or regional board of education or charter school governing council or charter management organization shall approve or otherwise permit the location or co-location of a charter school within an existing public school facility without a publicly noticed hearing and documented consultation with community members, and representatives of parents and educators of both schools. Any agreement to locate or co-locate a charter school in a public school facility shall include guidelines

for determining under-utilization of facility space for charter use, the availability of space for administrative functions, educational support, and equitable access to gymnasium, cafeteria, and other common areas and shall provide for an annual impact report that documents student, parent, teacher, and other staff perceptions of the arrangement, and details of any capital improvements and needs at such facility,

Section 7. Section 10-66gg of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

Not later than January 1, 2012, and biennially thereafter, within available appropriations, the Commissioner of Education shall review and report, in accordance with the provisions of section 11-4a, on the operation of such charter schools as may be established pursuant to sections 10-66aa to 10-66ff, inclusive, to the joint standing committee of the General Assembly having cognizance of matters relating to education. Such report shall include: (1) Recommendations for any statutory changes that would improve oversight, transparency and accountability for ~~facilitate expansion in the number of charter schools~~ including how to (a) improve access for all students; (b) prevent high rates of student drop-out, attrition, suspensions, and expulsion at charter schools, and (c) reduce racial, ethnic and economic isolation in the regions where charter schools are located; (2) a compilation of school profiles pursuant to section 10-66cc; (3) an assessment of the adequacy of funding pursuant to section 10-66ee; (4) the trends and impact of charter school enrollment on the reduction of racial, ethnic and economic isolation in the regions where charter schools are located, (5) the rates, by subgroup, of mobility, attrition, voluntary and involuntary exits, program completion and, for schools serving grades nine through twelve, the number of students enrolled in each school who graduated four years from entry, and the impact of such rates on local school districts (6) the rates, of suspensions expulsions by grade for each school by subgroup, (7) a summary of the revenues and expenditures of each state charter schools, including an accounting for the flow of financial and other resources from federal, state, municipal, and identifying by name other revenue sources and donations in excess of four-thousand dollars, and (8) ~~and (4)~~ the adequacy and availability of suitable facilities for such schools.

Section 8. Section 10-66ii of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

The Department of Education shall, annually, publish a report on all of the best practices reported by governing councils of charter schools pursuant to subdivision (5) of subsection (b) of section 10-66cc and distribute a copy of such report to each public school superintendent and the governing council of each charter school and the committee of cognizance for education in the General Assembly.

Section 9. Section 10-66kk of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) The governing council of each state charter school shall post on ~~any Internet web site that the council operates~~ the charter school's primary website the (1) schedule, (2) agenda, and (3) minutes of each meeting, including any meeting of subcommittees of the governing council and (4) the names, affiliation, and municipality of residence for each council member. Meetings of the council shall be held within the municipality where the school is located and at a time and public location convenient to parents and all council members.

(b) The membership of the governing council of each state charter school shall meet the requirements concerning such membership set forth in the provisions of subdivision (3) of subsection (d) of section 10-66bb at the time of application for a state charter and at all other times.

(c) Each member of a charter school governing council who is not a parent, student, or teacher member, shall file with the state department of education a full financial disclosure identifying any potential conflicts of interest, relationships with management companies, and any other business dealings with the school, entities under contract with the school, or other charter schools.

(d) The governing council of each state charter school shall: (1) provide an appropriate learning environment for its students which includes a clear, publicly posted, and fair disciplinary policy and code of conduct that provides and details students due process rights, including the right to a hearing before a long-term removal, suspension, expulsion, or other disciplinary or alternative placement action that includes parental appeals and notification procedures. Such policy and code shall expressly identify, define, and bar inappropriate strategies, including, but not limited to assessing fines, assessing demerits leading to suspensions or expulsions, and permitting punitive measures that demean or humiliate students. (2) require for any student who is withdrawing from the school an administrator of the school, the student, and the parent or guardian of such student who is withdrawing from such school to sign a document (A) stating that the student is withdrawing, (B) indicating the reason for such withdrawal and whether such withdrawal is voluntary or involuntary, and (C) stating that no charter school personnel have prohibited, discouraged, or attempted to discourage the student from continued enrollment in the charter school. (3) annually report to the state student, by subgroup, attrition rates, including the date, reason, any related disciplinary action, and disposition of students, whether such exits were involuntary or voluntary exits, including school suspensions, expulsions, and referrals to law enforcement, and the number and rates of participation of students and parents in due process proceedings, (4) and shall not (i) select, employ, retain or otherwise compensate an attorney, accountant, or auditing

firm that provides services to a charter management organization that has contract with the charter school.

(e) No governing council of a charter school shall contract or permit the contracting of such school with a service provider without (1) such contract including a clause prohibiting such provider from compiling, using, selling, posting, or sharing student, teacher, classroom, or school data for any purpose other than that which is specifically related to specific school operations detailed in such contract, (2) a written disclosure to parents and staff of the collection of any data and the reasons why, (3) the written, signed consent of the parent or guardian of each student whose information may be included in any data shared with a third-party service provider, and (4) the signed consent of any school staff whose information is included in any data aggregated at the classroom or teacher level.

(f) The governing council of each state charter school shall post on such school's primary web site (1) meeting information required pursuant to subsection (a) of this section, as amended by this act, (2) all school policies, handbooks, discipline and behavior codes in effect at the school, (3) the names and business contact information for professional staff at the school, (4) instructional strategies, curricula, and standardized testing schedules, (5) school budgets, including the sources of all revenue and donations and such donations' duration, expenses, and marketing costs, (6) information about management companies and other contractors providing educational and financial services to the school, including full contracts and addendums, within 10 days of any such contracts execution, (7) the total amount of fees paid to any charter management organization, (8) any financing, tax credits, or other instruments used by the organization to fund school facilities under its control, (9) the amount of any rent paid for school facilities and the name of the recipient(s) of such payments, and (10) the school's charter application, charter document, and any performance agreements entered into with a management organization.

Section 10. **Section 10-66ll** of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

Annually, the commissioner shall randomly select one state charter school, as defined in subdivision (3) of section 10-66aa, to be subject to a comprehensive financial audit conducted by ~~an auditor selected by the Commissioner of Education~~ **the State Auditor of Public Accounts**. Except as provided for in subsection (d) of section 10-66ee, the charter school shall be responsible for all costs associated with the audit conducted pursuant to the provisions of this section.

Section 11. Section 10-66mm of the General Statutes is repealed and the following substituted thereof:

On or before July 1, 2011, the State Board of Education shall adopt regulations, in accordance with the provisions of chapter 54, to (1) prohibit a charter school and any affiliated charter management organization operating such charter school from sharing board members with other charter schools and such charter management organizations; (2) require the disclosure of sharing management personnel; (3) prohibit unsecured, noninterest bearing transfers of state and federal funds between charter schools and from charter schools to charter management organizations; (4) define allowable direct or indirect costs and the methodology to be used by charter management organizations to calculate per pupil service fees; and (5) permit charter management organizations to collect private donations for purposes of distributing to charter schools, provided the names, sources, duration and allocation of such donations are reported publicly, continually, and clearly posted on such organization's primary website.

Section 12. Subsection (c) of section 10-153b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(c) The employees in either unit defined in this section may designate any organization of certified professional employees to represent them in negotiations with respect to salaries, hours and other conditions of employment with the local or regional board of education which employs them by filing, during the period between March first and March thirty-first of any school year, with the local or regional board of education, or in the case of a state charter school, as defined in section 10-6611, the State Board of Education, a petition which requests recognition of such organization for purposes of negotiation under this section and sections 10-153c to 10-153n, inclusive, and is signed by a majority of the employees in such unit. Where a new school district is formed as the result of the creation of a regional school district, a petition for designation shall also be considered timely if it is filed at any time from the date when such regional school district is approved pursuant to section 10-45 through the first school year of operation of any such school district. Where a new school district is formed as a result of the dissolution of a regional school district, a petition for designation shall also be considered timely if it is filed at any time from the date of the election of a board of education for such school district through the first year of operation of any such school district. Within three school days next following the receipt of such petition, such local or regional board of education shall post a notice of such request for recognition and mail a copy thereof to the commissioner, except that if such petition is filed by the employees of a state charter school, the State Board of Education shall post a notice of such request for recognition and mail a copy thereof to the commissioner and the governing council of such charter school. Such notice shall state the name of the organization designated by the petitioners, the unit to be represented and the date of receipt of such petition by the local or regional board of education. If no petition which requests a representation election and is signed by twenty per cent of the employees in

such unit is filed in accordance with the provisions of subsection (d) of this section, with the commissioner within the thirty days next following the date on which the local or regional or state board of education posts notice of the designation petition, such local or regional board of education, or in the case of a state charter school, the governing council of such school, shall recognize the designated organization as the exclusive representative of the employees in such unit for a period of one year or until a representation election has been held for such unit pursuant to this section and section 10-153c, whichever occurs later. If a petition complying with the provisions of subsection (d) of this section is filed within such period of thirty days, the local or regional board of education, or in the case of a state charter school, the governing council of such school, shall not recognize any organization so designated until an election has been held pursuant to said sections to determine which organization shall represent such unit.

Section 13. Subsection (j) of section 4-61dd of the General Statutes is repealed and the following substituted thereof:

(j) As used in this section:

(1) "Large state contract" means a contract between an entity and a state or quasi-public agency, having a value of five million dollars or more; and

(2) "Large state contractor" means an entity that has entered into a large state contract with a state or quasi-public agency and, notwithstanding subdivision (1) of this subsection, shall include charter schools and charter management organizations as defined in 10-66aa.