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## **OLR Bill Analysis**

### **sHB 6644**

#### ***AN ACT CONCERNING THE DISTRIBUTION OF INFORMATION REGARDING SPECIAL EDUCATION TO FAMILIES AND STUDENTS.***

#### **SUMMARY**

By January 1, 2024, this bill requires the State Department of Education (SDE) to develop an informational handout for students to explain (1) what it means to have an individualized education program (IEP) or a 504 plan (see BACKGROUND), and (2) the rights entitled to them in the classroom under these programs or plans.

The bill also requires an eligible child's Birth to Three (see BACKGROUND) individual service coordinator, at least three months prior to the child's third birthday, to meet with the parent or guardian to provide and discuss transitional information related to the child's special education eligibility in the public school district.

EFFECTIVE DATE: July 1, 2023

#### **IEP AND 504 PLAN INFORMATION**

The handout must include a glossary of the most common tools used in program or plan implementation and be (1) age appropriate; (2) prepared separately for students in grades kindergarten to four, five to eight, and nine to 12; and (3) translated into multiple languages, including English, Spanish, Portuguese, French, and Polish.

SDE must post this handout on its website and make it available to local and regional boards of education, which must in turn provide the handout to each child with an IEP or 504 plan.

By law, as soon as a student is formally identified as requiring special education, and at each of the student's planning and placement team

(PPT) meetings thereafter, the board of education must provide the student, and their parents, guardians, or surrogate parent, with information on special education laws, their rights under these laws, and relevant information and resources on IEPs created by SDE.

The bill requires this information to include (1) the SDE-developed Parent's Guide to Special Education in Connecticut and (2) a separate, plain language document providing a detailed explanation of the hearing and appeals process available to the student if there is a disagreement about the student's IEP; their identification, evaluation, or educational placement; and the provision of a free appropriate public education to the student. This document must include information about available resources and local advocacy groups that provide assistance on these hearings and appeals, such as the Connecticut Parent Advocacy Center.

### **BIRTH TO THREE**

The bill also requires an eligible child's Birth to Three (see BACKGROUND) individual service coordinator, at least three months prior to the child's third birthday, to meet with the parent or guardian to provide and discuss the contact information for the special education administrator or coordinator in the child's school district and give this administrator the child's individualized family service plan.

Existing law generally requires each eligible child and his or her family to receive a (1) multidisciplinary assessment, (2) written individualized family service plan, and (3) periodic review of the individualized family service plan within set time frames (CGS § 17a-248e(a)).

### **BACKGROUND**

#### ***IEP and 504 Plans***

The term "IEP" comes from the federal special education law known as the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), which aims to ensure equal access to public education for students with special education needs. A student who has an IEP has a right to special education and related services.

Named after Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. § 794), a 504 plan is a formal accommodation plan for a public school student who has a mental or physical impairment that substantially limits one or more major life activities, which must be related to their educational environment. A student can be covered by a 504 plan whether or not they are eligible for special education. Students with 504 plans generally are enrolled in regular, rather than special, education programs with accommodations.

***Eligible Child***

By law, an “eligible child” under the Birth to Three Program is a child up to age 36 months who is not eligible for special education and related services and who needs early intervention services because he or she is (1) experiencing a significant developmental delay as measured by standardized diagnostic instruments and procedures or (2) diagnosed as having a physical or mental condition that has a high probability of resulting in a developmental delay (CGS § 17a-248(4)).

**COMMITTEE ACTION**

Committee on Children

Joint Favorable Substitute

Yea 19 Nay 0 (03/03/2023)