



General Assembly

Substitute Bill No. 1561

January Session, 2025



AN ACT CONCERNING RESOURCES FOR SPECIAL EDUCATION.

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

1 Section 1. Section 10-76a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2025*):

3 Whenever used in sections 10-76a to 10-76i, inclusive, as amended by
4 this act, or sections 2 and 3 of this act:

5 (1) "Commissioner" means the Commissioner of Education.

6 (2) "Child" means any person twenty-two years of age or younger or,
7 for children requiring special education, until such child is graduated
8 from high school or at the end of the school year during which such
9 child reaches age twenty-two, whichever occurs first.

10 (3) An "exceptional child" means a child who deviates either
11 intellectually, physically or emotionally so markedly from normally
12 expected growth and development patterns that he or she is or will be
13 unable to progress effectively in a regular school program and needs a
14 special class, special instruction or special services.

15 (4) "Special education" means specially designed instruction
16 developed in accordance with the regulations of the commissioner,
17 subject to approval by the State Board of Education offered at no cost to

18 parents or guardians, to meet the unique needs of a child with a
19 disability, including instruction conducted in the classroom, in the
20 home, in hospitals and institutions, and in other settings and instruction
21 in physical education and special classes, programs or services,
22 including related services, designed to meet the educational needs of
23 exceptional children.

24 (5) "A child requiring special education" means any exceptional child
25 who (A) meets the criteria for eligibility for special education pursuant
26 to the Individuals With Disabilities Education Act, 20 USC 1400, et seq.,
27 as amended from time to time, (B) has extraordinary learning ability or
28 outstanding talent in the creative arts, the development of which
29 requires programs or services beyond the level of those ordinarily
30 provided in regular school programs but which may be provided
31 through special education as part of the public school program, or (C) is
32 age three to [five] eight, inclusive, and is experiencing developmental
33 delay that causes such child to require special education.

34 (6) "Developmental delay" means significant delay in one or more of
35 the following areas: (A) Physical development; (B) communication
36 development; (C) cognitive development; (D) social or emotional
37 development; or (E) adaptive development, as measured by appropriate
38 diagnostic instruments and procedures and demonstrated by scores
39 obtained on an appropriate norm-referenced standardized diagnostic
40 instrument.

41 (7) "Related services" means related services, as defined in the
42 Individuals With Disabilities Education Act, 20 USC 1400 et seq., as
43 amended from time to time.

44 (8) "Extraordinary learning ability" and "outstanding creative talent"
45 shall be defined by regulation by the commissioner, subject to the
46 approval of the State Board of Education, after consideration by said
47 commissioner of the opinions of appropriate specialists and of the
48 normal range of ability and rate of progress of children in the
49 Connecticut public schools.

50 (9) "Charging entity" means an approved private provider of special
51 education services, regional educational service center, operator of an
52 interdistrict magnet school program, state charter school, a cooperative
53 arrangement pursuant to section 10-158a, a local or regional board of
54 education operating an outplacement program or as part of the state-
55 wide interdistrict public school attendance program pursuant to section
56 10-266aa, or a provider of special education transportation services.

57 (10) "Provider of special education transportation services" means an
58 entity that contracts with a local or regional board of education to
59 provide transportation for students receiving special education and
60 related services in an educational placement or facility that is not under
61 the jurisdiction of such board of education, to and from the location of
62 such educational placement or facility.

63 (11) "Private provider of special education services" has the same
64 meaning as provided in section 10-91g.

65 (12) "Unilateral placement" means an educational placement for a
66 child requiring special education and related services that is not under
67 the jurisdiction of the local or regional board of education obligated to
68 provide special education and related services under sections 10-76b to
69 10-76i, inclusive, as amended by this act, made by the parent or guardian
70 of such child, or a surrogate parent of such child appointed pursuant to
71 section 10-94g, or such child if such child is an emancipated minor or
72 eighteen years of age or older, without the approval of the planning and
73 placement team because of a belief that such board of education is not
74 able to provide an appropriate educational program, and in which such
75 parent, guardian, surrogate parent or child is responsible for paying
76 tuition and subsequently seeks financial reimbursement from such
77 board of education.

78 Sec. 2. (NEW) (*Effective from passage*) (a) The Office of Policy and
79 Management, in consultation with the Department of Education and the
80 Child Advocate, shall collect and analyze information relating to the
81 tuition, rates and other fees for special education and related services

82 charged to local and regional boards of education by a charging entity,
83 as defined in section 10-76a of the general statutes, as amended by this
84 act. In analyzing such information relating to tuition, rates and other
85 fees, the office shall examine the operating expenses of the charging
86 entities and determine how such charging entities are incorporating
87 such operating expenses into the tuition, rates and other fees being
88 charged to local and regional boards of education. The office and
89 department shall determine which data shall be collected and the
90 frequency of such collection.

91 (b) For the purposes of the collection and analysis of information
92 relating to tuition, rates and other fees charged for special education and
93 related services by a charging entity, the office may request the Auditors
94 of Public Accounts to share any findings resulting from audits
95 conducted pursuant to section 10-91g of the general statutes.

96 Sec. 3. (NEW) (*Effective July 1, 2025*) (a) The Office of Policy and
97 Management, in consultation with the Department of Education, shall
98 establish a rate schedule for direct services provided pursuant to an
99 individualized education program, including, but not limited to,
100 speech, behavioral and occupational therapies, provided by a charging
101 entity. Such rate schedule shall be developed using the information
102 collected pursuant to section 2 of this act. Such rate schedule shall
103 include an individualized rate for each direct service provided pursuant
104 to an individualized education program, including, but not limited to,
105 speech, behavioral and occupational therapies, and standards for how a
106 charging entity may include its operating expenses into the total costs
107 for services charged to a local or regional board of education. The office,
108 in consultation with the department, shall, at least biennially, review
109 such rate schedule and modify such rate schedule as necessary.

110 (b) All amounts charged to a local or regional board of education for
111 direct services pursuant to an individualized education program by a
112 charging entity shall be in accordance with the rate schedule established
113 pursuant to subsection (a) of this section. Any amount charged to and
114 paid by a local or regional board of education for such direct services

115 that exceeds the amount prescribed in the rate schedule shall not be
116 eligible for reimbursement under section 10-76g of the general statutes,
117 as amended by this act, or section 8 of this act. Any charging entity that
118 charges an amount that exceeds the amounts prescribed in the rate
119 schedule shall be prohibited from accepting any additional students
120 from local and regional boards of education until such charging entity
121 charges in accordance with the rate schedule.

122 (c) The Department of Education shall notify each local and regional
123 board of education of the rate schedule that will be effective for the
124 school year commencing on July first of the subsequent school year
125 following the school year that such notification is provided, except if the
126 rate schedule is modified then such notification shall be provided not
127 later than thirty days following such modification.

128 (d) The Department of Education shall post on its Internet web site
129 the rate schedule that is currently in effect and the rate schedule that will
130 go into effect on July first of the subsequent school year.

131 Sec. 4. (*Effective July 1, 2025*) (a) Except as otherwise provided in
132 subsection (b) of this section, for the school year commencing July 1,
133 2025, no charging entity, as defined in section 10-76a of the general
134 statutes, as amended by this act, shall increase the amount charged to a
135 local or regional board of education for the provision of special
136 education and related services for a student during said school year.

137 (b) For the school year commencing July 1, 2025, the Secretary of the
138 Office of Policy and Management may permit, upon request, a charging
139 entity to increase the amount it charges for special education services to
140 a local or regional board of education if there is a substantial increase in
141 costs (1) for the services being provided for a student, or (2) of the
142 operation of such charging entity. The secretary shall prescribe the form
143 and manner in which a charging entity may make such request,
144 including any documentation such charging entity is to provide
145 showing such substantial increase in costs. The secretary shall review
146 each request and provide a written decision approving or denying such

147 request not later than forty-five days after receiving such request.

148 Sec. 5. Subsection (d) of section 10-76d of the general statutes is
149 repealed and the following is substituted in lieu thereof (*Effective July 1,*
150 *2025*):

151 (d) To meet its obligations under sections 10-76a to 10-76g, inclusive,
152 as amended by this act, any local or regional board of education may
153 make agreements with another such board or subject to the consent of
154 the parent or guardian of any child affected thereby, [make agreements,
155 or on and after July 1, 2019,] or enter into a contract with any private
156 provider of special education services, as defined in section 10-91g,
157 [private school, or public or private agency or institution, including a
158 group home] to provide the necessary programs or services, [but no]
159 provided such agreement or contract is approved by the Office of Policy
160 and Management. Each local or regional board of education in making
161 such agreement or entering into such contract shall comply with the
162 following, as applicable to each agreement or contract:

163 (1) No expenditures made pursuant to a contract with a private
164 provider of special education services [, private school, agency or
165 institution] for such special education shall be paid under the provisions
166 of section 10-76g, as amended by this act, unless [(1)] (A) such contract
167 includes a description of the educational program and other treatment
168 the child is to receive, a statement of minimal goals and objectives which
169 it is anticipated such child will achieve, an estimated time schedule for
170 returning the child to the community or transferring such child to
171 another appropriate facility, and an explanation of how the tuition, [or
172 costs] rates or other fees charged for services provided [under the
173 agreement or contract, (2)] are to be calculated in accordance with the
174 rate schedule established pursuant to section 3 of this act, (B) subject to
175 the provisions of this subsection, the educational needs of the child for
176 whom such special education is being provided cannot be met by public
177 school arrangements in the opinion of the commissioner who, before
178 granting approval of such contract for purposes of payment, shall
179 consider such factors as the particular needs of the child, the

180 appropriateness and efficacy of the program offered by such private
181 [school, agency or institution] provider of special education services,
182 and the economic feasibility of comparable alternatives, [and (3)
183 commencing with the 1987-1988 school year and for each school year
184 thereafter,] (C) each such private provider of special education services
185 [, private school, agency or institution] has been approved for special
186 education by the Commissioner of Education or by the appropriate
187 agency for facilities located out of state, except as provided in subsection
188 (b) of this section, and (D) for the school year commencing July 1, 2026,
189 and each school year thereafter, such local or regional board of
190 education submits to the commissioner the documentation used by such
191 board to determine that such private provider of special education
192 services is more appropriate for the educational needs of the child for
193 whom special education is being provided than any public school
194 arrangement. Notwithstanding the provisions of [subdivision (2)]
195 subparagraph (B) of this [subsection] subdivision or any regulations
196 adopted by the State Board of Education setting placement priorities,
197 placements pursuant to this section and payments under section 10-76g,
198 as amended by this act, may be made pursuant to such a contract if the
199 public arrangements are more costly than the private provider of special
200 education services, [private school, institution or agency,] provided the
201 private provider of special education services [, private school,
202 institution or agency] meets the educational needs of the child and its
203 program is appropriate and efficacious. Any payment under the
204 provisions of section 10-76g, as amended by this act, or section 8 of this
205 act, shall include all expenditures incurred by a local or regional board
206 of education pursuant to a contract with a private provider of special
207 education services [, private school, agency or institution,] that is in
208 accordance with the rate schedule and to the extent permitted under
209 said [section] sections, during the school year in which such private
210 provider of special education services [, private school, agency or
211 institution] provided such services, even if such private provider of
212 special education services [, private school, agency or institution] is
213 approved for special education by the Commissioner of Education
214 during such school year. [Notwithstanding the provisions of this

215 subsection to the contrary, nothing in this subsection shall (A) require
216 the removal of a child from a nonapproved facility if the child was
217 placed there prior to July 7, 1987, pursuant to the determination of a
218 planning and placement team that such a placement was appropriate
219 and such placement was approved by the Commissioner of Education,
220 or (B) prohibit the placement of a child at a nonapproved facility if a
221 planning and placement team determines prior to July 7, 1987, that the
222 child be placed in a nonapproved facility for the 1987-1988 school year.]
223 Each child placed in a nonapproved facility [as described in
224 subparagraphs (A) and (B) of subdivision (3) of this subsection] may
225 continue at [the] such nonapproved facility provided the planning and
226 placement team, [or] a hearing officer appointed pursuant to section 10-
227 76h, as amended by this act, or a court determines that [the] such
228 placement [is appropriate] provides an appropriate public education
229 and that there is not another charging entity able to offer a placement
230 for such child that provides an appropriate public education.
231 Expenditures incurred by any local or regional board of education [to
232 maintain children in] as a result of such placement in such nonapproved
233 facilities [as described in said subparagraphs (A) and (B) shall] (i) by a
234 planning and placement team shall not be paid pursuant to the
235 provisions of section 10-76g, as amended by this act, or section 8 of this
236 act, and (ii) pursuant to an order of a hearing officer appointed pursuant
237 to section 10-76h, as amended by this act, or a court may be paid
238 pursuant to the provisions of section 10-76g, as amended by this act, and
239 section 8 of this act.

240 (2) Any local or regional board of education may enter into a contract
241 with the owners or operators of any sheltered workshop or
242 rehabilitation center for provision of an education occupational training
243 program for children requiring special education who are at least
244 sixteen years of age, provided such workshop or institution shall have
245 been approved by the appropriate state agency.

246 (3) Whenever any child is identified by a local or regional board of
247 education as a child requiring special education and such board of
248 education determines that the requirements for special education could

249 be met by a program provided within the district or by agreement with
250 another board of education except for the child's need for services other
251 than educational services such as medical, psychiatric or institutional
252 care or services, such board of education may meet its obligation to
253 furnish special education for such child by paying the reasonable cost of
254 special education instruction in a private provider of special education
255 services, private school, hospital or other institution provided such
256 board of education or the commissioner concurs that placement in such
257 institution is necessary and proper and no state institution is available
258 to meet such child's needs. Any such private provider of special
259 education services, private school, hospital or other institution receiving
260 such reasonable cost of special education instruction by such board of
261 education shall submit all required documentation to such board of
262 education for purposes of submitting claims to the Medicaid School
263 Based Child Health Program administered by the Department of Social
264 Services.

265 Sec. 6. (NEW) (*Effective July 1, 2025*) For purposes of determining the
266 reasonable costs associated with the provision of special education and
267 related services pursuant to subdivision (7) of subsection (d) of section
268 10-66ee of the general statutes, subsection (d) of section 10-76d of the
269 general statutes, as amended by this act, section 10-76g of the general
270 statutes, as amended by this act, subsection (a) of section 10-76i of the
271 general statutes, subsection (b) of section 10-253 of the general statutes,
272 subsection (h) of section 10-264l of the general statutes and subsection
273 (i) of section 10-266aa of the general statutes, (1) on and after July 1, 2026,
274 "reasonable costs" means the amount allowed to be charged to a local or
275 regional board of education by a charging entity, as defined in section
276 10-76a of the general statutes, as amended by this act, under the
277 individualized special education and related services rate schedule
278 established pursuant to section 3 of this act for the provision of special
279 education and related services pursuant to a student's individualized
280 education program, and (2) on and after July 1, 2025, there shall be no
281 presumption that "reasonable costs" means the actual cost incurred for
282 the provision of special education and related services pursuant to a

283 student's individualized education program.

284 Sec. 7. Subsection (b) of section 10-76g of the general statutes is
285 repealed and the following is substituted in lieu thereof (*Effective July 1,*
286 *2025*):

287 (b) Any local or regional board of education which provides special
288 education pursuant to the provisions of sections 10-76a to 10-76g,
289 inclusive, as amended by this act, for any exceptional child described in
290 subparagraph (A) of subdivision (5) of section 10-76a, as amended by
291 this act, under its jurisdiction, excluding (1) children placed by a state
292 agency for whom a board of education receives payment pursuant to
293 the provisions of subdivision (2) of subsection (e) of section 10-76d, and
294 (2) children who require special education, who reside on state-owned
295 or leased property, and who are not the educational responsibility of the
296 unified school districts established pursuant to sections 17a-37 and 18-
297 99a, shall be financially responsible for the reasonable costs of special
298 education instruction, as defined in the regulations of the State Board of
299 Education, in an amount equal to, for the fiscal year commencing July 1,
300 2023, and each fiscal year thereafter, four and one-half times the net
301 current expenditures per pupil of such board of education, except, for
302 the fiscal year ending June 30, 2026, and each fiscal year thereafter, three
303 times the net current expenditures per pupil of such board of education
304 for two fiscal years for each child who was previously outplaced by such
305 board and for whom such board is now providing direct in-district
306 special education and related services without the assistance of any
307 third-party contractor who is not an employee of such board. Except as
308 otherwise provided in subsection (d) of this section, the State Board of
309 Education shall, within available appropriations, pay on a current basis
310 any costs in excess of the local or regional board's basic contribution
311 paid by such board in accordance with the provisions of this subsection.
312 Any amounts paid by the State Board of Education on a current basis
313 pursuant to this subsection shall not be reimbursable in the subsequent
314 year. Application for such grant shall be made by filing with the
315 Department of Education, in such manner as prescribed by the
316 commissioner, annually on or before December first a statement of the

317 cost of providing special education pursuant to this subsection,
318 provided a board of education may submit, not later than March first,
319 claims for additional children or costs not included in the December
320 filing. Payment by the state for such excess costs shall be made to the
321 local or regional board of education as follows: Seventy-five per cent of
322 the cost in February and the balance in May. The amount due each town
323 pursuant to the provisions of this subsection shall be paid to the
324 treasurer of each town entitled to such aid, provided the treasurer shall
325 treat such grant, or a portion of the grant, which relates to special
326 education expenditures incurred in excess of such town's board of
327 education budgeted estimate of such expenditures, as a reduction in
328 expenditures by crediting such expenditure account, rather than town
329 revenue. Such expenditure account shall be so credited no later than
330 thirty days after receipt by the treasurer of necessary documentation
331 from the board of education indicating the amount of such special
332 education expenditures incurred in excess of such town's board of
333 education budgeted estimate of such expenditures.

334 Sec. 8. (NEW) (*Effective July 1, 2025*) (a) As used in this section:

335 (1) "Base aid ratio" has the same meaning as provided in section 10-
336 262f of the general statutes.

337 (2) "Foundation" has the same meaning as provided in section 10-262f
338 of the general statutes.

339 (3) "Resident students" has the same meaning as provided in section
340 10-262f of the general statutes.

341 (4) "Special education need students" means fifty per cent of the
342 number of resident students who are children requiring special
343 education and related services, as such terms are defined in section 10-
344 76a of the general statutes, as amended by this act.

345 (5) "Fully funded grant" means the product of a town's base aid ratio,
346 the foundation and the town's special education need students for the
347 fiscal year prior to the year in which the grant is to be paid.

348 (b) For the fiscal year ending June 30, 2026, and each fiscal year
349 thereafter, each board of education for a town maintaining public
350 schools according to law shall be entitled to a special education offset
351 grant in an amount equal to its fully funded grant.

352 (c) For the fiscal year ending June 30, 2026, and each fiscal year
353 thereafter, the board of education for a town shall be paid a special
354 education offset grant equal to the amount such board is entitled to
355 receive under the provisions of subsection (b) of this section. Such grant
356 shall be calculated using the data of record as of the December first prior
357 to the fiscal year such grant is to be paid, adjusted for the difference
358 between the final entitlement for the prior fiscal year and the
359 preliminary entitlement for such fiscal year as calculated using the data
360 of record as of the December first prior to the fiscal year when such grant
361 was paid.

362 (d) The amount due each board of education pursuant to the
363 provisions of subsection (c) of this section shall be paid by the
364 Comptroller, upon certification of the Commissioner of Education, to
365 the board of education for each town entitled to such aid in installments
366 during the fiscal year as follows: Twenty-five per cent of the grant in
367 October, twenty-five per cent of the grant in January and the balance of
368 the grant in April. The balance of the grant due boards under the
369 provisions of this subsection shall be paid in March rather than April to
370 any board that has not adopted the uniform fiscal year and that would
371 not otherwise receive such final payment within the fiscal year of such
372 board.

373 (e) (1) All aid distributed to a board of education pursuant to the
374 provisions of this section shall be expended for special education
375 purposes only. For the fiscal year ending June 30, 2026, and each fiscal
376 year thereafter, if a board receives an increase in funds pursuant to this
377 section over the amount it received for the prior fiscal year, such
378 increase shall not be used to supplant funding for special education
379 purposes. The budgeted appropriation for special education for any
380 board receiving an increase in funds pursuant to this section shall be not

381 less than the amount appropriated for special education for the prior
382 year plus such increase in funds. For purposes of this subsection,
383 "special education purposes" means the direct provision of special
384 education and related services to students, academic and behavioral
385 interventions, the hiring and salaries of special education teachers,
386 paraeducators and behavioral and reading specialists who work
387 directly with students, equipment purchases and maintenance and
388 curriculum materials. "Special education purposes" does not include
389 any (A) administrative functions or operating expenses related to the
390 provision of special education and related services, or (B) special
391 education and related services provided by any third-party contractor.

392 (2) Upon a determination by the State Board of Education that a local
393 or regional board of education failed in any fiscal year to meet the
394 requirements pursuant to subdivision (1) of this subsection, the board
395 of education shall forfeit an amount equal to two times the amount of
396 the shortfall. The amount so forfeited shall be withheld by the
397 Department of Education from the grant payable to the board of
398 education in the second fiscal year immediately following such failure
399 by deducting such amount from the board of education's special
400 education offset grant payment pursuant to this section.
401 Notwithstanding the provisions of this subdivision, the State Board of
402 Education may waive such forfeiture upon agreement with the board of
403 education that the board of education shall increase its appropriation for
404 special education during the fiscal year in which the forfeiture would
405 occur by an amount not less than the amount of said forfeiture or for
406 other good cause shown.

407 (f) Not later than July 15, 2026, and annually thereafter, each local and
408 regional board of education shall submit an annual expenditure report
409 to the Commissioner of Education, except any board of education that
410 receives a grant under this section that is less than ten thousand dollars
411 in any fiscal year shall not be responsible for submitting such report for
412 such fiscal year. Such report shall include a summary and itemization of
413 how grant funds received pursuant to this section were expended
414 during the prior fiscal year for the direct provision of special education

415 and related services to students, including whether such grant was used
416 to hire any new special education teachers, paraeducators or behavioral
417 or reading specialists.

418 Sec. 9. (NEW) (*Effective July 1, 2025*) (a) For the fiscal year ending June
419 30, 2026, and each fiscal year thereafter, the Office of Policy and
420 Management shall administer a special education transportation grant
421 program to reimburse local and regional boards of education in an
422 amount that is proportional to the amount of each board's special
423 education transportation costs. A local or regional board of education
424 may apply for a grant under this section in a form and manner
425 prescribed by the office.

426 (b) The office shall distribute grants from a total amount not to exceed
427 fifty million dollars annually to local and regional boards of education
428 for the purpose of providing such reimbursements, except the office
429 may expend less than fifty million dollars in a fiscal year if the office is
430 able to demonstrate savings through consolidation of contracting,
431 implementation of cost-saving measures or any other efficiency.

432 (c) The office may request any information that the office deems
433 necessary for the administration of the grant program from the
434 Department of Transportation or any local or regional board of
435 education that receives a grant under this section.

436 Sec. 10. (*Effective July 1, 2025*) (a) The sum of fifty million dollars is
437 appropriated to the Office of Policy and Management from the Special
438 Transportation Fund, for the fiscal year ending June 30, 2026, for
439 administration of the special education transportation grant program
440 pursuant to section 9 of this act.

441 (b) The sum of fifty million dollars is appropriated to the Office of
442 Policy and Management from the Special Transportation Fund, for the
443 fiscal year ending June 30, 2027, for administration of the special
444 education transportation grant program pursuant to section 9 of this act.

445 Sec. 11. (NEW) (*Effective July 1, 2025*) (a) The Department of

446 Transportation shall develop recommended coordinated bus routes for
447 all special education students traveling to and from special education
448 outplacements in the state. Such recommended coordinated bus routes
449 shall be developed to maximize efficiency and reduce expenses in the
450 provision of special education and related services and be in accordance
451 with state and federal law.

452 (b) Each local and regional board of education shall provide to the
453 department any data that the department deems necessary in order to
454 develop the recommended coordinated bus routes. Any local or
455 regional board of education that fails to provide the data requested by
456 the department under this subsection shall not be eligible to receive a
457 special education transportation grant pursuant to section 9 of this act.
458 A local or regional board of education may collaborate with other local
459 and regional boards of education to assist the department in the
460 development of such recommended coordinated bus routes.

461 (c) No local or regional board of education shall be required to utilize
462 a recommended coordinated bus route as part of its obligation to
463 provide special education and related services under sections 10-76a to
464 10-76g, inclusive, of the general statutes, as amended by this act.

465 Sec. 12. (NEW) (*Effective July 1, 2025*) (a) For the fiscal year ending
466 June 30, 2027, and each fiscal year thereafter, the Department of
467 Education shall, within available appropriations, administer a
468 competitive grant program for local and regional boards of education to
469 support in-district or regional special education programming and
470 services for students with disabilities. Grants awarded to local and
471 regional boards of education under the program may be used (1) to
472 enhance and improve existing special education programming and
473 services in the school district or start-up costs related to the creation of
474 in-district or regional special education programming and services for
475 students who are currently enrolled in a program operated by a
476 provider of special education services, as defined in section 10-91g of
477 the general statutes, (2) for planning and operational expenses related
478 to such in-district or regional special education programming and

479 services, and (3) for the provision of early interventions for students
480 with dyslexia and multilingual learners.

481 (b) The Commissioner of Education shall develop the application to
482 be used by local and regional boards of education in applying for a grant
483 under this section. The application shall include, but need not be limited
484 to, a description of (1) the program location, (2) the student population
485 who will be served by the programming and services, (3) the staffing
486 needs for the programming and services, (4) any assistive technology
487 and materials necessary to implement the programming and services,
488 (5) any capital improvement needs, (6) the budget allocation for the
489 programming and services, and (7) any professional development
490 necessary for implementation of the programming and services. A local
491 or regional board of education shall submit such application in a form
492 and manner prescribed by the Commissioner of Education.

493 (c) The commissioner shall develop criteria for reviewing and
494 approving grant applications. Such criteria shall be based upon (1)
495 increasing students' access to high-quality general education
496 instruction, and (2) enhancing in-district or regional programming for
497 students with intensive needs, including giving priority to a board of
498 education for a town designated as an alliance district pursuant to
499 section 10-262u of the general statutes.

500 (d) Any local or regional board of education that receives a grant
501 under this section shall not expend such grant on special education
502 programming and services provided pursuant to a contract with a third
503 party or a private provider of special education services.

504 (e) Not later than September 30, 2027, and annually thereafter, any
505 local or regional board of education that has received a grant under the
506 program in the prior fiscal year shall submit a report to the
507 commissioner that assesses the impact of the grant on student outcomes
508 and district expenditures. The report shall contain any information and
509 data requested by the commissioner.

510 (f) Not later than December 31, 2027, and annually thereafter, the

511 department shall submit a report on the progress of the program to the
512 joint standing committee of the General Assembly having cognizance of
513 matters relating to education, in accordance with the provisions of
514 section 11-4a of the general statutes.

515 Sec. 13. Section 10-285a of the general statutes is amended by adding
516 subsection (l) as follows (*Effective July 1, 2025*):

517 (NEW) (l) If a school building project for a new building or for the
518 renovation or expansion of an existing building includes plans for the
519 expansion or creation of in-district special education programming and
520 services, the percentage determined pursuant to this section shall be
521 increased by fifteen percentage points, but shall not exceed one hundred
522 per cent, for the portion of the project used primarily for such purpose,
523 provided the portion of such school building project that will be used
524 primarily for such in-district special education programming and
525 services shall be a part of a school building that is being used to provide
526 a program of general education for nonspecial education students and
527 is a part of the school building being constructed or renovated or
528 expanded; and, provided further, any additional funding received by
529 the local or regional board of education resulting from and related to the
530 inclusion of such plans for the expansion or creation of in-district special
531 education programming and services shall be expended for such
532 construction or renovation or expansion.

533 Sec. 14. Subsection (b) of section 10-283 of the general statutes is
534 repealed and the following is substituted in lieu thereof (*Effective July 1,*
535 *2025*):

536 (b) Notwithstanding the application date requirements of this
537 section, at any time within the limit of available grant authorization and
538 within the limit of appropriated funds, the Commissioner of
539 Administrative Services, in consultation with the Commissioner of
540 Education, may approve applications for grants and make payments for
541 such grants, for any of the following reasons: [(A)] (1) To assist school
542 building projects to remedy damage from fire and catastrophe, [(B)] (2)

543 to correct safety, health and other code violations, [(C)] (3) to replace
544 roofs, including the replacement or installation of skylights as part of
545 the roof replacement project, [(D)] (4) to remedy a certified school
546 indoor air quality emergency, [(E)] (5) to install insulation for exterior
547 walls and attics, [or (F)] (6) to purchase and install a limited use and
548 limited access elevator, windows, photovoltaic panels, wind generation
549 systems, building management systems or portable classroom
550 buildings, provided portable classroom building projects shall not
551 create a new facility or cause an existing facility to be modified so that
552 the portable buildings comprise a substantial percentage of the total
553 facility area, as determined by the commissioner, or (7) on and after July
554 1, 2026, to assist a local or regional board of education in making minor
555 capital improvements to the portion of an existing school building that
556 will be used primarily for the purpose of providing special education
557 and related services to students in the least restrictive environment,
558 provided such existing school building is also being used to provide a
559 program of general education for nonspecial education students.

560 Sec. 15. (*Effective from passage*) (a) Not later than January 1, 2026, the
561 Department of Administrative Services shall notify each local and
562 regional board of education that such board may apply for a school
563 building project grant under subdivision (7) of subsection (b) of section
564 10-283 of the general statutes, as amended by this act, for minor capital
565 improvements to existing school buildings for the purpose of providing
566 special education and related services to students.

567 (b) Not later than January 1, 2026, the Department of Administrative
568 Services shall develop criteria for prioritizing projects described in
569 subdivision (7) of subsection (b) of section 10-283 of the general statutes,
570 as amended by this act, for grants under said subdivision. The
571 department shall include such criteria in the notice provided to local and
572 regional boards of education under subsection (a) of this section.

573 Sec. 16. (NEW) (*Effective July 1, 2025*) Any local or regional board of
574 education, regional educational service center, operator of an
575 interdistrict magnet school program, governing authority of a state

576 charter school, private provider of special education services, as defined
577 in section 10-91g of the general statutes, approved by the Commissioner
578 of Education pursuant to section 10-76d of the general statutes, as
579 amended by this act, or any other entity described in subsection (d) of
580 section 10-76d of the general statutes, as amended by this act, that
581 provides special education or related services to a student for which
582 another local or regional board of education is financially responsible
583 for such services, shall return to such other board a prorated portion of
584 funds, calculated to the end of the school year, paid by such other board
585 for such special education and related services if, during the school year,
586 such student transitions out of or withdraws from the program of
587 special education and related services provided by such board, center,
588 magnet school program, state charter school, private provider or other
589 entity and enrolls in a school under such other board or in another
590 school district.

591 Sec. 17. (NEW) (*Effective July 1, 2025*) Any local or regional board of
592 education, regional educational service center, operator of an
593 interdistrict magnet school program, governing authority of a state
594 charter school, private provider of special education services, as defined
595 in section 10-91g of the general statutes, approved by the Commissioner
596 of Education pursuant to section 10-76d of the general statutes, as
597 amended by this act, technical education or career school, or any other
598 entity described in subsection (d) of section 10-76d of the general
599 statutes, as amended by this act, that is providing special education or
600 related services to a student, shall, prior to such student transitioning
601 out of or withdrawing from such program of special education and
602 related services, convene a meeting of the planning and placement team
603 for the purposes of addressing such student's transition or withdrawal
604 to ensure that such student's individualized education program will
605 continue to contain the supports and services that such student requires
606 in order to access a free and appropriate public education in the least
607 restrictive environment.

608 Sec. 18. (NEW) (*Effective July 1, 2025*) (a) Not later than December 1,
609 2026, the Office of Policy and Management, in consultation with the

610 Department of Education and the Child Advocate, shall develop, and
611 update not less than annually thereafter, a listing of each special
612 education program offered by any (1) regional educational service
613 center, (2) private provider of special education services, as defined in
614 section 10-91g of the general statutes, approved by the Commissioner of
615 Education pursuant to section 10-76d of the general statutes, as
616 amended by this act, or (3) local or regional board of education that
617 accepts out-of-district student placements. Such listing shall specify for
618 each program the types of services provided and the physical location
619 where such program offers special education.

620 (b) Not later than January 15, 2027, and upon receipt of an updated
621 list of special education programs from the Office of Policy and
622 Management, the Department of Education shall post such list to the
623 online public database maintained by the department on its Internet
624 web site and send such list to each local and regional board of education
625 in the state.

626 Sec. 19. (*Effective July 1, 2025*) (a) The Office of Policy and
627 Management shall develop licensure standards for private providers of
628 special education services, as defined in section 10-91g of the general
629 statutes, in the state that shall include, but need not be limited to, (1) the
630 application and review process for such licensure, (2) periods for initial
631 licensure and license renewal, (3) minimum requirements based on the
632 type of special education services provided, and (4) a fee of five
633 thousand dollars for each application for initial licensure and one
634 thousand five hundred dollars for each application for a license renewal.

635 (b) Not later than January 1, 2026, the Secretary of the Office of Policy
636 and Management shall submit, in accordance with the provisions of
637 section 11-4a of the general statutes, to the joint standing committee of
638 the General Assembly having cognizance of matters relating to
639 education the licensure standards developed pursuant to subsection (a)
640 of this section and any legislative recommendations to implement such
641 standards.

642 Sec. 20. Section 10-74u of the general statutes is repealed and the
643 following is substituted in lieu thereof (*Effective July 1, 2025*):

644 (a) The Department of Education shall conduct audits of special
645 education programs in randomly selected school districts each year to
646 oversee the implementation of the Individuals with Disabilities
647 Education Act, 20 USC 1400 et seq., as amended from time to time. Such
648 audits shall include, but need not be limited to, (1) interviewing teachers
649 and staff who provide special education services and parents or
650 guardians of children requiring special education, (2) conducting
651 unannounced on-site visits to observe classroom practice and any other
652 facet of the administration or provision of special education services in
653 order to ensure compliance with individual education plans and all state
654 and federal law and guidance, and (3) reviewing individualized
655 education programs.

656 (b) (1) On and after July 1, 2027, the Department of Education shall
657 conduct annual unannounced on-site visits of randomly selected sites at
658 which a regional educational service center is providing special
659 education services or a private provider of special education services, as
660 defined in section 10-91g, is providing special education services
661 pursuant to a contract with a local or regional board of education for
662 such school year, whether or not such private provider of special
663 education services is approved by the Commissioner of Education
664 pursuant to the provisions of subsection (d) of section 10-76d, as
665 amended by this act. Such site visit shall include, but need not be limited
666 to, (A) review of documentation of employee qualifications and
667 compliance with certification and in-service training requirements
668 relevant to each employee, (B) review of proof of completion of a
669 criminal history and child abuse and neglect registry check for each
670 employee pursuant to sections 10-221d or 10-232a to 10-232d, inclusive,
671 as amended by this act, and (C) administration of a questionnaire to the
672 parents or legal guardians of students receiving special education
673 services from such regional educational service center or private
674 provider of special education services concerning the quality of such
675 services.

676 (2) Not later than ten business days following such site visit, the
677 Commissioner of Education shall notify such regional educational
678 service center or private provider of special education services in
679 writing of the findings from such site visit and any required corrective
680 actions.

681 (3) Each regional educational service center or private provider of
682 special education services that receives written findings of a site visit
683 with required corrective actions shall submit to the department written
684 proof of compliance with such corrective actions not later than thirty
685 days following receipt of such written findings. Any regional
686 educational service center or private provider of special education
687 services that does not submit such proof of compliance by such deadline
688 shall be fined not more than one hundred dollars per day for each day
689 of noncompliance with the provisions of this subdivision.

690 (4) No local or regional board of education shall place any additional
691 student for the provision of special education services with a regional
692 educational service center or private provider of special education
693 services that is not in compliance with the provisions of subdivision (3)
694 of this subsection during such period of noncompliance.

695 (5) Not later than fifteen days following the submission or receipt of
696 the written records required pursuant to this subsection, the department
697 shall, in a manner that complies with the requirements of the Family
698 Educational Rights and Privacy Act, 20 USC 1232g, as amended from
699 time to time, post such written record to the online public database
700 maintained by the department on its Internet web site and send such
701 written record to each local or regional board of education that has
702 placed a student for the provision of special education services with the
703 regional educational service center or the private provider of special
704 education services that is the subject of such written record.

705 Sec. 21. Section 10-232a of the general statutes is repealed and the
706 following is substituted in lieu thereof (*Effective July 1, 2025*):

707 (a) As used in this section and sections 10-232b and 10-232c,

708 "nongovernmental school operator" means an operator of an
709 interdistrict magnet school that is a third-party not-for-profit
710 corporation approved by the Commissioner of Education, the
711 governing council of a state or local charter school, an endowed or
712 incorporated academy approved by the State Board of Education
713 pursuant to section 10-34, a special education facility approved by the
714 State Board of Education pursuant to section 10-76d, as amended by this
715 act, the supervisory agent of a nonpublic school, [or] a cooperative
716 arrangement pursuant to section 10-158a and a private provider of
717 special education services, as defined in section 10-91g.

718 (b) Each nongovernmental school operator shall, subject to the
719 provisions of section 31-51i, (1) require each applicant for a position with
720 such nongovernmental school operator to state, in writing, whether
721 such applicant has ever been convicted of a crime or whether criminal
722 charges are pending against such applicant at the time of such
723 application and, if charges are pending, to state the charges and the
724 court in which such charges are pending, (2) require each applicant to
725 submit to a records check of the Department of Children and Families
726 child abuse and neglect registry established pursuant to section 17a-
727 101k, before such applicant may be hired by such nongovernmental
728 school operator, and (3) on and after July 1, 2019, require, subject to the
729 provisions of subsection (e) of this section, each applicant for a position
730 with such nongovernmental school operator to submit to state and
731 national criminal history records checks within thirty days from the date
732 of employment and may require, subject to the provisions of subsection
733 (e) of this section, any person hired prior to said date to submit to state
734 and national criminal history records checks. The criminal history
735 records checks required by this subsection shall be conducted in
736 accordance with section 29-17a, the federal National Child Protection
737 Act of 1993 and the federal Volunteers for Children Act of 1998. If the
738 nongovernmental school operator receives notice of a conviction of a
739 crime which has not previously been disclosed by such person to the
740 nongovernmental school operator, the nongovernmental school
741 operator may (A) terminate the contract of a certified employee, in

742 accordance with the provisions of section 10-151, if applicable, and (B)
743 dismiss a noncertified employee, provided such employee is notified of
744 the reason for such dismissal. If the nongovernmental school operator
745 receives notice of a conviction of a crime by a person holding a
746 certificate, authorization or permit issued by the State Board of
747 Education, the nongovernmental school operator shall send such notice
748 to the State Board of Education. The provisions of this subsection shall
749 not be construed to cause a nongovernmental school operator to
750 disseminate the results of any national criminal history records check.

751 (c) If a nongovernmental school operator requests, a regional
752 educational service center shall arrange for the fingerprinting of any
753 person required to submit to state and national criminal history records
754 checks pursuant to this section or for conducting any other method of
755 positive identification required by the State Police Bureau of
756 Identification or the Federal Bureau of Investigation and shall forward
757 such fingerprints or other positive identifying information to the State
758 Police Bureau of Identification which shall conduct criminal history
759 records checks in accordance with section 29-17a, the federal National
760 Child Protection Act of 1993 and the federal Volunteers for Children Act
761 of 1998. Such regional educational service center shall maintain such
762 fingerprints or other positive identifying information, which may be in
763 an electronic format, for a period of four years, at the end of which such
764 fingerprints and positive identifying information shall be destroyed.
765 The State Police Bureau of Identification shall provide the results of such
766 checks to such nongovernmental school operator. No regional
767 educational service center shall charge a fee for services under this
768 subsection that exceeds any fee that the center may charge any applicant
769 for a position with such center.

770 (d) State and national criminal history records checks for substitute
771 teachers completed within one year prior to the date of employment
772 with a nongovernmental school operator and submitted to the
773 employing nongovernmental school operator shall meet the
774 requirements of subsection (b) of this section. A nongovernmental
775 school operator shall not require substitute teachers to submit to state

776 and national criminal history records checks pursuant to subsection (b)
777 of this section if they are continuously employed by such
778 nongovernmental school operator, provided a substitute teacher is
779 subjected to such checks at least once every five years. For purposes of
780 this section, substitute teachers shall be deemed to be continuously
781 employed by a nongovernmental school operator if they are employed
782 at least one day of each school year by such nongovernmental school
783 operator.

784 (e) The provisions of this section shall not apply to (1) a student
785 employed by the nongovernmental school operator that operates a
786 school which the student attends, or (2) a person employed by a
787 nongovernmental school operator as a teacher for a noncredit adult class
788 or adult education activity, as defined in section 10-67, who is not
789 required to hold a teaching certificate pursuant to section 10-145b for his
790 or her position.

791 (f) Notwithstanding the provisions of subsection (g) of section 31-51i,
792 and to the extent permissible under state and federal laws regarding the
793 dissemination of criminal history records, the State Board of Education
794 shall, upon request of a nongovernmental school operator, make
795 available to such nongovernmental school operator requesting
796 information concerning an applicant for a position with such
797 nongovernmental school operator, (1) any information concerning the
798 applicant's eligibility for employment in a position with such
799 nongovernmental school operator requiring a certificate, authorization
800 or permit issued pursuant to chapter 166, (2) whether the department
801 has knowledge that the applicant has been disciplined for a finding of
802 abuse or neglect or sexual misconduct, as defined in section 10-222c, and
803 any information concerning such a finding, and (3) whether the
804 department has received notification that the applicant has been
805 convicted of a crime or of criminal charges pending against the
806 applicant and any information concerning such charges. The provisions
807 of this subsection shall not be construed to cause the state board to
808 investigate any such request or disseminate the results of any national
809 criminal history records check.

810 Sec. 22. (NEW) (*Effective July 1, 2025*) Each regional educational
811 service center and private provider of special education services, as
812 defined in section 10-91g of the general statutes, shall send written
813 notification to the parent or legal guardian of a student receiving special
814 education services, the local or regional board of education that has
815 placed such student with such regional educational service center or
816 private provider for the provision of special education services and the
817 Department of Education regarding all staffing changes that impact the
818 provision of such special education services, including, but not limited
819 to, vacancies, long-term absences and assignments of long-term
820 substitutes, not later than five business days from the occurrence of such
821 staffing change. Such written notice shall include, but need not be
822 limited to, specification of (1) any change in services provided by
823 specialists, (2) any change to student to teacher ratios, and (3) the plan
824 to mitigate the impact of such staffing change on such student. As used
825 in this section, "long-term" means ten or more consecutive school days.

826 Sec. 23. Section 10-76d of the general statutes is amended by adding
827 subsection (j) as follows (*Effective July 1, 2025*):

828 (NEW) (j) No local or regional board of education, interdistrict
829 magnet school operator, governing council of a state or local charter
830 school or private provider of special education services, as defined in
831 section 10-91g, that receives an out-of-district placement of a student
832 who receives special education services through an agreement or
833 contract with a sending local or regional board of education pursuant to
834 subsection (d) of this section or section 10-91j, as amended by this act,
835 shall transfer such student to any other school or facility unless (1) upon
836 the request of a parent or guardian of such student, or such student if
837 such student is eighteen years of age or older or an emancipated minor,
838 the sending local or regional board of education holds a planning and
839 placement team meeting for the purpose of determining the
840 appropriateness of such transfer, and (2) the planning and placement
841 team determines that such transfer is more appropriate for the
842 educational needs of such student than the current out-of-district
843 placement. A representative of the local or regional board of education,

844 interdistrict magnet school operator, governing council of a state or local
845 charter school or private provider of special education services that has
846 received such out-of-district student placement shall be invited to
847 attend and participate in such planning and placement team meeting,
848 but may not request that such planning and placement team meeting be
849 held.

850 Sec. 24. (NEW) (*Effective July 1, 2025*) The Department of Education
851 shall establish a model contract for the placement of a student with a
852 private provider of special education services, as defined in section 10-
853 91g of the general statutes, approved by the Commissioner of Education
854 for special education. Not later than July 1, 2026, the department shall
855 make such model contract available to local and regional boards of
856 education in the state for use by such boards to enter into a contract with
857 such private provider of special education services pursuant to section
858 10-76d of the general statutes, as amended by this act, or 10-91j of the
859 general statutes, as amended by this act.

860 Sec. 25. (*Effective July 1, 2025*) Not later than January 1, 2026, the
861 Department of Education, in consultation with the Office of the Child
862 Advocate, shall develop and post on the special education data system
863 developed by the department (1) guidance for local and regional boards
864 of education concerning circumstances in which a placement in a
865 residential facility is appropriate for a student requiring services in
866 addition to special education services, and (2) information and resources
867 for parents and legal guardians of students requiring special education
868 concerning inclusion in school.

869 Sec. 26. (NEW) (*Effective from passage*) Not later than July 1, 2025, and
870 annually thereafter, each local and regional board of education shall
871 report to the Department of Education each placement of a student
872 receiving special education services for which such board is paying any
873 portion of the cost of such services. Such report shall include (1) whether
874 such placement is a result of a decision of a planning and placement
875 team meeting, a settlement agreement or a special education hearing
876 pursuant to section 10-76h of the general statutes, as amended by this

877 act, (2) whether such placement is with an approved or nonapproved
878 private provider of special education services, regional educational
879 service center, operator of an interdistrict magnet school program, state
880 charter school, a cooperative arrangement pursuant to section 10-158a
881 of the general statutes, a local or regional board of education operating
882 an outplacement program or as part of the state-wide interdistrict public
883 school attendance program pursuant to section 10-266aa of the general
884 statutes, (3) the amount being paid by such board, (4) the special
885 education services being provided, (5) the location of the facility at
886 which such special education services are being provided, and (6) any
887 other information requested by the department. The department shall
888 disaggregate and report such information, in a manner that complies
889 with the requirements of the Family Educational Rights and Privacy
890 Act, 20 USC 1232g, as amended from time to time, on the special
891 education data system developed by the department.

892 Sec. 27. (NEW) (*Effective July 1, 2025*) (a) As used in this section:

893 (1) "Functional behavior assessment" means a systematic process of
894 gathering and analyzing data to identify the reasons for a student's
895 challenging behavior; and

896 (2) "Challenging behavior" has the same meaning as provided in
897 section 10-222aa of the general statutes.

898 (b) Prior to placing any student in an out-of-district placement due to
899 the challenging behavior of such student, each local and regional board
900 of education shall conduct a functional behavior assessment of such
901 student and develop or update a behavioral intervention plan for such
902 student, except such assessment and plan shall not be required if the
903 time required to conduct such assessment or develop or update such
904 plan would put at risk the safety of such student or any other students
905 or staff at such student's school.

906 (c) Not later than September 1, 2025, the Department of Education
907 shall develop guidance for local and regional boards of education to
908 determine circumstances in which the time required to conduct a

909 functional behavior assessment and develop or update a behavioral
910 intervention plan would put at risk the safety of any student or school
911 staff.

912 Sec. 28. (NEW) (*Effective July 1, 2025*) On and after September 1, 2025,
913 the individualized education program for any child with a behavioral
914 goal listed on such child's individualized education program shall
915 specify one or more services to help such child achieve such goal.

916 Sec. 29. Section 2-137 of the general statutes is amended by adding
917 subsection (n) as follows (*Effective July 1, 2025*):

918 (NEW) (n) (1) Not later than January 1, 2027, the Transforming
919 Children's Behavioral Health Policy and Planning Committee shall
920 submit a report, in accordance with the provisions of section 11-4a, to
921 the joint standing committee of the General Assembly having
922 cognizance of matters relating to education. Such report shall consist of
923 the committee's examination of and recommendations for behavioral
924 health issues impacting students in the state receiving special education
925 that includes, but is not limited to, the following:

926 (A) The behavioral intervention methods utilized by private
927 providers of special education services and the feasibility and impact of
928 requiring such private providers to utilize evidence-based interventions
929 that are proactive and highly individualized, such as the Assessment of
930 Lagging Skills and Unsolved Problems, including, but not limited to, the
931 feasibility and impact of requiring staff of such private providers to be
932 trained in such evidence-based interventions with an emphasis on
933 problem-solving as the primary goal; and

934 (B) Best practices for the monitoring and random audits by the
935 Department of Education of the use of physical restraint and seclusion
936 pursuant to section 10-236b for students receiving special education,
937 including, but not limited to, best practices for (i) ensuring the accuracy
938 and consistency of the annual compilation of incidents of physical
939 restraint and seclusions reported to the department pursuant to
940 subsection (l) of said section, (ii) intervention by the department in

941 schools and special education programs that report a high incidence of
942 physical restraint and seclusion, (iii) enforcement of the laws relating to
943 physical restraint and seclusion, such as through site visits of seclusion
944 spaces and review of incident reports and parental notifications, (iv)
945 mandatory training of staff and administrators to reduce reliance on
946 physical restraint and seclusion, and (v) development of uniform rules
947 or regulations applicable to physical restraint and seclusion of any
948 student.

949 (2) The Department of Education shall submit, in a manner that
950 complies with the requirements of the Family Educational Rights and
951 Privacy Act, 20 USC 1232g, as amended from time to time, all data and
952 information requested by the committee for purposes of the report
953 pursuant to this subsection.

954 Sec. 30. Section 36 of public act 23-167 is repealed and the following
955 is substituted in lieu thereof (*Effective from passage*):

956 (a) There is established the Building Educational Responsibility with
957 Greater Improvement Networks Commission. The commission shall
958 study (1) issues relating to education funding entitled to local and
959 regional boards of education, charter schools and operators of
960 interdistrict magnet school programs under the provisions of section 10-
961 262h of the general statutes, and section 10-66ee of the general statutes,
962 (2) accountability measures for (A) alliance districts, (B) charter schools,
963 and (C) interdistrict magnet school programs, (3) the adequacy of
964 financial reporting by (A) local and regional boards of education,
965 including financial reporting associated with participation in the state-
966 wide interdistrict public school attendance program, established
967 pursuant to section 10-266aa of the general statutes, (B) the governing
968 councils of state and local charter schools and charter management
969 organizations, and (C) operators of interdistrict magnet school
970 programs, and (4) the financial impact of interdistrict magnet school
971 programs, charter schools and the state-wide interdistrict public school
972 attendance program on local and regional boards of education,
973 including, but not limited to, equalization aid grant amounts,

974 transportation costs, special education services and other general
975 educational costs for children who reside in the school district but do
976 not attend a school under the jurisdiction of the board of education for
977 such school district.

978 (b) (1) The portion of such study regarding issues relating to
979 education funding entitled to local and regional boards of education,
980 charter schools and interdistrict magnet schools shall include, but need
981 not be limited to, an analysis of and recommendations relating to (A)
982 the compensation, benefits, retention and recruitment of teachers,
983 paraprofessionals and social workers, (B) restrictions on the use of any
984 additional funds received pursuant to section 10-262h of the general
985 statutes, (C) reporting requirements for school districts receiving
986 additional funds provided under the provisions of section 10-262h of the
987 general statutes, (D) optimal class sizes, and (E) the inclusion of special
988 education as a need factor in the equalization aid grant formula under
989 section 10-262h of the general statutes.

990 (2) The portion of such study regarding alliance districts shall
991 include, but need not be limited to, (A) an analysis of the process by
992 which alliance district plans are developed by boards of education and
993 are reviewed and approved by the Commissioner of Education, and
994 recommendations for narrowing the focus of or replacing such plans,
995 (B) a consideration of the removal of the withholding of a portion of an
996 alliance district's equalization aid grant under section 10-262u of the
997 general statutes, as amended by [this act] public act 23-167, as amended
998 by this act, (C) the feasibility of creating independent financial audits of
999 the expenditures under the entire budget of boards of education for
1000 alliance districts, (D) the feasibility of requiring boards of education for
1001 alliance districts to hold hearings on interventions and make annual
1002 evaluations of any new programming established in the school district,
1003 (E) a consideration of establishing guidelines for the hiring of
1004 nonclassroom personnel, and (F) a consideration of interventions that
1005 the Department of Education may take in regard to the operations of an
1006 alliance district.

1007 (3) The portion of such study regarding charter schools shall include,
1008 but need not be limited to, (A) the feasibility of allowing for a full grade
1009 expansion of existing charters, including grade expansion, (B) an
1010 examination of the impact of moratoriums on the granting of new
1011 charters, as well as the approval of new interdistrict magnet school
1012 programs, (C) a consideration of the duration of the length of a charter's
1013 validity, and (D) an examination of the charter renewal process,
1014 including the standards used by the State Board of Education during its
1015 determination of whether to renew a charter and the creation of an
1016 accountability scale.

1017 (4) The portion of such study regarding interdistrict magnet schools
1018 shall include, but need not be limited to, oversight policies for
1019 interdistrict magnet school programs operated by regional education
1020 service centers relating to tuition increases, enrollment and funding
1021 caps.

1022 (c) (1) The commission shall conduct a needs-based study to
1023 determine if additional special education programs and services are
1024 required in the state to meet student demand. In conducting such needs-
1025 based study, the commission shall review approved and nonapproved
1026 public and private special education schools and the programs and
1027 services provided by such schools. The Department of Education shall
1028 comply with all data and information requests made by the commission.
1029 The commission shall develop and recommend a new methodology that
1030 the Department of Education, in consultation with the Office of Policy
1031 and Management, shall use when reviewing applications submitted by
1032 a private provider of special education services to become an approved
1033 private provider of special education services, including application and
1034 applicant criteria. The commission may form a subcommittee of the
1035 commission to perform such needs-based study.

1036 (2) The commission shall study and consider recommendations for
1037 the creation of a peer review process for the special education program
1038 in each school district that will review each school district periodically
1039 in an effort to share best practices to duplicate or model in other school

1040 districts with similar special education and student needs.

1041 (3) The commission shall examine the current utilization and
1042 implementation of Tier 2 interventions of multitiered systems of
1043 supports and scientific research-based interventions in public schools,
1044 and identify any potential benefits of implementing Tier 2 interventions
1045 and any barriers to such implementation and make recommendations
1046 to improve such implementation of Tier 2 interventions. As part of such
1047 examination, the commission shall consider, at a minimum, (A)
1048 requiring the Department of Education to revise existing guidelines
1049 concerning multitiered systems of support, response to intervention,
1050 and scientific research-based interventions to include current research
1051 and best practices, (B) requiring mandated training and certification of
1052 the staff supervising and implementing Tier 2 interventions, (C)
1053 requiring reading intervention before a special education placement is
1054 made if the primary reason for the placement is reading-related, and (D)
1055 methods of incentivizing boards of education to hire additional reading
1056 intervention teachers. The Department of Education shall comply with
1057 all data and information requests made by the commission. The
1058 commission may form a subcommittee of the commission to perform
1059 such examination.

1060 (4) (A) The commission shall conduct a study concerning the creation
1061 of a new job classification of individualized education program
1062 manager which shall be a non-teaching position and responsible for
1063 completing all portions of an individualized education program form
1064 that does not require specific input from the classroom teacher or other
1065 school personnel who work with the student for which such form is
1066 prepared. Such study shall include, but need not be limited to, an
1067 examination of the necessary training such position may require,
1068 including training on basic relevant legal topics.

1069 (B) The commission shall review and recommend changes to the
1070 Department of Education's Connecticut Special Education Data System
1071 (CT-SEDS). Such review shall, at a minimum, consider the accessibility
1072 and usability of CT-SEDS by educators and parents and guardians of

1073 students and any requirements of CT-SEDS that exceed statutory and
1074 regulatory requirements for individualized education programs. Such
1075 recommendations may be developed, in part, on the findings of the
1076 report described in section 36 of this act regarding the purpose of each
1077 CT-SEDS field.

1078 (C) The Department of Education shall comply with all data and
1079 information requests made by the commission for purposes of this
1080 subdivision. The commission may form a subcommittee of the
1081 commission to perform such study and review.

1082 (5) The commission shall conduct a study concerning access to respite
1083 care for families of children with disabilities in the state. Such study
1084 shall assess the current availability of respite services, identify gaps in
1085 access or delivery and evaluate how respite care supports families in
1086 keeping children with disabilities safely at home and within their
1087 communities.

1088 ~~[(c)]~~ (d) The commission shall consist of the following members:

1089 (1) The speaker of the House of Representatives, or the speaker's
1090 designee;

1091 (2) Two appointed by the speaker of the House of Representatives,
1092 one of whom is a representative of the Connecticut Association of Public
1093 School Superintendents and one of whom is a representative of the
1094 RESC Alliance;

1095 (3) The president pro tempore of the Senate, or the president pro
1096 tempore's designee;

1097 (4) Two appointed by the president pro tempore of the Senate, one of
1098 whom is a representative of Special Education Equity for Kids and one
1099 of whom is a representative of the Center for Children's Advocacy;

1100 (5) Three appointed by the majority leader of the House of
1101 Representatives, one of whom is a representative of the Connecticut
1102 School Counselor Association, one of whom is a representative of the

1103 Connecticut Education Association and one of whom is a representative
1104 of the Connecticut Voices for Children;

1105 (6) Three appointed by the majority leader of the Senate, one of whom
1106 is a representative of the American Federation of Teachers-Connecticut,
1107 one of whom is a representative of ConnCAN and one of whom is a
1108 representative of the School and State Finance Project;

1109 (7) Three appointed by the minority leader of the House of
1110 Representatives, one of whom is a representative of the Connecticut
1111 Association of School Administrators and one of whom is a
1112 representative of the Connecticut Association of School Business
1113 Officials, and one of whom is a member of a local or regional board of
1114 education for an alliance district, in consultation with the Connecticut
1115 Association of Boards of Education;

1116 (8) Three appointed by the minority leader of the Senate, one of
1117 whom is a representative of the Connecticut Charter School Association,
1118 one of whom is the executive director of an agricultural science and
1119 technology education center and one of whom is a representative of the
1120 Connecticut Council of Administrators of Special Education;

1121 (9) The Commissioner of Education, or the commissioner's designee;
1122 and

1123 (10) The Secretary of the Office of Policy and Management, or the
1124 secretary's designee.

1125 [(d)] (e) All initial appointments to the commission shall be made not
1126 later than thirty days after the effective date of this section. Any vacancy
1127 shall be filled by the appointing authority.

1128 [(e)] (f) The speaker of the House of Representatives and the president
1129 pro tempore of the Senate, or their designees, shall serve as the
1130 chairpersons of the commission and shall schedule the first meeting of
1131 the commission, which shall be held not later than sixty days after the
1132 effective date of this section.

1133 ~~[(f)]~~ (g) The administrative staff of the joint standing committee of the
1134 General Assembly having cognizance of matters relating to education
1135 shall serve as administrative staff of the commission.

1136 ~~[(g)]~~ (h) (1) Not later than ~~[February 1, 2024]~~ January 15, 2026, the
1137 commission shall submit a report on the portion of the study described
1138 in subdivision (1) of subsection (b) of this section, in accordance with the
1139 provisions of section 11-4a of the general statutes, on its findings and
1140 recommendations to the joint standing committees of the General
1141 Assembly having cognizance of matters relating to education and
1142 appropriations.

1143 (2) Not later than January 15, ~~[2025]~~ 2026, the commission shall
1144 submit a report on the portion of the study described in subdivisions (2)
1145 and (3) of subsection (b) of this section, in accordance with the
1146 provisions of section 11-4a of the general statutes, on its findings and
1147 recommendations to the joint standing committee of the General
1148 Assembly having cognizance of matters relating to education.

1149 (3) Not later than January 1, 2027, the commission shall submit a
1150 report on the needs-based study described in subdivision (1) of
1151 subsection (c) of this section, in accordance with the provisions of
1152 section 11-4a of the general statutes, on its findings and
1153 recommendations to the Secretary of the Office of Policy and
1154 Management, the Commissioner of Education and the joint standing
1155 committees of the General Assembly having cognizance of matters
1156 relating to education and appropriations.

1157 (4) Not later than January 1, 2027, the commission shall submit a
1158 report on the study described in subdivision (2) of subsection (c) of this
1159 section, in accordance with the provisions of section 11-4a of the general
1160 statutes, on its findings and recommendations to the Commissioner of
1161 Education and the joint standing committee of the General Assembly
1162 having cognizance of matters relating to education.

1163 (5) Not later than January 1, 2027, the commission shall submit a
1164 report on the examination described in subdivision (3) of subsection (c)

1165 of this section, in accordance with the provisions of section 11-4a of the
1166 general statutes, on its findings and recommendations to the
1167 Commissioner of Education and the joint standing committees of the
1168 General Assembly having cognizance of matters relating to education
1169 and appropriations.

1170 (6) Not later than January 1, 2027, the commission shall submit a
1171 report on the study and review described in subdivision (4) of
1172 subsection (c) of this section, in accordance with the provisions of
1173 section 11-4a of the general statutes, on its findings and
1174 recommendations to the Commissioner of Education and the joint
1175 standing committee of the General Assembly having cognizance of
1176 matters relating to education.

1177 (7) Not later than January 1, 2027, the commission shall submit a
1178 report on the study described in subdivision (5) of subsection (c) of this
1179 section, in accordance with the provisions of section 11-4a of the general
1180 statutes, on its findings and recommendations to the Commissioner of
1181 Education and the joint standing committee of the General Assembly
1182 having cognizance of matters relating to education and public health.

1183 ~~[(3)]~~ (i) The commission shall terminate on the date that it submits the
1184 last of such reports or July 1, ~~[2025]~~ 2030, whichever is later.

1185 Sec. 31. (NEW) (*Effective July 1, 2025*) Not later than July 1, 2026, the
1186 Department of Education, in consultation with the Connecticut Parent
1187 Advocacy Center, shall develop a special education family guide that
1188 assists the parents and guardians of students receiving special education
1189 and related services in understanding the process and laws governing
1190 the provision of special education. Such guide shall include, but need
1191 not be limited to, an explanation of (1) the allowable number of days to
1192 (A) diagnose that a student requires special education or related
1193 services, and (B) hold an initial planning and placement team meeting,
1194 (2) the consequences for failure of the school district to (A) meet the
1195 deadlines described in subdivision (1) of this section, and (B) include the
1196 appropriate administrators at the initial and subsequent planning and

1197 placement team processes, and (3) recourses available to parents and
1198 guardians if an in-home tutor does not attend tutoring sessions. The
1199 department shall make such guide available on its Internet web site.

1200 Sec. 32. (NEW) (*Effective July 1, 2025*) (a) For the fiscal year ending
1201 June 30, 2027, and each fiscal year thereafter, the Department of
1202 Education shall administer the special education training, education
1203 and testing competitive grant program. Under the grant program, the
1204 department shall award grants to individual educators and
1205 paraeducators for the purpose of covering the costs associated with any
1206 professional training, education and testing requirements relating to
1207 such individual's ability to provide special education and related
1208 services. The department shall develop criteria for reviewing and
1209 awarding grants under the program, and such criteria shall take into
1210 consideration the financial need of the individual and give priority to
1211 those individuals with the greatest financial need. As used in this
1212 section, "educators and paraeducators" includes individuals who are
1213 enrolled in a teacher preparation program, as defined in section 10-10a
1214 of the general statutes, candidates for professional certification as an
1215 educator under chapter 166 of the general statutes, teachers employed
1216 by a local or regional board of education, prospective paraeducators and
1217 paraeducators employed by a local or regional board of education.

1218 (b) An educator or paraeducator may apply, in a form and manner
1219 prescribed by the department, for a grant under this section. Any
1220 educator or paraeducator receiving a grant award under the program
1221 shall use such grant to assist in covering the cost of (1) tuition or other
1222 fees associated with enrollment in a teacher preparation program
1223 offered at the Connecticut State Colleges and Universities, (2) obtaining
1224 or renewal of professional certification under chapter 166 of the general
1225 statutes with an endorsement in special education, (3) testing for
1226 paraeducators, (4) continuing education credits, and (5) any other
1227 education or testing requirements relating to such educator's or
1228 paraeducator's ability to provide special education and related services.
1229 No educator or paraeducator may receive a grant award under the
1230 program unless such educator or paraeducator commits to three years

1231 of employment to provide special education and related services in a
1232 school under the jurisdiction of a town designated as an alliance district
1233 pursuant to section 10-262u of the general statutes.

1234 (c) The department shall develop repayment criteria for educators
1235 and paraeducators who do not complete three years of employment in
1236 a school under the jurisdiction of a town designated as an alliance
1237 district pursuant to section 10-262u of the general statutes. Any amounts
1238 repaid to the department shall be deposited in the General Fund.

1239 Sec. 33. (*Effective from passage*) The Department of Education shall
1240 conduct a study regarding the availability of paraeducator examinations
1241 offered in a language other than English. Such study shall include, but
1242 need not be limited to, a review of whether there are other examinations
1243 or testing vendors that offer paraeducator examinations in a language
1244 other than English, and an analysis of whether such other examinations
1245 are comparable to the examinations currently used by the department
1246 and whether such other examinations may be modified or customized
1247 to meet the requirements for a paraeducator examination prescribed by
1248 the department. Not later than January 1, 2026, the department shall
1249 submit a report on its findings and any recommendations for legislation
1250 to the joint standing committee of the General Assembly having
1251 cognizance of matters relating to education, in accordance with the
1252 provisions of section 11-4a of the general statutes.

1253 Sec. 34. (*Effective July 1, 2025*) The Connecticut Educator Preparation
1254 and Certification Board, established pursuant to section 10-150b of the
1255 general statutes, shall review and make any recommendations
1256 necessary to redefine, update or make relevant the preparation and
1257 certification requirements for individuals seeking or holding a
1258 comprehensive special education endorsement. Such review and
1259 recommendations shall include, but need not be limited to, an analysis
1260 of whether such individuals should be required to pass the foundations
1261 of reading examination. The Department of Education shall comply
1262 with all requests for information from the board related to such review.
1263 Not later than February 1, 2026, the board shall submit a report on its

1264 review and recommendations to the joint standing committee of the
1265 General Assembly having cognizance of matters relating to education,
1266 in accordance with the provisions of section 11-4a of the general statutes.

1267 Sec. 35. (*Effective July 1, 2025*) The School Paraeducator Advisory
1268 Council, established pursuant to section 10-155k of the general statutes,
1269 shall review and make any recommendations necessary to redefine,
1270 update or make relevant the preparation and examination requirements
1271 for paraeducators assisting in the provision of special education and
1272 related services. The Department of Education shall comply with all
1273 requests for information from the council related to such review. Not
1274 later than February 1, 2026, the council shall submit a report on its
1275 review and recommendations to the joint standing committee of the
1276 General Assembly having cognizance of matters relating to education,
1277 in accordance with the provisions of section 11-4a of the general statutes.

1278 Sec. 36. (*Effective July 1, 2025*) (a) The Commissioner of Education
1279 shall develop a report on the functions of the Connecticut Special
1280 Education Data System. Such report shall (1) provide explanations
1281 regarding (A) the purpose of each field in the data system, (B) how the
1282 data and information in each field is used, and (C) how each field relates
1283 to student outcomes, and (2) identify which field or data and
1284 information collected by the data system exceeds the requirements of
1285 the Individuals with Disabilities Education Act, 20 USC 1400 et seq., as
1286 amended from time to time.

1287 (b) Not later than September 1, 2025, the commissioner shall submit
1288 the report to the Building Educational Responsibility with Greater
1289 Improvement Networks Commission, established pursuant to section
1290 36 of public act 23-167, as amended by this act, and the joint standing
1291 committee of the General Assembly having cognizance of matters
1292 relating to education.

1293 Sec. 37. (*Effective July 1, 2025*) (a) The Commissioner of Education, in
1294 consultation with the Building Educational Responsibility with Greater
1295 Improvement Networks Commission, established pursuant to section

1296 36 of public act 23-167, as amended by this act, and the Secretary of the
1297 Office of Policy and Management, shall develop a proposed state-wide
1298 special education workload analysis model for teachers and school
1299 service providers implementing a student's individualized education
1300 program in the provision of special education and related services. Such
1301 proposed state-wide special education workload analysis model shall
1302 establish standards that limit the workload of such teachers and school
1303 service providers, and include, but need not be limited to, provisions
1304 addressing (1) the severity of the needs of the student contained in such
1305 student's individualized education program, (2) the level and frequency
1306 of services necessary for a student to achieve the goals and objectives
1307 contained in such student's individualized education program, and (3)
1308 the time required for (A) planning services, (B) evaluations, including
1309 classroom observations, (C) coordination of services required by a
1310 student's individualized education program, (D) staff development, (E)
1311 follow-up, and (F) traveling to and from different locations in the
1312 provision of special education and related services. For purposes of this
1313 section, "workload" means the number of students with an
1314 individualized education program for which a teacher or school service
1315 provider is responsible and the time required to effectively implement
1316 each individualized education program.

1317 (b) The commissioner shall (1) not later than January 1, 2026, submit
1318 the proposed state-wide special education workload analysis model to
1319 the Building Educational Responsibility with Greater Improvement
1320 Networks Commission, established pursuant to section 36 of public act
1321 23-167, as amended by this act, and the joint standing committees of the
1322 General Assembly having cognizance of matters relating to education
1323 and appropriations and the budgets of state agencies, in accordance
1324 with the provisions of section 11-4a of the general statutes, and (2) not
1325 later than January 15, 2026, make such proposed state-wide special
1326 education workload analysis model available through the Connecticut
1327 Special Education Data System.

1328 Sec. 38. (*Effective July 1, 2025*) Not later than January 1, 2027, the
1329 Building Educational Responsibility with Greater Improvement

1330 Networks Commission, established pursuant to section 36 of public act
1331 23-167, as amended by this act, shall review and make recommendations
1332 for legislation concerning the implementation of the proposed state-
1333 wide special education workload analysis model, developed pursuant
1334 to section 37 of this act. The commission shall submit such
1335 recommendations to the joint standing committee of the General
1336 Assembly having cognizance of matters relating to education, in
1337 accordance with the provisions of section 11-4a of the general statutes.

1338 Sec. 39. Subsection (c) of section 10-76h of the general statutes, as
1339 amended by this act, is repealed and the following is substituted in lieu
1340 thereof (*Effective July 1, 2025*):

1341 (c) (1) The Department of Education shall provide training to hearing
1342 officers in administrative hearing procedures, including due process,
1343 and in the special educational needs of children. Hearing officers and
1344 members of hearing boards shall not be employees of the Department
1345 of Education or any local or regional board of education, unified school
1346 district or public agency involved in the education or care of the child.
1347 A person who is paid to serve as a hearing officer is not deemed to be
1348 an employee of the Department of Education. No person who
1349 participated in the previous identification, evaluation or educational
1350 placement of or the provision of a free appropriate public education to
1351 the child or pupil nor any member of the board of education of the
1352 school district under review, shall be a hearing officer or a member of a
1353 hearing board.

1354 (2) Both parties shall participate in a prehearing conference to resolve
1355 the issues in dispute, if possible and narrow the scope of the issues. Each
1356 party to the hearing shall disclose, not later than five business days prior
1357 to the date the hearing commences, (A) documentary evidence such
1358 party plans to present at the hearing and a list of witnesses such party
1359 plans to call at the hearing, [and] (B) all completed evaluations and
1360 recommendations based on the offering party's evaluations that the
1361 party intends to use at the hearing, and (C) all claims such party will
1362 raise at the hearing. Except for good cause shown, the hearing officer

1363 shall limit each party to such documentary evidence and witnesses as
1364 were properly disclosed and are relevant to the issues in dispute. A
1365 hearing officer may bar any party who fails to comply with the
1366 requirements concerning disclosure of (i) evaluations and
1367 recommendations from introducing any undisclosed evaluation or
1368 recommendation at the hearing without the consent of the other party,
1369 and (ii) all claims from raising any such claims.

1370 (3) (A) In all cases, however, the public agency has the burden of
1371 proving the appropriateness of the child's program or placement, or of
1372 the program or placement proposed by the public agency, except, in
1373 cases of unilateral placement, the burden of proving the appropriateness
1374 of the program or placement proposed by the public agency and the
1375 appropriateness of such unilateral placement shall be on the party who
1376 filed for due process. This burden shall be met by a preponderance of
1377 the evidence, except for hearings conducted pursuant to 34 CFR 300.521.

1378 ~~[(3)]~~ (B) The hearing officer or board shall hear testimony relevant to
1379 the issues in dispute offered by the party requesting the hearing and any
1380 other party directly involved, and may hear any additional testimony
1381 the hearing officer or board deems relevant. The hearing officer or board
1382 shall give equal weight and consideration to all evaluations presented
1383 and used during the hearing. The hearing officer or board shall hear the
1384 testimony offered by the local or regional board of education or the
1385 unified school district responsible for providing special education to a
1386 child or pupil first in any dispute concerning the provision of free
1387 appropriate public education, except, in cases of unilateral placement,
1388 the hearing officer or board shall hear the testimony offered by the party
1389 with the burden of proof first in any dispute concerning the provision
1390 of free appropriate public education. The hearing officer or board may
1391 require a complete and independent evaluation or prescription of
1392 educational programs by qualified persons, the cost of which shall be
1393 paid by the board of education or the unified school district. The hearing
1394 officer or board shall cause all formal sessions of the hearing and review
1395 to be recorded in order to provide a verbatim record. The hearing officer
1396 or board shall limit the offering of testimony and arguments to three

1397 days, except the hearing officer or board may extend the duration of the
1398 hearing if necessary.

1399 Sec. 40. Subdivision (1) of subsection (d) of section 10-76h of the
1400 general statutes is repealed and the following is substituted in lieu
1401 thereof (*Effective July 1, 2025*):

1402 (d) (1) The hearing officer or board shall have the authority (A) to
1403 confirm, modify, or reject the identification, evaluation or educational
1404 placement of or the provision of a free appropriate public education to
1405 the child or pupil, (B) to determine the appropriateness of an
1406 educational placement where the parent or guardian of a child requiring
1407 special education or the pupil if such pupil is an emancipated minor or
1408 eighteen years of age or older, has placed the child or pupil in a program
1409 other than that prescribed by the planning and placement team,
1410 provided the hearing officer or board consider all programs capable of
1411 providing the child or pupil a free appropriate public education in the
1412 least restrictive environment, or (C) to prescribe alternate special
1413 educational programs for the child or pupil. If the parent or guardian of
1414 such a child who previously received special education and related
1415 services from the district enrolls the child, or the pupil who previously
1416 received special education and related services from the district enrolls
1417 in a private elementary or secondary school without the consent of or
1418 referral by the district, a hearing officer may, in accordance with the
1419 Individuals with Disabilities Education Act, 20 USC 1400 et seq., as
1420 amended from time to time, require the district to reimburse the parents
1421 or the pupil for the cost of that enrollment if the hearing officer finds
1422 that the district had not made a free appropriate public education
1423 available to the child or pupil in a timely manner prior to that
1424 enrollment. In the case where a parent or guardian, or pupil if such pupil
1425 is an emancipated minor or is eighteen years of age or older, or a
1426 surrogate parent appointed pursuant to section 10-94g, has refused
1427 consent for initial evaluation or reevaluation, the hearing officer or
1428 board may order an initial evaluation or reevaluation without the
1429 consent of such parent, guardian, pupil or surrogate parent except that
1430 if the parent, guardian, pupil or surrogate parent appeals such decision

1431 pursuant to subdivision (4) of this subsection, the child or pupil may not
1432 be evaluated or placed pending the disposition of the appeal. If the
1433 hearing officer determines that the plan for the provision of special
1434 education and related services offered by the district does not provide a
1435 free appropriate public education to the child or pupil, the hearing
1436 officer shall first consider all services provided by the district, followed
1437 by services provided by a charging entity, and if no such services
1438 provide a free appropriate public education to the child or pupil, then
1439 the hearing officer may consider a placement in a program offered by a
1440 nonapproved private provider of special education services. The
1441 hearing officer or board shall inform the parent or guardian, or the
1442 emancipated minor or pupil eighteen years of age or older, or the
1443 surrogate parent appointed pursuant to section 10-94g, or the
1444 Commissioner of Children and Families, as the case may be, and the
1445 board of education of the school district or the unified school district of
1446 the decision in writing and mail such decision not later than forty-five
1447 days after the commencement of the hearing pursuant to the Individuals
1448 with Disabilities Education Act, 20 USC 1400 et seq., as amended from
1449 time to time, except that a hearing officer or board may grant specific
1450 extensions of such forty-five-day period in order to comply with the
1451 provisions of subsection (b) of this section. The hearing officer may
1452 include in the decision a comment on the conduct of the proceedings.
1453 The findings of fact, conclusions of law and decision shall be written
1454 without personally identifiable information concerning such child or
1455 pupil, so that such decisions may be promptly indexed and published
1456 and available for public inspections pursuant to sections 4-167 and 4-
1457 180a.

1458 Sec. 41. Subsection (a) of section 10-76b of the general statutes is
1459 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1460 *2025*):

1461 (a) The State Board of Education shall provide for the development
1462 and supervision of the educational programs and services for children
1463 requiring special education and may regulate curriculum, conditions of
1464 instruction, including the use of physical restraint and seclusion

1465 pursuant to section 10-236b, physical facilities and equipment, class
1466 composition and size, admission of students, and the requirements
1467 respecting necessary special services and instruction to be provided by
1468 local and regional boards of education. The educational aspects of all
1469 programs and instructional facilities in any day or residential child-
1470 caring agency or school which provides training for children requiring
1471 special education and which receives funding from the state under the
1472 provisions of sections 10-76a to 10-76g, inclusive, as amended by this
1473 act, sections 10-91g to 10-91m, inclusive, and sections 2, 3, 6, 8 to 12,
1474 inclusive, 15 to 17, inclusive, 19, 22, 24 to 28, inclusive, 31 to 38, inclusive,
1475 and 43 to 45, inclusive, of this act shall be subject to the approval and
1476 supervision of the commissioner in accordance with regulations
1477 adopted by the State Board of Education, in accordance with the
1478 provisions of chapter 54, concerning requirements for such programs
1479 and accommodations. Not later than July 1, 2027, the State Board of
1480 Education shall adopt regulations, in accordance with the provisions of
1481 chapter 54, regarding the burden of proof for unilateral placements in
1482 accordance with the provisions of subparagraph (A) of subdivision (3)
1483 of subsection (c) of section 10-76h, as amended by this act.

1484 Sec. 42. Section 10-76mm of the general statutes is repealed and the
1485 following is substituted in lieu thereof (*Effective July 1, 2025*):

1486 (a) The Commissioner of Education, in consultation with the
1487 Individualized Education Program Advisory Council established
1488 pursuant to section 10-76nn, shall develop a new individualized
1489 education program form that is easier for practitioners to use and easier
1490 for parents and students to understand. Such individualized education
1491 program form shall include a brief description of, and contact
1492 information for, the parent training and information center for
1493 Connecticut established pursuant to the Individuals with Disabilities
1494 Education Act, 20 USC 1400 et seq., as amended from time to time, and
1495 the Bureau of Special Education within the Department of Education in
1496 a conspicuous place on the first page of the individualized education
1497 program form using at least twelve-point Times New Roman font.

1498 (b) Not later than January 1, 2017, the commissioner shall submit the
1499 new individualized education program form developed pursuant to
1500 this section to the joint standing committee of the General Assembly
1501 having cognizance of matters relating to education, in accordance with
1502 the provisions of section 11-4a.

1503 (c) Not later than January 1, 2026, the commissioner shall update the
1504 individualized education program form to remove the (1) statement of
1505 short-term instructional objectives derived from the measurable annual
1506 goals, and (2) the list of the individuals who will be implementing the
1507 individualized education program.

1508 Sec. 43. (NEW) (*Effective July 1, 2025*) (a) Not later than February 28,
1509 2026, and annually thereafter, the Commissioner of Education shall
1510 make the following available on the Internet web site of the Department
1511 of Education:

1512 (1) Data relating to the special education offset grant under section 8
1513 of this act, disaggregated by the (A) total number of special education
1514 students statewide and by each school district, (B) state aid percentage,
1515 and (C) total grant paid to each local and regional board of education.

1516 (2) Student-level data relating to those students who are included in
1517 a board's December first filing described in subsection (a) of section 10-
1518 76g of the general statutes, including, but not limited to, the (A) school
1519 district, (B) net current expenditures per pupil threshold for each school
1520 district, (C) total anticipated costs above a school district's net current
1521 expenditures per pupil threshold, (D) total anticipated costs for (i)
1522 transportation, (ii) tuition, and (iii) any room and board, (E) facility
1523 code, and (F) grant type category, such as a grant under section 10-76g
1524 of the general statutes, as amended by this act, section 8 of this act or
1525 any other state or federal grant, provided such data does not contain
1526 any personally identifiable information of such students and is in
1527 accordance with the Family Educational Rights and Privacy Act of 1974,
1528 20 USC 1232g, as amended from time to time.

1529 (3) State-wide student population data relating to those students who

1530 are included in a board's December first filing described in subsection
1531 (a) of section 10-76g of the general statutes, including, but not limited to,
1532 the (A) number of students by (i) status as a multilingual learner, (ii)
1533 qualifying primary disability, (iii) the age categories of (I) ages three and
1534 four, (II) ages five to twelve, inclusive, (III) ages thirteen to eighteen,
1535 inclusive, and (IV) ages nineteen and older, and (iv) each facility, and
1536 (B) average number of tuition days, provided such data does not contain
1537 any personally identifiable information of such students and is in
1538 accordance with the Family Educational Rights and Privacy Act of 1974,
1539 20 USC 1232g, as amended from time to time.

1540 (b) Not later than January 30, 2026, and March 30, 2026, and each
1541 January thirtieth and March thirtieth thereafter, the commissioner shall
1542 submit the following information concerning annual projections for
1543 grants to be paid to each local and regional board of education under
1544 section 10-76g of the general statutes, as amended by this act, to the joint
1545 standing committees of the General Assembly having cognizance of
1546 matters relating to education and appropriations and the Office of Fiscal
1547 Analysis, in accordance with the provisions of section 11-4a of the
1548 general statutes: (1) The total amount a local or regional board is eligible
1549 to be paid under section 10-76g of the general statutes, as amended by
1550 this act, (2) the board's net current expenditures per pupil threshold, (3)
1551 the board's tiered reimbursement percentage under section 10-76g of the
1552 general statutes, as amended by this act, (4) the capped amount to be
1553 paid to the board, (5) the number of students with expenses projected to
1554 exceed four and one-half times the net current expenditures per pupil
1555 threshold for the board, and (6) the total number of students statewide
1556 with expenses projected to exceed four and one-half times the net
1557 current expenditures per pupil threshold for the board responsible for
1558 such student, provided such data does not contain any personally
1559 identifiable information of such students and is in accordance with the
1560 Family Educational Rights and Privacy Act of 1974, 20 USC 1232g, as
1561 amended from time to time.

1562 Sec. 44. (*Effective July 1, 2025*) Not later than February 1, 2026, the
1563 Commissioner of Education shall submit a report on recent

1564 developments and best practices regarding dyslexia evaluations and
1565 interventions to the joint standing committee of the General Assembly
1566 having cognizance of matters relating to education, in accordance with
1567 the provisions of section 11-4a of the general statutes.

1568 Sec. 45. (NEW) (*Effective July 1, 2025*) (a) On and after July 1, 2026, the
1569 Commissioner of Motor Vehicles shall issue special education support
1570 number plates of a design to support special education students,
1571 families and educators in the state and to provide funding to the special
1572 education offset grant pursuant to section 8 of this act. The design shall
1573 be determined by the commissioner. No use shall be made of such plates
1574 except as official registration marker plates.

1575 (b) A fee of sixty dollars shall be charged for special education
1576 support number plates, in addition to the regular fee or fees prescribed
1577 for the registration of a motor vehicle. Fifteen dollars of such fee shall be
1578 deposited in an account controlled by the Department of Motor Vehicles
1579 to be used for the cost of producing, issuing, renewing and replacing
1580 such number plates and forty-five dollars of such fee shall be deposited
1581 in the special education support account established under subsection
1582 (d) of this section. No additional fee shall be charged in connection with
1583 the renewal of such number plates. No transfer fee shall be charged for
1584 the transfer of an existing registration to or from a registration with
1585 special education support number plates. Such number plates shall have
1586 letters and numbers selected by the Commissioner of Motor Vehicles.
1587 The commissioner may establish a higher fee for number plates: (1) That
1588 contain the numbers and letters from a previously issued number plate;
1589 (2) that contain letters in place of numbers, as authorized by section 14-
1590 49 of the general statutes, in addition to the fee or fees prescribed for
1591 registration under said section; and (3) that are low number plates
1592 issued in accordance with section 14-160 of the general statutes, in
1593 addition to the fee or fees prescribed for registration under said section.
1594 All fees established and collected pursuant to this section, except
1595 moneys designated for administrative costs of the Department of Motor
1596 Vehicles, shall be deposited in the special education support account.

1597 (c) The Commissioner of Motor Vehicles may adopt regulations, in
1598 accordance with the provisions of chapter 54 of the general statutes, to
1599 establish standards and procedures for the issuance, renewal and
1600 replacement of special education support number plates.

1601 (d) There is established an account to be known as the "special
1602 education support account" which shall be a separate, nonlapsing
1603 account within the General Fund. The account shall contain any moneys
1604 required by law to be deposited in the account. Moneys in the account
1605 shall be expended by the Secretary of the Office of Policy and
1606 Management to provide funding to the special education offset grant
1607 pursuant to section 8 of this act. The secretary may receive private
1608 donations to the account and any such receipts shall be deposited in the
1609 account.

1610 (e) The Commissioner of Motor Vehicles may provide for the
1611 reproduction and marking of the special education support number
1612 plates image for use on clothing, recreational equipment, posters,
1613 mementoes or other products or programs deemed by the commissioner
1614 to be suitable as a means of supporting the special education support
1615 account. Any moneys received by the commissioner from such
1616 marketing shall be deposited in the account.

1617 Sec. 46. Section 10-91j of the general statutes is repealed and the
1618 following is substituted in lieu thereof (*Effective July 1, 2026*):

1619 (a) Any [agreement entered into or amended on or after July 1, 2018,
1620 but prior to June 30, 2019, or any] contract entered into or amended on
1621 or after July 1, [2019] 2026, pursuant to section 10-76d, as amended by
1622 this act, between a local or regional board of education and a private
1623 provider of special education services, as defined in section 10-91g, shall
1624 be in accordance with the individualized special education and related
1625 services rate schedule established pursuant to section 3 of this act, and
1626 include an explanation of how the [tuition or costs] amount charged for
1627 services provided under the [agreement or] contract are to be calculated.
1628 Any such [agreement or] contract may include the following provisions:

1629 (1) A requirement that such private provider of special education
1630 services submit monthly or quarterly reports to such board regarding
1631 the specific services and frequency of such services being provided by
1632 such private provider of special education services to students under
1633 the [agreement or] contract, and (2) authorization for such board to (A)
1634 review and reconcile such reports to the contracted services described
1635 in the [agreement or] contract, or (B) conduct periodic site visits at the
1636 location where such private provider of special education services
1637 provides services.

1638 (b) On and after July 1, [2019] 2026, a local or regional board of
1639 education shall not be eligible for reimbursement pursuant to subsection
1640 (b) of section 10-76g, as amended by this act, or section 8 of this act, for
1641 any costs of special education paid by such board of education to a
1642 private provider of special education services unless such board of
1643 education has entered into a written contract with such private provider
1644 of special education services for the provision of such special education
1645 services. The individualized education program of a child shall not be
1646 considered a contract between a local or regional board of education and
1647 a private provider of special education services for purposes of this
1648 section. Nothing in this subsection shall be construed to limit or
1649 interrupt the provision of special education and related services to a
1650 child by a local or regional board of education or private provider of
1651 special education services.

1652 (c) The Commissioner of Education shall revoke the approval and
1653 license of any private provider of special education services that fails to
1654 charge for special education and related services in accordance with the
1655 individualized special education and related services rate schedule
1656 established pursuant to section 3 of this act or comply with the
1657 provisions of this section.

1658 Sec. 47. Section 10a-157a of the general statutes is amended by adding
1659 subsection (h) as follows (*Effective July 1, 2025*):

1660 (NEW) (h) For the fall semester of 2025 and spring semester 2026, and

1661 each semester thereafter, the Board of Regents for Higher Education
1662 shall continue to offer each transitional college readiness program,
1663 embedded remedial support program and intensive remedial support
1664 program that said board offered at each public institution of higher
1665 education during the fall semester of 2024 and spring semester of 2025,
1666 respectively.

1667 Sec. 48. (NEW) (*Effective July 1, 2025*) (a) There is established an Office
1668 of the Educational Ombudsperson, which shall be within the
1669 Department of Education for administrative purposes only. The Office
1670 of the Educational Ombudsperson shall serve students and families of
1671 students in the pursuit of preschool, elementary and secondary
1672 education, special education, vocational education and adult education.
1673 The Office of the Educational Ombudsperson shall be under the
1674 direction of an Educational Ombudsperson who shall be appointed by
1675 the Commissioner of Education and be selected from among individuals
1676 with expertise and experience in educational advocacy, special
1677 education and educational law.

1678 (b) The Office of the Educational Ombudsperson shall:

1679 (1) Receive, review and attempt to resolve any complaints from
1680 students and students' families, including, but not limited to, attempts
1681 to resolve such complaints in collaboration with schools and educators;

1682 (2) Compile and analyze data on students and young people, through
1683 available data systems, including, but not limited to, the Connecticut
1684 Preschool through Twenty and Workforce Information Network,
1685 established pursuant to section 10a-57g of the general statutes;

1686 (3) Assist employees of local and regional boards of education
1687 involved in planning and placement team meetings;

1688 (4) Provide information to the public, agencies, legislators and others
1689 regarding the issues and concerns of students and make
1690 recommendations for resolving such issues and concerns;

1691 (5) Analyze and monitor the development and implementation of
1692 federal, state and local laws, regulations and policies relating to students
1693 and recommend any changes the Educational Ombudsperson deems
1694 necessary;

1695 (6) Disseminate information concerning the availability of the Office
1696 of the Educational Ombudsperson to assist students and families of
1697 students, as well as local and regional boards of education with
1698 educational resource concerns; and

1699 (7) Take any other actions necessary to fulfill the duties of the Office
1700 of the Educational Ombudsperson and the Educational Ombudsperson
1701 as set forth in this subsection.

1702 (c) On or before January 1, 2026, and annually thereafter, the
1703 Educational Ombudsperson shall submit a report, in accordance with
1704 the provisions of section 11-4a of the general statutes, to the Office of
1705 Governmental Accountability and the joint standing committees of the
1706 General Assembly having cognizance of matters relating to education
1707 and children. The Educational Ombudsperson shall report on: (1) The
1708 implementation of this section; (2) the overall effectiveness of the
1709 Educational Ombudsperson position; and (3) additional steps that need
1710 to be taken for the Educational Ombudsperson to be more effective.

1711 Sec. 49. (NEW) (*Effective July 1, 2025*) (a) For the school year
1712 commencing July 1, 2026, and each school year thereafter, each local and
1713 regional board of education shall hire or designate an employee to serve
1714 as an instructional support teacher in each school under the jurisdiction
1715 of such board. An instructional support teacher shall (1) assist school-
1716 based personnel in improving the quality of teaching and student
1717 learning for students with disabilities, (2) assume responsibility for the
1718 knowledge and application of the appropriate curriculum and the
1719 instructional programs for students with disabilities in compliance with
1720 all state and federal laws and any policies of the Department of
1721 Education or the school district, (3) collaborate with parents and school
1722 personnel regarding instructional decision-making for students with

1723 disabilities, (4) plan and deliver professional learning activities to staff,
1724 parents and others to increase achievement for students with
1725 disabilities, (5) provide coaching and follow-up to support district
1726 initiatives, including, but not limited to, effective literacy and math
1727 instruction, personalized learning and individualized instruction for
1728 students with disabilities, (6) assist teachers in improving classroom
1729 management and climate through the implementation of effective
1730 instructional methods and behavioral supports, and (7) consult with
1731 school-based instructional staff regarding individual education
1732 program development, extended school year, behavioral interventions
1733 and transition plans for students with disabilities.

1734 (b) Any person hired or designated to serve as the instructional
1735 support teacher for the school shall (1) for the school year commencing
1736 July 1, 2026, spend at least fifty per cent of their time performing the
1737 responsibilities described in subsection (a) of this section, (2) for the
1738 school year commencing July 1, 2027, spend at least seventy-five per
1739 cent of their time performing said responsibilities, and (3) for the school
1740 year commencing July 1, 2028, and each school year thereafter, be
1741 employed full-time as the instructional support teacher.

1742 Sec. 50. (NEW) (*Effective July 1, 2025*) For the school year commencing
1743 July 1, 2026, and each school year thereafter, the Department of
1744 Education shall, at least quarterly, conduct trainings for persons hired
1745 or designated to serve as an instructional support teacher, as described
1746 in section 49 of this act. Such training shall include, but need not be
1747 limited to, effective literacy and math instruction, personalized learning
1748 and individualized instruction for students with disabilities, improving
1749 classroom management, effective instructional methods and behavioral
1750 supports, and transition plans for students with disabilities.

1751 Sec. 51. (NEW) (*Effective July 1, 2025*) (a) For the fiscal year ending
1752 June 30, 2026, and each fiscal year thereafter, the Department Education
1753 shall establish a grant program to support local and regional boards of
1754 education in providing support services for students who require
1755 special education and have experienced trauma or have behavioral

1756 health needs. Such grant shall be available to each local or regional
1757 board of education that provides support services, including, but not
1758 limited to, trauma-informed care coordination and family outreach, for
1759 such students and such students' families in partnership with
1760 community service providers, including, but not limited to, family
1761 service centers. Grants shall be funded in an amount prescribed by the
1762 Commissioner of Education.

1763 (b) On or before September 1, 2025, the Department of Education
1764 shall post in a conspicuous location on its Internet web site (1) a
1765 description of the grant program, including, but not limited to, the
1766 amount of funding available for each grant under such program, and (2)
1767 the application form for such program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2025	10-76a
Sec. 2	from passage	New section
Sec. 3	July 1, 2025	New section
Sec. 4	July 1, 2025	New section
Sec. 5	July 1, 2025	10-76d(d)
Sec. 6	July 1, 2025	New section
Sec. 7	July 1, 2025	10-76g(b)
Sec. 8	July 1, 2025	New section
Sec. 9	July 1, 2025	New section
Sec. 10	July 1, 2025	New section
Sec. 11	July 1, 2025	New section
Sec. 12	July 1, 2025	New section
Sec. 13	July 1, 2025	10-285a(l)
Sec. 14	July 1, 2025	10-283(b)
Sec. 15	from passage	New section
Sec. 16	July 1, 2025	New section
Sec. 17	July 1, 2025	New section
Sec. 18	July 1, 2025	New section
Sec. 19	July 1, 2025	New section
Sec. 20	July 1, 2025	10-74u
Sec. 21	July 1, 2025	10-232a
Sec. 22	July 1, 2025	New section

Sec. 23	<i>July 1, 2025</i>	10-76d(j)
Sec. 24	<i>July 1, 2025</i>	New section
Sec. 25	<i>July 1, 2025</i>	New section
Sec. 26	<i>from passage</i>	New section
Sec. 27	<i>July 1, 2025</i>	New section
Sec. 28	<i>July 1, 2025</i>	New section
Sec. 29	<i>July 1, 2025</i>	2-137(n)
Sec. 30	<i>from passage</i>	PA 23-167, Sec. 36
Sec. 31	<i>July 1, 2025</i>	New section
Sec. 32	<i>July 1, 2025</i>	New section
Sec. 33	<i>from passage</i>	New section
Sec. 34	<i>July 1, 2025</i>	New section
Sec. 35	<i>July 1, 2025</i>	New section
Sec. 36	<i>July 1, 2025</i>	New section
Sec. 37	<i>July 1, 2025</i>	New section
Sec. 38	<i>July 1, 2025</i>	New section
Sec. 39	<i>July 1, 2025</i>	10-76h(c)
Sec. 40	<i>July 1, 2025</i>	10-76h(d)(1)
Sec. 41	<i>July 1, 2025</i>	10-76b(a)
Sec. 42	<i>July 1, 2025</i>	10-76mm
Sec. 43	<i>July 1, 2025</i>	New section
Sec. 44	<i>July 1, 2025</i>	New section
Sec. 45	<i>July 1, 2025</i>	New section
Sec. 46	<i>July 1, 2026</i>	10-91j
Sec. 47	<i>July 1, 2025</i>	10a-157a(h)
Sec. 48	<i>July 1, 2025</i>	New section
Sec. 49	<i>July 1, 2025</i>	New section
Sec. 50	<i>July 1, 2025</i>	New section
Sec. 51	<i>July 1, 2025</i>	New section

SED *Joint Favorable Subst.*

ED *Joint Favorable*