General Assembly

Substitute Bill No. 1244

January Session, 2025

SB01244APP 042525

AN ACT MAKING INVESTMENTS IN IN-DISTRICT SPECIAL EDUCATION.

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

Section 1. (NEW) (*Effective July 1, 2025*) (a) Not later than July 1, 2026, the Department of Education shall develop a methodology for calculating the maximum rates of tuition and related fees that may be charged by a provider of special education services to a local or regional board of education. The department shall publish and make such methodology available on its Internet web site.

(b) Not later than July 1, 2027, and annually thereafter, the Department of Education shall establish, and annually update, a tuition rate and fee schedule that is based on the methodology for calculating the maximum rates of tuition and related fees that may be charged by a provider of special education services developed pursuant to subsection (a) of this section.

Sec. 2. Section 10-91j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) (1) Any agreement entered into or amended on or after July 1, 2018, but prior to June 30, 2019, or any contract entered into or amended on or after July 1, 2019, but prior to June 30, 2027, pursuant to section 10-

76d, between a local or regional board of education and a private provider of special education services, as defined in section 10-91g, shall include an explanation of how the tuition or costs for services provided under the agreement or contract are to be calculated.

(2) Any contract entered into or amended on or after July 1, 2027, pursuant to section 10-76d, between a local or regional board of education and a private provider of special education services shall be in accordance with the tuition rate schedule established pursuant to subsection (b) of section 1 of this act.

(3) Any such agreement or contract may include the following provisions: **[**(1)**]** (A) A requirement that such private provider of special education services submit monthly or quarterly reports to such board regarding the specific services and frequency of such services being provided by such private provider of special education services to students under the agreement or contract, and **[**(2)**]** (B) authorization for such board to **[**(A)**]** (i) review and reconcile such reports to the contracted services described in the agreement or contract, or **[**(B)**]** (ii) conduct periodic site visits at the location where such private provider of special education services provides services.

(b) On and after July 1, 2019, a local or regional board of education shall not be eligible for reimbursement pursuant to subsection (b) of section 10-76g for any costs of special education paid by such board of education to a private provider of special education services unless such board of education has entered into a written contract with such private provider of special education services for the provision of such special education services. The individualized education program of a child shall not be considered a contract between a local or regional board of education and a private provider of special education services for purposes of this section. Nothing in this subsection shall be construed to limit or interrupt the provision of special education and related services to a child by a local or regional board of education or private provider of special education services.

Sec. 3. (NEW) (*Effective July 1, 2025*) Not later than June 30, 2026, and every five years thereafter, each local and regional board of education shall conduct, in a manner and form prescribed by the Commissioner of Education and that is in compliance with the Family Educational Rights and Privacy Act of 1974, 20 USC 1232g, as amended from time to time, a comprehensive review of all spending by such board on the provision of special education and related services. Each such board shall submit a report of the results of such review to the commissioner and make such report available on the Internet web site of such board.

Sec. 4. (NEW) (*Effective July 1, 2025*) (a) For the fiscal year ending June 30, 2027, and each fiscal year thereafter, the Department of Education shall, within available appropriations, administer a competitive grant program for local and regional boards of education to support in-district or regionalized programming for students with disabilities. Grants awarded to local and regional boards of education under the program may be used to enhance and improve existing specialized programming in the school district or start-up costs related to the creation of in-district or regional programming for students who are enrolled in a program operated by a private provider of special education services.

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

(c) The commissioner shall develop criteria for reviewing and approving grant applications. Such criteria shall be based upon (1) increasing students' access to high-quality general education

instruction, and (2) enhancing in-district or regional programming for students with intensive needs, including giving priority to those applications that demonstrate collaboration between multiple boards of education or between boards of education and regional education service centers.

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

(e) Not later than December 31, 2027, and annually thereafter, the department shall submit a report on the progress of the program to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2025*	New section
Sec. 2	*July 1, 2025*	10-91j
Sec. 3	*July 1, 2025*	New section
Sec. 4	*July 1, 2025*	New section

Statement of Legislative Commissioners:
In the last sentence of Section 4(a), "currently" was deleted and "private" was added before "provider", for clarity.

ED *Joint Favorable Subst. C/R* APP

APP *Joint Favorable Subst.-LCO*