General Assembly

# *Amendment*

***January Session, 2025***

LCO No. **9672**

Offered by:
REP. KHAN, 5th Dist.

To: House Bill No. **5001** File No. 828 Cal. No. 529

***"AN ACT CONCERNING THE QUALITY AND DELIVERY OF SPECIAL EDUCATION SERVICES IN CONNECTICUT."***

Strike everything after the enacting clause and substitute the following in lieu thereof:

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 Section 10-76a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

Whenever used in sections 10-76a to 10-76i, inclusive, as amended by this act:

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

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

(3) An "exceptional child" means a child who deviates either intellectually, physically or emotionally so markedly from normally

expected growth and development patterns that he or she is or will be unable to progress effectively in a regular school program and needs a special class, special instruction or special services.

(4) "Special education" means specially designed instruction developed in accordance with the regulations of the commissioner, subject to approval by the State Board of Education offered at no cost to parents or guardians, to meet the unique needs of a child with a disability, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings and instruction in physical education and special classes, programs or services, including related services, designed to meet the educational needs of exceptional children.

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

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

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

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

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

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

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

Sec. 2. (NEW) (*Effective July 1, 2025*) (a) Except as otherwise provided in subsection (b) of this section, for the school year commencing July 1, 2025, and each school year thereafter, a charging entity, as defined in section 10-76a of the general statutes, as amended by this act, shall not increase the amount charged to a local or regional board of education for a service provided pursuant to an individualized education program for a student during said school year, except a charging entity may increase or lower the total amount charged to such board if the charging entity adds or decreases the services provided pursuant to a change in such student's individualized education program.

(b) For the school year commencing July 1, 2025, and each school year thereafter, the Department of Education may permit, upon request, a charging entity to increase the amount it charges for special education services to a local or regional board of education if there is a substantial increase in costs (1) for the services being provided for a student, or (2) of the operation of such charging entity. The Commissioner of Education shall prescribe the form and manner in which a charging entity may make such request, including any documentation such charging entity is to provide showing such substantial increase in costs. The commissioner shall review each request and provide a written decision approving or denying such request not later than sixty days after receiving such request.

Sec. 3. (NEW) (*Effective July 1, 2025*) (a) As used in this section:

(1) "Related services" has the same meaning as provided in section 10-76a of the general statutes, as amended by this act, except it does not include special education transportation services;

(2) "Charging entity" has the same meaning as provided in section 10-76a of the general statutes, as amended by this act;

(3) "Public provider of special education services" means a regional educational service center, operator of an interdistrict magnet school program, state charter school, a cooperative arrangement pursuant to section 10-158a of the general statutes, or a local or regional board of education operating an outplacement program or as part of the state-wide interdistrict public school attendance program pursuant to section 10-266aa of the general statutes; and

(4) "Special education transportation services" means transportation services to and from special education outplacements provided by a provider of special education transportation services.

(b) Not later than January 1, 2028, the Department of Education, in consultation with the Office of Policy and Management, shall establish a rate schedule for: (1) Related services provided by a charging entity

pursuant to an individualized education program, including, but not limited to, speech, behavioral and occupational therapies; and (2) all costs charged to a local or regional board of education related to the provision of special education services, excluding special education transportation services, provided by a public provider of special education services. In establishing such rate schedule, the department shall (A) consult with stakeholders and education officials in other states with experience in establishing rates or rate schedules for the provision of special education and related services, and (B) take into account the operating expenses of the charging entities, the costs paid by local and regional boards of education, the educator-to-student ratio of the environment in which the special education or related service is being delivered, the professional qualifications of the service provider and any other considerations the department deems relevant. The rate schedule shall be accompanied by standards for billing that describe how the charging entity's operational expenses should be proportionally and appropriately attributed to the services provided to individual students. The department shall, at least biennially, review such rate schedule and billing standards and may revise such rate schedule and billing standards as necessary.

(c) (1) Not later than December 31, 2027, the department shall establish the individual rates for each special education and related service, in accordance with the provisions of subsection (b) of this section, except for the period commencing July 1, 2025, until December 31, 2027, the department may establish individual rates for each special education and related service, in accordance with the provisions of subsection (b) of this section. Following the establishment of each such rate, the department shall notify each local and regional board of education of such rate and post such rate on the department's Internet web site not later than the January first following such establishment. Any such rate shall become effective on the July first following such posting.

(2) On or before January 1, 2028, the department shall notify each

local and regional board of education of the full rate schedule and post such rate schedule on the department's Internet web site. The full rate schedule shall become effective on July 1, 2028.

(d) (1) For the school years commencing July 1, 2026, and July 1, 2027, all amounts charged to a local or regional board of education by a (A) charging entity related to the provision of related services, or (B) public provider of special education services for special education services, shall be in accordance with any rates established by the department pursuant to subsection (c) of this section, provided such rates were posted on or before January first of the prior school year.

(2) For the school year commencing July 1, 2028, and each school year thereafter, all amounts charged to a local or regional board of education by a (A) charging entity related to the provision of related services, or (B) public provider of special education services for special education services, shall be in accordance with the rate schedule established pursuant to this section, provided such rate schedule was posted on or before January first of the prior school year.

(3) Any amount charged to and paid by a local or regional board of education for such special education and related services that exceeds the amount established pursuant to this section shall not be eligible for reimbursement under section 10-76g of the general statutes and shall be deemed to be an expenditure that does not constitute a special education purpose for purposes of the special education and expansion development grant under section 7 of this act.

(e) (1) Not later than January 1, 2026, and January 1, 2027, the department shall submit a report of all the rates that have been established under this section to the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations, in accordance with the provisions of section 11-4a of the general statutes.

(2) Not later than January 1, 2028, and annually thereafter, the

department shall submit the rate schedule established under this section to the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations, in accordance with the provisions of section 11-4a of the general statutes.

(f) The Commissioner of Education shall consult with approved nonprofit private providers of special education services and approved for-profit private providers of special education services for the purpose of developing proposed rates for special education services, excluding transportation services, for all approved private providers of special education services. Not later than December 31, 2027, the commissioner shall develop proposed individual rates for each special education service, excluding transportation services, for all approved private providers of special education services, in accordance with the provisions of subsection (b) of this section, except for the period commencing July 1, 2025, until December 31, 2027, the commissioner may develop such individual rates for each special education service, in accordance with the provisions of subsection (b) of this section. Following the development of any such proposed rates, the commissioner shall submit all such proposed rates not later than January first following such development to the General Assembly for approval or disapproval. If the General Assembly fails to approve or disapprove such proposed rates on or before the March fifteenth after such submission, such proposed rates shall be deemed approved. Any such proposed rate that is approved by the General Assembly or deemed approved shall become effective on the July first following such approval.

Sec. 4. (NEW) (*Effective July 1, 2025*) (a) Not later than January 1, 2027, the Department of Education shall develop, and update as necessary, billing standards for the costs charged to local and regional boards of education for special education transportation services to and from special education outplacements provided by providers of special education transportation services. The department shall notify each local and regional board of education of such billing standards and post

such billing standards on the department's Internet web site.

(b) For the school year commencing July 1, 2027, and each school year thereafter, all costs for special education transportation services to and from special education outplacements provided by providers of special education transportation services charged to a local or regional board of education shall be in accordance with the billing standards developed under this section.

(c) Not later than January 1, 2027, and annually thereafter, the department shall submit such billing standards 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.

Sec. 5. (NEW) (*Effective July 1, 2025*) For purposes of determining the reasonable costs associated with the provision of special education and related services pursuant to subdivision (7) of subsection (d) of section 10-66ee of the general statutes, subsection (d) of section 10-76d of the general statutes, section 10-76g of the general statutes, subsection (a) of section 10-76i of the general statutes, subsection (b) of section 10-253 of the general statutes, subsection (h) of section 10-264*l* of the general statutes and subsection (i) of section 10-266aa of the general statutes, (1) on and after July 1, 2026, "reasonable costs" means the amount allowed to be charged to a local or regional board of education by a charging entity, as defined in section 10-76a of the general statutes, as amended by this act, under the individualized special education and related services rate schedule established pursuant to section 3 of this act for the provision of special education and related services pursuant to a student's individualized education program, and (2) on and after July 1, 2025, there shall be no presumption that "reasonable costs" means the actual cost incurred for the provision of special education and related services pursuant to a student's individualized education program.

Sec. 6. Section 10-262j of the general statutes is amended by adding subsection (j) as follows (*Effective July 1, 2025*):

(NEW) (j) For the fiscal year ending June 30, 2026, and each fiscal year thereafter, any district that has received a special education and expansion development grant under section 7 of this act during the prior fiscal year shall not be required to include the amount of such grant in the calculation of such district's budgeted appropriation for education for the subsequent fiscal year.

Sec. 7. (NEW) (*Effective July 1, 2025*) (a) As used in this section:

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

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

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

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

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

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

(c) For the fiscal year ending June 30, 2026, and each fiscal year thereafter, the board of education for a town shall be paid a special education and expansion development grant equal to the amount such board is entitled to receive under the provisions of subsection (b) of this

section. Such grant shall be calculated using the data of record as of the December first prior to the fiscal year such grant is to be paid, adjusted for the difference between the final entitlement for the prior fiscal year and the preliminary entitlement for such fiscal year as calculated using the data of record as of the December first prior to the fiscal year when such grant was paid.

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

(e) (1) All aid distributed to a board of education pursuant to the provisions of this section shall be expended for special education purposes only. For the fiscal year ending June 30, 2026, and each fiscal year thereafter, if a board receives an increase in funds pursuant to this section over the amount it received for the prior fiscal year, such increase shall not be used to supplant funding for special education purposes. The budgeted appropriation for special education for any board receiving an increase in funds pursuant to this section shall be not less than the amount appropriated for special education for the prior year plus such increase in funds. For purposes of this subsection, "special education purposes" means the direct provision of special education and related services to students, Tier 2 interventions, academic and behavioral interventions, the hiring and salaries of special education teachers, paraeducators and behavioral and reading specialists who work directly with students, equipment purchases and maintenance and curriculum materials. "Special education purposes"

does not include any (A) administrative functions or operating expenses related to the provision of special education and related services, or (B) special education and related services provided by any third-party contractor.

(2) Upon a determination by the State Board of Education that a local or regional board of education failed in any fiscal year to meet the requirements pursuant to subdivision (1) of this subsection, the board of education shall forfeit an amount equal to two times the amount that was not expended for special education purposes. The amount so forfeited shall be withheld by the Department of Education from the grant payable to the board of education in the second fiscal year immediately following such failure by deducting such amount from the board of education's special education and expansion development grant payment pursuant to this section. Notwithstanding the provisions of this subdivision, the State Board of Education may waive such forfeiture upon agreement with the board of education that the board of education shall increase its appropriation for special education during the fiscal year in which the forfeiture would occur by an amount not less than the amount of said forfeiture or for other good cause shown.

(f) Not later than July 15, 2026, and annually thereafter, each local and regional board of education shall submit an annual expenditure report to the Commissioner of Education, except any board of education that receives a grant under this section that is less than ten thousand dollars in any fiscal year shall not be responsible for submitting such report for such fiscal year. Such report shall include a summary and itemization of how grant funds received pursuant to this section were expended during the prior fiscal year for the direct provision of special education and related services to students, including whether such grant was used to hire any new special education teachers, paraeducators or behavioral or reading specialists.

(g) Notwithstanding the provisions of this section, for the fiscal year ending June 30, 2026, the amount of grants payable to local or regional boards of education under this section shall be reduced proportionately

if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Sec. 8. (*Effective July 1, 2025*) (a) The Department of Education shall develop licensure standards for private providers of special education services in the state that shall include, but need not be limited to, (1) the application and review process for such licensure, (2) periods for initial licensure and license renewal, (3) minimum requirements based on the type of special education services provided, and (4) a fee of five thousand dollars for each application for initial licensure and one thousand five hundred dollars for each application for a license renewal.

(b) Not later than January 1, 2026, the Department of Education shall submit, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to education the licensure standards developed pursuant to subsection (a) of this section and any legislative recommendations to implement such standards.

Sec. 9. Section 10-74u of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

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

(b) (1) On and after July 1, 2027, the Department of Education shall

conduct annual unannounced on-site visits of randomly selected sites located in the state at which a regional educational service center is providing special education services or a private provider of special education services, as defined in section 10-91g, is providing special education services pursuant to a contract with a local or regional board of education for such school year, whether or not such private provider of special education services is approved by the Commissioner of Education pursuant to the provisions of subsection (d) of section 10-76d. Such site visit shall include, but need not be limited to, (A) review of documentation of employee qualifications and compliance with certification and in-service training requirements relevant to each employee, (B) review of proof of completion of a criminal history and child abuse and neglect registry check for each employee pursuant to sections 10-221d or 10-232a to 10-232d, inclusive, (C) administration of a questionnaire to the parents or legal guardians of students receiving special education services from such regional educational service center or private provider of special education services concerning the quality of such services, and (D) review of student outcomes, including attendance data and rates of restraint and seclusion.

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

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

(4) No local or regional board of education shall knowingly place any additional students who require special education services with a regional educational service center or private provider of special education services that is not in compliance with the provisions of subdivision (3) of this subsection.

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

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

(NEW) (j) No local or regional board of education, interdistrict magnet school operator, governing council of a state or local charter school or private provider of special education services, as defined in section 10-91g, that receives an out-of-district placement of a student who receives special education services through an agreement or contract with a sending local or regional board of education pursuant to subsection (d) of this section or section 10-91j, as amended by this act, shall transfer such student to any other school or facility unless (1) upon initiation of the sending local or regional board of education or upon the request of a parent or guardian of such student, or such student if such student is eighteen years of age or older or an emancipated minor, such sending local or regional board of education holds a planning and placement team meeting for the purpose of determining the appropriateness of such transfer, and (2) the planning and placement team determines that such transfer is more appropriate for the

educational needs of such student than the current out-of-district placement. A representative of the local or regional board of education, interdistrict magnet school operator, governing council of a state or local charter school or private provider of special education services that has received such out-of-district student placement shall be invited to attend and participate in such planning and placement team meeting, but may not request that such planning and placement team meeting be held.

Sec. 11. (NEW) (*Effective July 1, 2025*) (a) The Department of Education shall establish a model contract for the placement of a student with a private provider of special education services, as defined in section 10-91g of the general statutes, approved by the Commissioner of Education for special education. Not later than July 1, 2026, the department shall make such model contract available to local and regional boards of education in the state for use by such boards to enter into a contract with such private provider of special education services pursuant to section 10-76d of the general statutes, as amended by this act, or 10-91j of the general statutes, as amended by this act.

(b) The Department of Education shall establish a model contract for the placement of a student with a regional educational service center. Not later than July 1, 2026, the department shall make such model contract available to local and regional boards of education in the state for use by such boards to enter into a contract with a regional educational service center.

Sec. 12. (NEW) (*Effective from passage*) Not later than June 30, 2026, and annually thereafter, each local and regional board of education shall report to the Department of Education each placement of a student receiving special education services for which such board is paying any portion of the cost. Such report shall include, but need not be limited to, (1) whether such placement is a result of a decision of a planning and placement team meeting, a settlement agreement or a special education hearing pursuant to section 10-76h of the general statutes, as amended by this act, (2) whether such placement is with an approved or

nonapproved private provider of special education services, regional educational service center, operator of an interdistrict magnet school program, state charter school, a cooperative arrangement pursuant to section 10-158a of the general statutes, a local or regional board of education operating an outplacement program or as part of the state-wide interdistrict public school attendance program pursuant to section 10-266aa of the general statutes, (3) the amount being paid by such board, (4) the special education services being provided, (5) the location of the facility at which such special education services are being provided, (6) the total number of any agreements such board enters into with a student, parent or guardian during the preceding school year that includes provisions for nondisclosure of special education services or a waiver of the rights to which such student, parent or guardian is entitled pursuant to the Individuals with Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time, and (7) any other information requested by the department. The department shall disaggregate and annually report such information, in a manner that complies with the requirements of the Family Educational Rights and Privacy Act, 20 USC 1232g, as amended from time to time, on the special education data system maintained by the department.

Sec. 13. (NEW) (*Effective July 1, 2025*) (a) As used in this section:

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

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

(b) (1) Except as otherwise provided in subdivision (2) of this subsection, on and after September 1, 2025, prior to placing any student in an out-of-district placement due to the challenging behavior of such student, each local and regional board of education shall conduct a functional behavior assessment of such student and develop or update a behavioral intervention plan for such student.

(2) A functional behavior assessment and a behavioral intervention plan shall not be required if the time required to conduct such assessment or develop or update such plan would put the safety of such student, any other student or any staff at such student's school at risk. Not later than two business days following the decision to not conduct such assessment or develop or update such plan for such student, the local or regional board of education shall file a notice with the Department of Education of the reasons that such assessment was not conducted or such plan was not developed or updated.

(c) Not later than September 1, 2025, the Department of Education shall develop guidance for local and regional boards of education to determine circumstances in which the time required to conduct a functional behavior assessment and develop or update a behavioral intervention plan would put at risk the safety of any student or school staff.

Sec. 14. Section 2-137 of the general statutes is amended by adding subsection (n) as follows (*Effective July 1, 2025*):

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

(A) The behavioral intervention methods utilized by private providers of special education services and the feasibility and impact of requiring such private providers to utilize evidence-based interventions that are proactive and highly individualized, such as the Assessment of Lagging Skills and Unsolved Problems, including, but not limited to, the feasibility and impact of requiring staff at such private providers to be trained in such evidence-based interventions with an emphasis on

problem-solving as the primary goal; and

(B) Best practices for the monitoring and random audits by the Department of Education of the use of physical restraint and seclusion pursuant to section 10-236b for students receiving special education, including, but not limited to, best practices for (i) ensuring the accuracy and consistency of the annual compilation of incidents of physical restraint and seclusions reported to the department pursuant to subsection (l) of said section, (ii) intervention by the department in schools and special education programs that report a high incidence of physical restraint and seclusion, (iii) enforcement of the laws relating to physical restraint and seclusion, such as through site visits of seclusion spaces and review of incident reports and parental notifications, (iv) mandatory training of staff and administrators to reduce reliance on physical restraint and seclusion, and (v) development of uniform rules or regulations applicable to physical restraint and seclusion of any student.

(2) The Department of Education shall submit, in a manner that complies with the requirements of the Family Educational Rights and Privacy Act, 20 USC 1232g, as amended from time to time, all data and information requested by the committee in compiling the report.

Sec. 15. Section 36 of public act 23-167 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established the Building Educational Responsibility with Greater Improvement Networks Commission. The commission shall study (1) issues relating to education funding entitled to local and regional boards of education, charter schools and operators of interdistrict magnet school programs under the provisions of section 10-262h of the general statutes, and section 10-66ee of the general statutes, (2) accountability measures for (A) alliance districts, (B) charter schools, and (C) interdistrict magnet school programs, (3) the adequacy of financial reporting by (A) local and regional boards of education, including financial reporting associated with participation in the state-

wide interdistrict public school attendance program, established pursuant to section 10-266aa of the general statutes, (B) the governing councils of state and local charter schools and charter management organizations, and (C) operators of interdistrict magnet school programs, and (4) the financial impact of interdistrict magnet school programs, charter schools and the state-wide interdistrict public school attendance program on local and regional boards of education, including, but not limited to, equalization aid grant amounts, transportation costs, special education services and other general educational costs for children who reside in the school district but do not attend a school under the jurisdiction of the board of education for such school district. The commission may form subcommittees, as necessary, in order to perform its responsibilities under subsection (c) of this section.

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

(2) The portion of such study regarding alliance districts shall include, but need not be limited to, (A) an analysis of the process by which alliance district plans are developed by boards of education and are reviewed and approved by the Commissioner of Education, and recommendations for narrowing the focus of or replacing such plans, (B) a consideration of the removal of the withholding of a portion of an alliance district's equalization aid grant under section 10-262u of the

general statutes, as amended by **[**this act**]** public act 23-167, (C) the feasibility of creating independent financial audits of the expenditures under the entire budget of boards of education for alliance districts, (D) the feasibility of requiring boards of education for alliance districts to hold hearings on interventions and make annual evaluations of any new programming established in the school district, (E) a consideration of establishing guidelines for the hiring of nonclassroom personnel, and (F) a consideration of interventions that the Department of Education may take in regard to the operations of an alliance district.

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

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

(c) (1) The commission shall conduct a needs-based study to determine if additional special education programs and services are required in the state to meet student demand. In conducting such needs-based study, the commission shall review approved and nonapproved public and private special education schools and the programs and services provided by such schools, including whether such schools maintain a waitlist for such services. The Department of Education shall comply with all data and information requests made by the commission. The commission shall develop and recommend a new methodology that

the Department of Education, in consultation with the Office of Policy and Management, shall use when reviewing applications submitted by a private provider of special education services to become an approved private provider of special education services, including application and applicant criteria.

(2) The commission shall study and consider recommendations for the creation of a peer review process for the special education program in each school district that will review each school district periodically in an effort to share best practices to duplicate or model in other school districts with similar special education and student needs.

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

(4) The commission shall review and recommend changes to the Department of Education's Connecticut Special Education Data System (CT-SEDS). Such review shall, at a minimum, consider the accessibility and usability of CT-SEDS by educators and parents and guardians of students and any requirements of CT-SEDS that exceed statutory and regulatory requirements for individualized education programs. Such

recommendations may be developed, in part, on the findings of the report described in section 17 of this act regarding the purpose of each CT-SEDS field.

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

(6) The commission shall develop recommendations for (A) standards for measuring the effectiveness of the delivery of special education services by local and regional boards of education, and (B) a system of publicly acknowledging those school districts that are consistently (i) meeting or exceeding such standards, and (ii) not meeting or are below such standards.

(7) The commission shall review and make recommendations for legislation concerning the implementation of the proposed state-wide special education workload analysis model, developed pursuant to section 16 of this act.

(8) The commission, in consultation with the Office of Health Strategy, Office of the Healthcare Advocate and Department of Social Services, shall conduct a study to determine if certain special education services can be billed to Medicaid or other private insurance.

**[**(c)**]** (d) The commission shall consist of the following initial members:

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

(2) Two appointed by the speaker of the House of Representatives, one of whom is a representative of the Connecticut Association of Public School Superintendents and one of whom is a representative of the

RESC Alliance;

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

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

(5) Three appointed by the majority leader of the House of Representatives, one of whom is a representative of the Connecticut School Counselor Association, one of whom is a representative of the Connecticut Education Association and one of whom is a representative of the Connecticut Voices for Children;

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

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

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

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

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

(e) The commission shall consist of the following additional members:

(1) Three appointed by the speaker of the House of Representatives, one of whom is a parent of a child receiving special education services in the state, one of whom is a representative of Disability Rights Connecticut and one of whom is an individual who may be a member of the General Assembly;

(2) Three appointed by the president pro tempore of the Senate, one of whom is a parent of a child receiving special education services in the state, one of whom is a representative of the Connecticut Association of Public School Superintendents and one whom is an individual who may be a member of the General Assembly;

(3) Three appointed by the majority leader of the House of Representatives, one of whom is a parent of a child receiving special education services in the state, one of whom is a special education teacher in the state and a member of the Connecticut Education Association and one of whom is an individual who may be a member of the General Assembly;

(4) Three appointed by the majority leader of the Senate, one of whom is a special education teacher in the state and a member of the American Federation of Teachers-Connecticut, one of whom is a representative of the Connecticut Council of Administrators of Special Education and one of whom is an individual who may be a member of the General Assembly;

(5) Three appointed by the minority leader of the House of Representatives, one of whom is a parent of a child receiving special education services in the state, one of whom is a special education teacher in the state and a member of the American Federation of Teachers-Connecticut and one of whom is an individual who may be a

member of the General Assembly;

(6) Three appointed by the minority leader of the Senate, one of whom is a representative of the Connecticut Association of Private Special Education Facilities, one of whom is a special education teacher in the state and a member of the Connecticut Education Association and one of whom is an individual who may be a member of the General Assembly; and

(7) Two designated by the Commissioner of Education.

**[**(d)**]** (f) (1) All initial appointments to the commission pursuant to subsection (d) of this section shall be made not later than **[**thirty days after the effective date of this section**]** July 28, 2023. Any vacancy shall be filled by the appointing authority.

(2) All additional appointments to the commission pursuant to subsection (e) of this section shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

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

**[**(f)**]** (h) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to education shall serve as administrative staff of the commission.

(i) The Department of Education shall comply with all data and information requests made by the commission for purposes of this section.

**[**(g)**]** (j) (1) Not later than **[**February 1, 2024**]** January 15, 2026, the commission shall submit a report on the portion of the study described

in subdivision (1) of subsection (b) of this section, in accordance with the provisions of section 11-4a of the general statutes, on its findings and recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations.

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

(3) Not later than December 1, 2026, the commission shall submit a report on the needs-based study described in subdivision (1) of subsection (c) of this section, in accordance with the provisions of section 11-4a of the general statutes, on its findings and recommendations to the Secretary of the Office of Policy and Management, the Commissioner of Education and the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations.

(4) Not later than December 1, 2026, the commission shall submit a report on the study described in subdivision (2) of subsection (c) of this section, in accordance with the provisions of section 11-4a of the general statutes, on its findings and recommendations to the Commissioner of Education and the joint standing committee of the General Assembly having cognizance of matters relating to education.

(5) Not later than December 1, 2026, the commission shall submit a report on the examination described in subdivision (3) of subsection (c) of this section, in accordance with the provisions of section 11-4a of the general statutes, on its findings and recommendations to the Commissioner of Education and the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations.

(6) Not later than December 1, 2026, the commission shall submit a report on the review and recommendations described in subdivision (4) of subsection (c) of this section, in accordance with the provisions of section 11-4a of the general statutes, on its findings and recommendations to the Commissioner of Education and the joint standing committee of the General Assembly having cognizance of matters relating to education.

(7) Not later than December 1, 2026, the commission shall submit a report on the study described in subdivision (5) of subsection (c) of this section, in accordance with the provisions of section 11-4a of the general statutes, on its findings and recommendations to the Commissioner of Education and the joint standing committee of the General Assembly having cognizance of matters relating to education and public health.

(8) Not later than December 1, 2026, the commission shall submit its recommendations described in subdivision (6) of subsection (c) of this section, in accordance with the provisions of section 11-4a of the general statutes, to the Commissioner of Education and the joint standing committee of the General Assembly having cognizance of matters relating to education.

(9) Not later than December 1, 2026, the commission shall submit its review and recommendations described in subdivision (7) of subsection (c) of this section, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to education.

(10) Not later than December 1, 2026, the commission shall submit a report on the study described in subdivision (8) of subsection (c) of this section, in accordance with the provisions of section 11-4a, on its findings and recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to education, human services and insurance.

**[**(3)**]** (k) The commission shall terminate on the date that it submits

the last of such reports or July 1, **[**2025**]** 2030, whichever is later.

Sec. 16. (*Effective July 1, 2025*) (a) The Commissioner of Education, in consultation with the Building Educational Responsibility with Greater Improvement Networks Commission, established pursuant to section 36 of public act 23-167, as amended by this act, and the Secretary of the Office of Policy and Management, shall develop a proposed state-wide special education workload analysis model for teachers and school service providers implementing a student's individualized education program in the provision of special education and related services. Such proposed state-wide special education workload analysis model shall establish standards that limit the workload of such teachers and school service providers, and include, but need not be limited to, provisions addressing (1) the severity of the needs of the student contained in such student's individualized education program, (2) the level and frequency of services necessary for a student to achieve the goals and objectives contained in such student's individualized education program, and (3) the time required for (A) planning services, (B) evaluations, including classroom observations, (C) coordination of services required by a student's individualized education program, (D) staff development, (E) follow-up, and (F) traveling to and from different locations in the provision of special education and related services. For purposes of this section, "workload" means the number of students with an individualized education program for which a teacher or school service provider is responsible and the time required to effectively implement each individualized education program.

(b) The commissioner shall (1) not later than July 1, 2026, submit the proposed state-wide special education workload analysis model to the Building Educational Responsibility with Greater Improvement Networks Commission, established pursuant to section 36 of public act 23-167, as amended by this act, and the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations and the budgets of state agencies, in accordance with the provisions of section 11-4a of the general statutes, and (2) not

later than September 1, 2026, make such proposed state-wide special education workload analysis model available through the Connecticut Special Education Data System.

Sec. 17. (*Effective July 1, 2025*) (a) The Commissioner of Education shall develop a report on the functions of the Connecticut Special Education Data System. Such report shall (1) provide explanations regarding (A) the purpose of each field in the data system, (B) how the data and information in each field is used, and (C) how each field relates to student outcomes, and (2) identify which field or data and information collected by the data system exceeds the requirements of the Individuals with Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time.

(b) Not later than January 1, 2026, the commissioner shall submit the report to the Building Educational Responsibility with Greater Improvement Networks Commission, established pursuant to section 36 of public act 23-167, as amended by this act, and the joint standing committee of the General Assembly having cognizance of matters relating to education.

Sec. 18. Subsection (c) of section 10-76h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

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

school district under review, shall be a hearing officer or a member of a hearing board.

(2) Both parties shall participate in a prehearing conference to resolve the issues in dispute, if possible and narrow the scope of the issues. Each party to the hearing shall disclose, not later than five business days prior to the date the hearing commences, (A) documentary evidence such party plans to present at the hearing and a list of witnesses such party plans to call at the hearing, **[**and**]** (B) all completed evaluations and recommendations based on the offering party's evaluations that the party intends to use at the hearing, and (C) all claims such party will raise at the hearing. Except for good cause shown, the hearing officer shall limit each party to such documentary evidence and witnesses as were properly disclosed and are relevant to the issues in dispute. A hearing officer may bar any party who fails to comply with the requirements concerning disclosure of (i) evaluations and recommendations from introducing any undisclosed evaluation or recommendation at the hearing without the consent of the other party, and (ii) all claims from raising any such claims.

(3) The hearing officer or board shall hear testimony relevant to the issues in dispute offered by the party requesting the hearing and any other party directly involved, and may hear any additional testimony the hearing officer or board deems relevant. The hearing officer or board shall consider all evaluations presented and used during the hearing. The hearing officer or board shall hear the testimony offered by the local or regional board of education or the unified school district responsible for providing special education to a child or pupil first in any dispute concerning the provision of free appropriate public education. The hearing officer or board may require a complete and independent evaluation or prescription of educational programs by qualified persons, the cost of which shall be paid by the board of education or the unified school district. The hearing officer or board shall cause all formal sessions of the hearing and review to be recorded in order to provide a verbatim record. The hearing officer or board shall limit the amount of

time for the offering of testimony or arguments to four days, unless there is good cause for the presentation of additional testimony or arguments. The hearing officer or board shall issue a written decision to permit such additional testimony or arguments.

Sec. 19. Subdivision (1) of subsection (d) of section 10-76h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(d) (1) The hearing officer or board shall have the authority (A) to confirm, modify, or reject the identification, evaluation or educational placement of or the provision of a free appropriate public education to the child or pupil, (B) to determine the appropriateness of an educational placement where the parent or guardian of a child requiring special education or the pupil if such pupil is an emancipated minor or eighteen years of age or older, has placed the child or pupil in a program other than that prescribed by the planning and placement team, or (C) to prescribe alternate special educational programs for the child or pupil. If the parent or guardian of such a child who previously received special education and related services from the district enrolls the child, or the pupil who previously received special education and related services from the district enrolls in a private elementary or secondary school without the consent of or referral by the district, a hearing officer may, in accordance with the Individuals with Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time, require the district to reimburse the parents or the pupil for the cost of that enrollment if the hearing officer finds that the district had not made a free appropriate public education available to the child or pupil in a timely manner prior to that enrollment. In the case where a parent or guardian, or pupil if such pupil is an emancipated minor or is eighteen years of age or older, or a surrogate parent appointed pursuant to section 10-94g, has refused consent for initial evaluation or reevaluation, the hearing officer or board may order an initial evaluation or reevaluation without the consent of such parent, guardian, pupil or surrogate parent except that if the parent, guardian, pupil or surrogate parent appeals such decision

pursuant to subdivision (4) of this subsection, the child or pupil may not be evaluated or placed pending the disposition of the appeal. The hearing officer or board shall inform the parent or guardian, or the emancipated minor or pupil eighteen years of age or older, or the surrogate parent appointed pursuant to section 10-94g, or the Commissioner of Children and Families, as the case may be, and the board of education of the school district or the unified school district of the decision in writing and mail such decision not later than forty-five days after the commencement of the hearing pursuant to the Individuals with Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time, except that a hearing officer or board may grant specific extensions of such forty-five-day period in order to comply with the provisions of subsection (b) of this section. Such written decision shall include specific findings of fact determining (i) whether the district has made reasonable efforts to accommodate the child in a regular classroom, (ii) the educational benefits available to the child in a regular classroom, with appropriate supplementary aids and services, as compared to the benefits provided in a special education classroom, (iii) the possible negative effects on the provision of education to other students in a classroom if the child is included in such classroom, and (iv) whether the school has included the child in school programs with nondisabled students to the maximum extent appropriate. The hearing officer may include in the decision a comment on the conduct of the proceedings. The findings of fact, conclusions of law and decision shall be written without personally identifiable information concerning such child or pupil, so that such decisions may be promptly indexed and published and available for public inspections pursuant to sections 4-167 and 4-180a.

Sec. 20. Subsection (a) of section 10-76b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) The State Board of Education shall provide for the development and supervision of the educational programs and services for children

requiring special education and may regulate curriculum, conditions of instruction, including the use of physical restraint and seclusion pursuant to section 10-236b, physical facilities and equipment, class composition and size, admission of students, and the requirements respecting necessary special services and instruction to be provided by local and regional boards of education. The approval and supervision of approved private providers of special education services and the educational aspects of all programs and instructional facilities in any day or residential child-caring agency or school which provides training for children requiring special education and which receives funding from the state or is paid with funds distributed under the provisions of sections 10-76a to 10-76g, inclusive, as amended by this act, or section 7 of this act, shall be subject to the approval and supervision of the commissioner in accordance with regulations adopted by the State Board of Education, in accordance with the provisions of chapter 54, concerning requirements for such programs and accommodations.

Sec. 21. Section 10-76mm of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

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

(b) Not later than January 1, 2017, the commissioner shall submit the new individualized education program form developed pursuant to this section 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.

(c) Not later than January 1, 2026, the commissioner shall update the individualized education program form to remove the list of the individuals who will be implementing the individualized education program.

Sec. 22. (NEW) (*Effective July 1, 2025*) (a) Not later than February 28, 2026, and annually thereafter, the Commissioner of Education shall make the following available on the Internet web site of the Department of Education:

(1) Data relating to the special education and expansion development grant under section 7 of this act, disaggregated by the (A) total number of special education students statewide and by each school district, (B) state aid percentage, and (C) total grant paid to each local and regional board of education.

(2) Student-level data relating to those students who are included in a board's December first filing described in subsection (a) of section 10-76g of the general statutes, including, but not limited to, the (A) school district, (B) net current expenditures per pupil threshold for each school district, (C) total anticipated costs above a school district's net current expenditures per pupil threshold, (D) total anticipated costs for (i) transportation, (ii) tuition, and (iii) any room and board, (E) facility code, and (F) grant type category, such as a grant under section 10-76g of the general statutes, section 7 of this act or any other state or federal grant, provided such data does not contain any personally identifiable information of such students and is in accordance with the Family Educational Rights and Privacy Act of 1974, 20 USC 1232g, as amended from time to time.

(3) State-wide student population data relating to those students who are included in a board's December first filing described in subsection (a) of section 10-76g of the general statutes, including, but not limited to,

the (A) number of students by (i) status as a multilingual learner, (ii) qualifying primary disability, (iii) the age categories of (I) ages three and four, (II) ages five to twelve, inclusive, (III) ages thirteen to eighteen, inclusive, and (IV) ages nineteen and older, and (iv) each facility, and (B) average number of tuition days, provided such data does not contain any personally identifiable information of such students and is in accordance with the Family Educational Rights and Privacy Act of 1974, 20 USC 1232g, as amended from time to time.

(b) Not later than January 30, 2026, and March 30, 2026, and each January thirtieth and March thirtieth thereafter, the commissioner shall submit the following information concerning annual projections for grants to be paid to each local and regional board of education under section 10-76g of the general statutes to the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations and the Office of Fiscal Analysis, in accordance with the provisions of section 11-4a of the general statutes: (1) The total amount a local or regional board is eligible to be paid under section 10-76g of the general statutes, (2) the board's net current expenditures per pupil threshold, (3) the board's tiered reimbursement percentage under section 10-76g of the general statutes, (4) the capped amount to be paid to the board, (5) the number of students with expenses projected to exceed four and one-half times the net current expenditures per pupil threshold for the board, (6) the total number of students statewide with expenses projected to exceed four and one-half times the net current expenditures per pupil threshold for the board responsible for such student, and (7) the number of students with expenses projected to exceed three times the net current expenditures per pupil threshold for the board for each child who was previously outplaced by such board and for whom such board is now providing direct in-district special education and related services without the assistance of any third-party contractor who is not an employee of such board provided all such data does not contain any personally identifiable information of such students and is in accordance with the Family Educational Rights and Privacy Act of 1974, 20 USC 1232g, as

amended from time to time.

Sec. 23. (*Effective July 1, 2025*) The Office of Dyslexia and Reading Disabilities, established pursuant to section 10-14z of the general statutes, shall develop a report on recent developments and evidence-based best practices regarding dyslexia evaluations, interventions and student outcomes in the state and the capacity of public and independent institutions of higher education in the state to prepare current and aspiring elementary school educators with structured literacy teaching skills. Not later than February 1, 2026, the commissioner shall submit such report 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.

Sec. 24. Section 10-91j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2026*):

(a) **[**Any**]** Subject to the provisions of subdivision (2) of this subsection, 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, pursuant to section 10-76d, as amended by this act, 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. Any such agreement or contract may include the following provisions: (1) 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) authorization for such board to (A) review and reconcile such reports to the contracted services described in the agreement or contract, or (B) conduct periodic site visits at the location where such private provider of special education services provides services.

(2) Any contract entered into or amended on or after July 1, 2026, pursuant to section 10-76d, as amended by this act, between a local or regional board of education and a private provider of special education services that is subject to the provisions of section 3 of this act, shall be in accordance with the rates or the rate schedule, as the case may be, established pursuant to section 3 of this act.

(b) On and after July 1, **[**2019**]** 2026, 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. 25. Section 10a-157a of the general statutes is amended by adding subsection (h) as follows (*Effective July 1, 2025*):

(NEW) (h) For the fall semester of 2025 and spring semester 2026, and each semester thereafter, the Board of Regents for Higher Education shall continue to offer each transitional college readiness program, embedded remedial support program and intensive remedial support program that said board offered at each public institution of higher education during the fall semester of 2024 and spring semester of 2025, respectively.

Sec. 26. (NEW) (*Effective July 1, 2025*) (a) Not later than January 1, 2026, and annually thereafter, each private provider of special education services, as defined in section 10-91g of the general statutes, that is approved by the Commissioner of Education shall submit to the

Department of Education a report concerning enrollment at such private provider of special education services that specifies (1) the total number of enrolled students, (2) the total number of enrolled students by each student's state of residence or, for a residential facility, by the state in which each student resided prior to placement in such residential facility, (3) the total number of enrolled students by residence in accordance with subdivision (2) of this subsection and the types of special education services provided, and (4) if such private provider of special education services maintains a waitlist, (A) the total number of students on the waitlist, (B) the total number of students on the waitlist by such student's state of residence, and (C) the total number of students on the waitlist by state of residence and the special education services sought.

(b) Not later than February 1, 2026, and annually thereafter, the Department of Education shall submit, in accordance with the provisions of section 11-4a of the general statutes, to the Office of Policy and Management, the legislative Office of Fiscal Analysis and the joint standing committees of the General Assembly having cognizance of matters relating to government oversight, education and appropriations and the budgets of state agencies the enrollment data compiled from the reports received pursuant to subsection (a) of this section."

| This act shall take effect as follows and shall amend the following sections: | | |
|---|---|---|
| Section 1 | *July 1, 2025* | 10-76a |
| Sec. 2 | *July 1, 2025* | New section |
| Sec. 3 | *July 1, 2025* | New section |
| Sec. 4 | *July 1, 2025* | New section |
| Sec. 5 | *July 1, 2025* | New section |
| Sec. 6 | *July 1, 2025* | 10-262j(j) |
| Sec. 7 | *July 1, 2025* | New section |
| Sec. 8 | *July 1, 2025* | New section |
| Sec. 9 | *July 1, 2025* | 10-74u |
| Sec. 10 | *July 1, 2025* | 10-76d(j) |
| Sec. 11 | *July 1, 2025* | New section |

| | | |
|---|---|---|
| Sec. 12 | *from passage* | New section |
| Sec. 13 | *July 1, 2025* | New section |
| Sec. 14 | *July 1, 2025* | 2-137(n) |
| Sec. 15 | *from passage* | PA 23-167, Sec. 36 |
| Sec. 16 | *July 1, 2025* | New section |
| Sec. 17 | *July 1, 2025* | New section |
| Sec. 18 | *July 1, 2025* | 10-76h(c) |
| Sec. 19 | *July 1, 2025* | 10-76h(d)(1) |
| Sec. 20 | *July 1, 2025* | 10-76b(a) |
| Sec. 21 | *July 1, 2025* | 10-76mm |
| Sec. 22 | *July 1, 2025* | New section |
| Sec. 23 | *July 1, 2025* | New section |
| Sec. 24 | *July 1, 2026* | 10-91j |
| Sec. 25 | *July 1, 2025* | 10a-157a(h) |
| Sec. 26 | *July 1, 2025* | New section |