



House of Representatives

General Assembly

File No. 515

February Session, 2026

Substitute House Bill No. 5325

House of Representatives, April 8, 2026

The Committee on Education reported through REP. LEEPER of the 132nd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING SPECIAL EDUCATION.

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

1 Section 1. Subsection (a) of section 10-236b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2026*):

4 (a) For purposes of this section:

5 (1) "Life-threatening physical restraint" means any physical restraint
6 or hold of a person that (A) restricts the flow of air into a person's lungs,
7 whether by chest compression or any other means, [or] (B) immobilizes
8 or reduces the free movement of a person's arms, legs or head while the
9 person is in the prone position, or (C) has been deemed life-threatening
10 by such person's health care provider based on such person's existing
11 medical conditions;

12 (2) "Psychopharmacologic agent" means any medication that affects
13 the central nervous system, influencing thinking, emotion or behavior;

14 (3) "Physical restraint" means any mechanical or personal restriction
15 that immobilizes or reduces the free movement of a person's arms, legs
16 or head, including, but not limited to, carrying or forcibly moving a
17 person from one location to another. The term does not include: (A)
18 Briefly holding a person in order to calm or comfort the person; (B)
19 restraint involving the minimum contact necessary to safely escort a
20 person from one area to another; (C) medical devices, including, but not
21 limited to, supports prescribed by a health care provider to achieve
22 proper body position or balance; (D) helmets or other protective gear
23 used to protect a person from injuries due to a fall; (E) helmets, mitts
24 and similar devices used to prevent self-injury when the device is (i) part
25 of a documented treatment plan or individualized education program
26 pursuant to section 10-76d, or (ii) prescribed or recommended by a
27 medical professional, as defined in section 38a-976, and is the least
28 restrictive means available to prevent such self-injury; or (F) an
29 exclusionary time out;

30 (4) "School employee" has the same meaning as provided in
31 subsection (b) of section 10-221o;

32 (5) "Seclusion" means the involuntary confinement of a student in a
33 room from which the student is physically prevented from leaving.
34 "Seclusion" does not include an exclusionary time out;

35 (6) "Student" means a child (A) enrolled in grades kindergarten to
36 twelve, inclusive, in a public school under the jurisdiction of a local or
37 regional board of education, (B) receiving special education and related
38 services in an institution or facility operating under contract with a local
39 or regional board of education pursuant to subsection (d) of section 10-
40 76d, (C) enrolled in a program or school administered by a regional
41 education service center established pursuant to section 10-66a, or (D)
42 receiving special education and related services from an approved
43 private special education program, but shall not include any child
44 receiving educational services from (i) Unified School District #2,
45 established pursuant to section 17a-37, or (ii) the Department of Mental
46 Health and Addiction Services; and

47 (7) "Exclusionary time out" means a temporary, continuously
48 monitored separation of a student from an ongoing activity in a non-
49 locked setting, for the purpose of calming such student or deescalating
50 such student's behavior.

51 Sec. 2. Subsection (f) of section 10-76ggg of the 2026 supplement to
52 the general statutes is repealed and the following is substituted in lieu
53 thereof (*Effective July 1, 2026*):

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

66 Sec. 3. Section 10-91j of the 2026 supplement to the general statutes,
67 as amended by section 24 of public act 25-67, is repealed and the
68 following is substituted in lieu thereof (*Effective July 1, 2026*):

69 (a) (1) Subject to the provisions of subdivision (2) of this subsection,
70 any agreement entered into or amended on or after July 1, 2018, but
71 prior to June 30, 2019, or any contract entered into or amended on or
72 after July 1, 2019, pursuant to section 10-76d, between a local or regional
73 board of education and a private provider of special education services,
74 as defined in section 10-91g, shall include an explanation of how the
75 tuition or costs for services provided under the agreement or contract
76 are to be calculated. Any such agreement or contract may include the
77 following provisions: (A) A requirement that such private provider of
78 special education services submit monthly or quarterly reports to such
79 board regarding the specific services and frequency of such services

80 being provided by such private provider of special education services
81 to students under the agreement or contract, and (B) authorization for
82 such board to (i) review and reconcile such reports to the contracted
83 services described in the agreement or contract, or (ii) conduct periodic
84 site visits at the location where such private provider of special
85 education services provides services.

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

92 (b) On and after July 1, 2026, a local or regional board of education
93 shall not be eligible for reimbursement pursuant to subsection (b) of
94 section 10-76g for any costs of special education paid by such board of
95 education to a private provider of special education services unless such
96 board of education has entered into a written contract with such private
97 provider of special education services for the provision of such special
98 education services. The individualized education program of a child
99 shall not be considered a contract between a local or regional board of
100 education and a private provider of special education services for
101 purposes of this section. Nothing in this subsection shall be construed
102 to limit or interrupt the provision of special education and related
103 services to a child by a local or regional board of education or private
104 provider of special education services.

105 (c) Any written contract entered into or amended on or after July 1,
106 2025, between a local or regional board of education and a private
107 provider of special education services shall include a provision that
108 requires such private provider of special education services to submit a
109 base tuition and cost for services for each school year in which services
110 are to be provided pursuant to such contract to such local or regional
111 board of education not later than December thirty-first preceding the
112 school year in which services are to be provided.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2026</i>	10-236b(a)
Sec. 2	<i>July 1, 2026</i>	10-76ggg(f)
Sec. 3	<i>July 1, 2026</i>	10-91j

ED *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill has no fiscal impact. It makes various procedural and clarifying changes regarding the provision of special education by local and regional boards of education (BOEs). These changes are not expected to alter any special education-related costs to BOEs.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5325*****AN ACT CONCERNING SPECIAL EDUCATION.*****SUMMARY**

This bill:

1. expands the range of “life-threatening physical restraint” prohibited by state education physical restraint and seclusion laws to include any physical restraint or hold that has been deemed life-threatening by the individual’s health care provider due to existing medical conditions,
2. broadens the range of information school boards must include in a required annual expenditure report on funds they receive through the special education and expansion development (SEED) grant to match what the law says the SEED grant funds may be spent on, and
3. requires that any written contract between a school board and a private provider of special education services include a provision requiring the private provider to submit a base tuition and cost for services.

The bill also makes technical and minor changes.

EFFECTIVE DATE: July 1, 2026

EXPANSION TO LIFE-THREATENING PHYSICAL RESTRAINT DEFINITION

The bill expands the definition of “life-threatening physical restraint” within Connecticut’s education law addressing physical restraint and seclusion to include any physical restraint or hold that has been deemed life-threatening by the individual’s health care provider due to existing

medical conditions.

By law, the definition already includes any physical restraint or hold that (1) restricts the flow of air into a person's lungs, whether by chest compression or any other means, or (2) immobilizes or reduces the free movement of a person's arms, legs, or head while the person is in the prone position.

Under existing law, and unchanged by the bill, no school employee can use life-threatening physical restraint on a student.

SEED GRANT ANNUAL REPORTING REQUIREMENT

Current law requires school boards that receive a SEED grant to annually report to the Connecticut State Department of Education how they spend their SEED grant (provided it is more than \$10,000). The report must itemize how grant funds were expended during the prior fiscal year for directly providing special education and related services to students, including hiring any new special education teachers, paraeducators, or behavioral or reading specialists.

The bill instead matches the reporting requirement with the grant's allowable "special education purposes." More specifically, this requires the report to itemize how grant funds were spent for (1) directly providing special education and related services to students; (2) Tier 2 interventions; (3) academic and behavioral interventions; (4) hiring and paying special education teachers, paraeducators, and behavioral and reading specialists who work directly with students; (5) equipment purchases and maintenance; and (6) curriculum materials.

BASE TUITION AND COST OF SERVICES PROVISION IN SPECIAL EDUCATION CONTRACTS

The bill requires that any written contract between a school board and a private provider of special education services include a provision requiring the provider to submit a base tuition and cost for services for each school year they provide services under the contract. This submission must be made by the December 31st before the school year when the services will be provided.

Under existing law, and unchanged by the bill, these contracts must also include an explanation of how the tuition or costs for services provided under the contract will be calculated.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 46 Nay 0 (03/18/2026)