



General Assembly

**Substitute Bill No. 5325**

February Session, 2026



**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2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  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 as  
67 amended by section 24 of public act 25-67, is repealed and the following  
68 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.*