

Connecticut State Advisory Council on Special Education

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Issue

Summarize the laws governing the Connecticut State Advisory Council on Special Education.

Summary

The federal Individuals with Disabilities Education Act (IDEA) requires states to have an advisory panel that gives guidance on special education and related services for children with disabilities in the state. The law and its implementing regulations specify member qualifications and panel duties. Among other things, the panel must advise the state educational agency on the unmet needs of students with disabilities in the state and publicly comment on new rules or regulations affecting special education and related services. Having a panel that meets these requirements is one of many conditions a state must meet in order receive funding under IDEA ([20 U.S.C. § 1412 \(a\)\(21\)](#)).

State law establishes the [Connecticut State Advisory Council for Special Education](#) to fulfill the federal advisory panel requirement ([CGS § 10-76i](#)). This law generally aligns with federal requirements for panel membership and duties, but it also includes additional state-specific requirements. The state council has 35 statutorily required members appointed by the State Department of Education (SDE) commissioner, the governor, and other specified state officials, and it has added additional members administratively through its bylaws. The council is led by a chairperson, who is annually elected by council members. In addition to federally required duties, state law requires the council to periodically review state special education laws, regulations, and guidelines and recommend changes to the General Assembly and State Board of Education (SBE).

Federal Law

State Advisory Panel Membership Requirements

Under IDEA, state advisory panel members must be appointed by the governor or another official authorized in state law to do so, and they must be people involved in, or concerned with, educating children with disabilities, including:

1. parents of children with disabilities (ages birth to 26);
2. people with disabilities;
3. teachers;
4. representatives of higher education institutions that prepare special education and related services personnel;
5. state and local education officials (including officials responsible for meeting requirements under the McKinney-Vento Homeless Assistance Act);
6. administrators of programs for children with disabilities;
7. representatives of state agencies involved in financing or delivering related services to children with disabilities;
8. representatives of private schools and public charter schools;
9. at least one representative of a vocational, community, or business organization concerned with transition services for children with disabilities;
10. a representative from the state agency responsible for foster care; and
11. representatives from state juvenile and adult corrections agencies.

Federal regulations also require the panel to be representative of the state's population, and a majority of its members must be people with disabilities or parents of children with disabilities ([20 U.S.C. § 1412 \(a\)\(21\)](#); [34 C.F.R. § 300.168](#)).

Required Duties

The panel is required to advise the state education agency on (1) unmet needs in the education of students with disabilities, (2) reporting data to the U.S. Department of Education, (3) developing corrective action plans to address any findings in federal monitoring reports, and (4) developing and implementing policies on coordinating services for children with disabilities. The panel must also publicly comment on rules or regulations the state agency proposes related to educating students with disabilities ([20 U.S.C. § 1412\(a\)\(21\)\(D\)](#); [34 C.F.R. § 300.169](#)).

State Advisory Council for Special Education

Membership

Under state law, the advisory council consists of 35 members with specified roles and qualifications. In most cases, a member is appointed by a specified state official. Table 1 below shows the advisory council members, member criteria, and appointing authority ([CGS § 10-76i](#)). In addition to the 35 specified members (shown in the table), the council must include any other members required under IDEA, and the SDE commissioner must appoint those members. (The existing state statute includes all members currently required under IDEA.)

In addition to the statutorily required members, the council has added student members (up to four) and a paraeducator member through its [bylaws](#). These members are appointed by the council itself (Art. IV, § 1; Art. VI, § 7).

Table 1: Advisory Council Members

Member Qualification	Number	Appointing Authority
Parents of children with disabilities or individuals with disabilities	14	• Governor (seven members) • SDE commissioner (six members) • Director of the Parent Leadership Training Institute within the Commission on Women, Children, Seniors, Equity and Opportunity (one member)
SDE official	1	SDE commissioner
State or local official who implements requirements under McKinney-Vento	1	SDE commissioner
Representative from a higher education institution that prepares teacher and related services personnel	1	SDE commissioner
Department of Developmental Services (DDS) official	1	DDS commissioner
Department of Children and Families (DCF) official	1	DCF commissioner
Department of Correction (DOC) official	1	DOC commissioner
Representative from Connecticut's Parent Training and Information Center	1	Not specified
Commissioner of Aging and Disability Services (or her designee)	1	None (serves ex-officio)
General Assembly Members (nonvoting)	5	House Speaker, House Majority Leader, House Minority Leader, Senate President Pro Tempore, Senate Minority leader (one appointment each)

Table 1 (continued)

Member Qualification	Number	Appointing Authority
Member of the Connecticut Speech-Language-Hearing Association	1	Senate President Pro Tempore
Public school teacher	1	Senate Majority Leader
Representative of a vocational, community or business organization concerned with providing transitional services to children with disabilities	1	Senate Minority Leader
Connecticut Council of Special Education Administrator member who is also a local education official	1	House Speaker
Charter school representative	1	House Majority Leader
Connecticut Association of Private Special Education Facilities member	1	House Minority Leader
Judicial Department official responsible for providing services to adjudicated children and youth	1	Chief Court Administrator
Executive director of the nonprofit entity designated to serve as the Connecticut protection and advocacy system (Disability Rights Connecticut), or his or her designee	1	None (serves ex-officio)

Source: [CGS § 10-76i\(a\)](#)

Officers

State law requires the council to annually elect its chairperson and other officers it deems necessary. The council's [bylaws](#) (Art. V, § 1) state that the council must have a chairperson, vice chairperson, and a secretary, and at least one of those officers must be a parent of a child with a disability or a person with a disability. Officers serve one-year terms.

The law requires the SDE official appointed to the council by the SDE commissioner to be the advisory council's secretary, and the department must provide administrative support to the council ([CGS § 10-76i \(b\)](#)). In practice, it appears that the council elects a secretary, and the bylaws specify that the secretary may get assistance from SDE when necessary (Art. V, § 4). The council's bylaws also state that the SDE Special Education Division Director serves as an ex-officio council member and supports the council and its executive committee (Art. IV, § 5).

Meetings

The council must meet at least quarterly and at other times deemed necessary by the chairperson or when requested by a majority of members in office. A majority of the members in office (but not less than 10) constitute a quorum.

By law, members who do not attend at least 50% of meetings in the calendar year are deemed resigned ([CGS § 10-76i\(b\)](#)).

Council Duties

In addition to federally required duties, state law charges the council with:

1. periodically reviewing state laws, regulations, standards, and guidelines on special education and recommending changes to the General Assembly and SBE;
2. participating with SBE in developing state eligibility documents for providing special education; and
3. annually reporting recommended changes to special education laws to the General Assembly ([CGS § 10-76i\(c\)](#)).

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