



General Assembly

January Session, 2003

Raised Bill No. 6391

LCO No. 2869

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING SPECIAL EDUCATION SERVICES FOR CHILDREN IN THE JUVENILE JUSTICE SYSTEM.

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

1 Section 1. Section 46b-134 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 Prior to the disposition of the case of any child convicted of a
4 delinquent act, investigation shall be made of the facts as [herein]
5 specified in this section by the probation officer, and until such
6 investigation has been completed and the results thereof placed before
7 the judge, no disposition of the child's case shall be made. Such
8 investigation shall consist of an examination of the parentage and
9 surroundings of the child [, his] and the child's age, habits and history,
10 and shall include also an inquiry into the home conditions, habits and
11 character of [his] the child's parents or guardians. Such investigation
12 shall include an inquiry into the circumstances of the offense, the
13 attitude of the complainant or victim, the criminal record, the present
14 condition of the child and any damages suffered by the victim
15 including medical expenses, loss of earnings and property loss. [Where
16 a] If the child is or legally should be in attendance at school, [it] such

17 investigation shall further contain a report of the child's school
18 attendance, adjustment and behavior, the child's individualized
19 education program if the child has been identified pursuant to sections
20 10-76a to 10-76gg, inclusive, as requiring special education and related
21 services and any recommendations from school officials on conditions
22 of probation if the child is placed on probation pursuant to section 46b-
23 140, which shall be furnished by the school officials to the court upon
24 its request. The court may refer the child to school officials to
25 determine if a multi-disciplinary evaluation is required in order to
26 determine if the child may be eligible for special education and related
27 services. The court shall, when it is found necessary to the disposition,
28 cause a complete physical or mental examination, or both, to be made
29 of the child by persons professionally qualified to do so. Such
30 examination may include testing to determine whether the child is
31 alcohol-dependent or drug-dependent as defined in section 46b-120.
32 [Where] If the court causes a complete physical or mental examination,
33 or both, to be made of a child whose parents, guardian or custodian is
34 found able to pay in whole or in part the cost thereof, it shall assess as
35 costs against such parents, guardian or custodian, including any
36 agency vested with the legal custody of the child, the expense so
37 incurred and paid for by the court in having such examination
38 performed, to the extent of their financial ability to do so. Prior to the
39 disposition of the case of any child convicted of a delinquent act, the
40 court may cause a complete diagnostic examination to be made, unless
41 such information is otherwise available. Such information shall include
42 physical and psychological diagnoses and may include medical,
43 psychiatric, neurological, learning disability diagnoses and such other
44 diagnoses as the court deems necessary. If such child is committed to
45 the Department of Children and Families, such information shall be
46 shared with the Department of Children and Families.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>

JUD

Joint Favorable C/R

ED