



General Assembly

Amendment

January Session, 2003

LCO No. 6840

HB0642006840HR0

Offered by:

REP. WASSERMAN, 106th Dist.
SEN. FREEDMAN, 26th Dist.
REP. MICHELE, 77th Dist.
REP. CURREY, 10th Dist.

REP. GIANNAROS, 21st Dist.
SEN. CRISCO, 17th Dist.
SEN. GAFFEY, 13th Dist.

To: House Bill No. 6420

File No. 414

Cal. No. 263

**"AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS
COMMITTEE RELATIVE TO THE FUNDING OF EDUCATIONAL
SERVICES FOR CHILDREN WHO ARE BLIND OR VISUALLY
IMPAIRED."**

1 Strike everything after the enacting clause and insert the following
2 in lieu thereof:

3 "Section 1. Section 10-295 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2003*):

5 (a) All residents of this state, regardless of age, who, because of
6 blindness or impaired vision, require [special] specialized vision-
7 related educational programs, goods and services, on the signed
8 recommendation of the director of the Board of Education and Services
9 for the Blind, shall be entitled to receive such instruction, programs,
10 goods and services and for such length of time as is deemed expedient

11 by said director. [The director shall annually submit to the board the
12 list of names of persons so recommended.] Upon the petition of any
13 parent or guardian of a blind [educable] child or a child with impaired
14 vision, a local board of education may provide such instruction within
15 the town or it may provide for such instruction by agreement with
16 other towns as provided in subsection (d) of section 10-76d. [The
17 expense of such instruction shall be paid by the state to an amount not
18 exceeding six thousand four hundred dollars for each of such persons
19 in any one state fiscal year. When the parents or guardians of any such
20 blind person or person with impaired vision are not able to provide
21 clothing for such person, an additional sum not to exceed one hundred
22 dollars per year may be allowed for such expenses. Where a local or
23 regional board of education reimburses parents or legal guardians of a
24 blind or visually impaired child for transportation to and from a
25 specialized residential facility serving the blind, such board shall be
26 reimbursed by the state for such validated actual cost up to a
27 maximum of three hundred dollars per pupil per school year.
28 Determination of reimbursable transportation costs and payment
29 therefor shall be the responsibility of the State Board of Education and
30 Services for the Blind.] All educational privileges prescribed in part V
31 of chapter 164, not inconsistent with the provisions of this chapter,
32 shall apply to the pupils covered by this subsection. [The Board of
33 Education and Services for the Blind may provide any of the
34 educational services described in this section to a child whose vision
35 may be greater than as defined in section 10-294a upon written referral
36 by the local or regional board of education responsible for providing
37 special education and related services pursuant to section 10-76d. A
38 request from a local or regional board of education for reimbursement
39 of such expenses to the Board of Education and Services for the Blind
40 shall not be eligible for such reimbursement unless such request is
41 received by the first of June for such expenses incurred during the
42 preceding first of July through the thirty-first of December and by the
43 first of December for expenses incurred during the preceding first of
44 January through the thirtieth of June.]

45 [(b) Said board may expend funds up to eleven thousand dollars per
46 fiscal year per child for the purpose of sending children who are both
47 blind or visually impaired and deaf, or blind or visually impaired with
48 other severe physical handicaps, to specialized facilities within or
49 outside the state furnishing proper facilities for education of such
50 children; provided blind children or children with visual impairment
51 who are mentally retarded or emotionally maladjusted who can
52 reasonably profit by special training, facilities and services may be
53 included in the provisions of this section. Such funds may be spent
54 outside the state for room, board, tuition and other items necessarily
55 relevant to the education of such children. Said board may determine if
56 such children should be sent to such out-of-state places and may]

57 (b) The Board of Education and Services for the Blind shall expend
58 funds for the services made available pursuant to subsection (a) of this
59 section from the Educational Aid for Blind and Visually Handicapped
60 Children account in accordance with the provisions of this subsection.
61 The expense of such services shall be paid by the state in an amount
62 not to exceed six thousand four hundred dollars in any one fiscal year
63 for each child who is blind or visually impaired. The Board of
64 Education and Services for the Blind may promulgate such regulations
65 as it deems necessary to carry out the purpose and intent of this
66 subsection. [To be eligible for aid under this subsection, the child and
67 either of such child's parents or guardian shall be bona fide residents
68 of this state.]

69 (1) The Board of Education and Services for the Blind shall provide,
70 upon written request from any interested school district, the services of
71 teachers of the visually impaired, based on the levels established in the
72 individualized education or service plan. The agency shall also make
73 available its resources, including, but not limited to, the Braille and
74 large print library to all teachers of public and nonpublic school
75 children. The agency may also provide vision-related professional
76 development and training to all school districts. The agency shall
77 utilize general-funded education consultant positions authorized as of
78 July 1, 2001, to supplement new staffing that will be made available

79 through the educational aid for the blind and visually handicapped
80 children account, which shall be governed by formal written policies
81 established by the agency.

82 (2) The Board of Education and Services for the Blind shall use
83 funds appropriated to said account, first to provide specialized books,
84 materials, equipment, supplies, adaptive technology services and
85 devices, specialist examinations and aids, preschool programs, vision-
86 related independent living services, excluding primary educational
87 placement, for eligible children without regard to a per child statutory
88 maximum.

89 (3) The Board of Education and Services for the Blind may, within
90 available appropriations, employ certified teachers of the visually
91 impaired in sufficient numbers to meet the requests for services
92 received from school districts. In responding to such requests, the
93 agency shall utilize a formula for determining the number of teachers
94 needed to serve the school districts, crediting six points per each
95 Braille learning child and one point for each other child, with one full-
96 time certified teacher of the visually impaired for every twenty-five
97 points. The agency shall exercise due diligence to employ the needed
98 number of certified teachers of the visually impaired, but shall not be
99 liable for lack of resources. Not later than October first of each year, the
100 Board of Education and Services for the Blind shall determine the
101 number of teachers needed based on the formula provided in this
102 subdivision. Based on such determination the Board of Education and
103 Services for the Blind shall estimate the funding needed to pay such
104 teachers' salaries, benefits and related expenses.

105 (4) In any fiscal year, when funds appropriated to cover the
106 combined costs associated with providing the services set forth in
107 subdivisions (2) and (3) of this subsection are projected to be
108 insufficient, the Board of Education and Services for the Blind shall be
109 authorized to collect revenue from all school districts that have
110 requested such services on a per student pro rata basis, in the sums
111 necessary to cover the projected portion of these services for which

112 there are insufficient appropriations.

113 (5) Remaining funds in said account, not expended to fund the
114 services set forth in subdivisions (2) and (3) of this subsection, shall be
115 used to cover on a pro rata basis, the actual cost with benefits of a
116 teacher of the visually impaired, directly hired or contracted by the
117 school districts which opt to not seek such services from the Board of
118 Education and Services for the Blind. Reimbursement shall occur at the
119 completion of the school year, using the caseload formula denoted in
120 subdivision (3) of this section, with twenty-five points allowing for the
121 maximum reimbursable amount as established by the agency annually.

122 (6) Remaining funds in such account, not expended to fund the
123 services set forth in subdivisions (2), (3) and (5) of this subsection, shall
124 be distributed to the school districts on a pro rata formula basis with a
125 two-to-one credit ratio for Braille learning students to non-Braille-
126 learning students in the school district based upon the annual child
127 count data provided pursuant to subdivision (1) of this subsection.

128 (c) The Board of Education and Services for the Blind may provide
129 for the instruction of the adult blind in their homes, expending
130 annually for this purpose such sums as the General Assembly may
131 appropriate.

132 (d) The Board of Education and Services for the Blind may expend
133 up to ten thousand dollars per fiscal year per person twenty-one years
134 of age or over who is both blind or visually impaired and deaf for the
135 purpose of sending such person to a specialized public or private
136 facility within the state furnishing programs from which such person
137 can profit. Said board may determine the criteria by which a person is
138 sent to a specialized public or private facility and may adopt
139 regulations necessary to carry out the provisions of this subsection.

140 (e) The Board of Education and Services for the Blind may, within
141 available appropriations, purchase adaptive equipment for persons
142 receiving services pursuant to this chapter. The cost of such purchases
143 shall not exceed, and shall be included in, the maximum amount

144 authorized for instructional expenses under subsection (a) of this
145 section."

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