



General Assembly

January Session, 2007

Raised Bill No. 7144

LCO No. 4350

04350_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT ESTABLISHING A BOARD OF EDUCATION AND SERVICES FOR CITIZENS WITH AUTISM SPECTRUM DISORDERS.

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

1 Section 1. (NEW) (*Effective October 1, 2007*) (a) There is established a
2 Board of Education and Services for Citizens with Autism Spectrum
3 Disorders that shall serve as the central policy making authority in
4 providing services to citizens with autism spectrum disorders in the
5 state. The Board of Education and Services for Citizens with Autism
6 Spectrum Disorders shall consist of twelve members who shall be
7 residents of the state and appointed as follows: Six by the Governor,
8 one by the president pro tempore of the Senate, one by the speaker of
9 the House of Representatives, one by the majority leader of the Senate,
10 one by the minority leader of the Senate, one by the majority leader of
11 the House of Representatives and one by the minority leader of the
12 House of Representatives. The Commissioner of Social Services and
13 the Commissioner of Mental Retardation shall be members, ex officio.
14 Three of the members appointed by the Governor shall be parents or
15 legal representatives of citizens with autism spectrum disorders who
16 receive services provided by the board.

17 (b) Three members of the board initially appointed by the Governor
18 shall serve a term of four years and three of the members initially
19 appointed by the Governor shall serve a term of two years. The
20 members initially appointed by the president pro tempore of the
21 Senate, the majority leader of the Senate and the minority leader of the
22 Senate shall serve a term of four years. The members initially
23 appointed by the speaker of the House of Representatives, the majority
24 leader of the House of Representatives, and the minority leader of the
25 House of Representatives shall serve a term of two years. Thereafter,
26 all members of the board shall be appointed for a term of four years,
27 commencing on January fourth of the year of the appointment.

28 (c) One of the members appointed by the Governor shall be
29 designated by the Governor as the chairperson of the board. The board
30 shall meet annually in the month of September and may meet at any
31 other time upon the call of its chairperson. The chairperson shall call a
32 meeting at the request of two members. Any appointed member who
33 fails to attend three consecutive meetings or fifty per cent of all
34 meetings held during any calendar year shall be deemed to have
35 resigned. A majority of the members in office shall constitute a
36 quorum. The appointing authority may, for reasonable cause, remove
37 any appointed member and appoint another person to fill the vacancy
38 for the unexpired portion of the term. Any vacancy in the board shall
39 be filled by the appointing authority for the unexpired portion of the
40 term.

41 (d) Members appointed to the board shall monitor the activities of
42 the agency in carrying out its mission to provide educational and
43 rehabilitative services to all state residents who have autism spectrum
44 disorders.

45 (e) The board shall be within the Department of Mental Retardation
46 for administrative purposes only.

47 (f) For the purposes of this section and sections 2 to 10, inclusive, of
48 this act, "autism spectrum disorder" means a condition that may be

49 present from birth or very early in development and affect essential
50 human behaviors such as social interaction, the ability to communicate
51 ideas and feelings, imagination and the development of relationships
52 with others.

53 Sec. 2. (NEW) (*Effective October 1, 2007*) The Governor shall appoint
54 an executive director of the Board of Education and Services for
55 Citizens with Autism Spectrum Disorders in accordance with the
56 provisions of section 4-7 of the general statutes. The executive director
57 shall be a person who has (1) background, training or education
58 related to providing services to citizens with autism spectrum
59 disorders, and (2) experience in program administration, oversight and
60 leadership. The compensation of such director shall be determined in
61 the manner provided in section 4-40 of the general statutes. No
62 member of the board shall receive compensation for services rendered
63 unless such services are special and specially requested by the board,
64 in which case a moderate allowance may be made for the time actually
65 spent. The certificate of the director of the amount of any bill for such
66 services and expenses shall be sufficient warrant to the Comptroller for
67 the payment of the same.

68 Sec. 3. (NEW) (*Effective October 1, 2007*) (a) All citizens of this state,
69 regardless of age, who, because of an autism spectrum disorder,
70 require specialized educational, medical or therapeutic programs,
71 goods and services, on the signed recommendation of the executive
72 director of the Board of Education and Services for Citizens with
73 Autism Spectrum Disorders, shall be entitled to receive such
74 instruction, programs, treatment, goods and services for such length of
75 time as is deemed necessary by said executive director. Upon the
76 petition of any parent or guardian of a child with an autism spectrum
77 disorder, a local board of education may provide such instruction
78 within the town or it may provide for such instruction by agreement
79 with other towns, as provided in subsection (d) of section 10-76d of the
80 general statutes. All educational privileges otherwise available under
81 state or federal law, not inconsistent with the provisions of this section

82 shall apply to the pupils covered by this subsection.

83 (b) The Board of Education and Services for Citizens with Autism
84 Spectrum Disorders shall expend funds for the services made available
85 pursuant to subsection (a) of this section from the educational aid for
86 children with autism spectrum disorders account in accordance with
87 the provisions of this subsection. The expense of such services shall be
88 paid by the state in an amount not to exceed six thousand four
89 hundred dollars in any one fiscal year for each child who has an
90 autism spectrum disorder. The Board of Education and Services for
91 Citizens with Autism Spectrum Disorders may adopt such regulations
92 as it deems necessary to carry out the purpose and intent of this
93 subsection.

94 (1) The Board of Education and Services for Citizens with Autism
95 Spectrum Disorders shall provide, upon written request from any
96 interested school district, the services of teachers for children with
97 autism spectrum disorders, based on the levels established in the
98 individualized education or service plan. The board shall also make
99 available its resources to all teachers of public and nonpublic school
100 children. The board may also provide professional development and
101 training to all school districts and cover the actual cost for
102 paraprofessionals from school districts to participate in agency-
103 sponsored autism spectrum disorders training programs.

104 (2) The Board of Education and Services for Citizens with Autism
105 Spectrum Disorders shall use funds appropriated to the educational
106 aid for children with autism spectrum disorders account, first to
107 provide specialized books, materials, equipment, supplies, adaptive
108 technology services and devices, specialist examinations and aids,
109 preschool programs and independent living services, excluding
110 primary educational placement, for eligible children without regard to
111 a per child statutory maximum.

112 (3) The Board of Education and Services for Citizens with Autism
113 Spectrum Disorders may employ certified teachers of citizens with

114 autism spectrum disorders in sufficient numbers to meet the requests
115 for services received from school districts. In responding to such
116 requests, the agency shall utilize a formula for determining the number
117 of teachers needed to serve the school districts. The agency shall
118 exercise due diligence to employ the needed number of certified
119 teachers of children with autism spectrum disorders, but shall not be
120 liable for lack of resources. Not later than October first of each year, the
121 Board of Education and Services for Citizens with Autism Spectrum
122 Disorders shall determine the number of teachers needed based on the
123 formula provided in this subdivision. Based on such determination,
124 the Board of Education and Services for Citizens with Autism
125 Spectrum Disorders shall estimate the funding needed to pay such
126 teachers' salaries, benefits and related expenses.

127 (4) In any fiscal year, when funds appropriated to cover the
128 combined costs associated with providing the services set forth in
129 subdivisions (2) and (3) of this subsection are projected to be
130 insufficient, the Board of Education and Services for Citizens with
131 Autism Spectrum Disorders shall be authorized to collect revenue
132 from all school districts that have requested such services on a per
133 student pro rata basis, in the sums necessary to cover the projected
134 portion of these services for which there are insufficient
135 appropriations.

136 (c) The Board of Education and Services for Citizens with Autism
137 Spectrum Disorders may expend up to ten thousand dollars per fiscal
138 year per person twenty-one years of age or over who has an autism
139 spectrum disorder for the purpose of providing services through
140 specialized public and private entities from which such person can
141 benefit. Said board may determine the criteria by which a person is
142 eligible to receive specialized services and may adopt regulations
143 necessary to carry out the provisions of this subsection.

144 (d) The Board of Education and Services for Citizens with Autism
145 Spectrum Disorders may expend up to the dollar amount allocated by

146 the General Assembly per fiscal year per person under three years of
147 age who has an autism spectrum disorder for the purpose of
148 employing appropriate staff to assist children with early intervention
149 issues and to assist children who may be receiving services in the
150 Birth-to-Three Program. Said board may determine the criteria by
151 which a child is eligible to receive specialized early intervention
152 services and may adopt regulations necessary to carry out the
153 provisions of this subsection in accordance with chapter 54 of the
154 general statutes.

155 Sec. 4. (NEW) (*Effective October 1, 2007*) The executive director of the
156 Board of Education and Services for Citizens with Autism Spectrum
157 Disorders may aid in securing employment for citizens with autism
158 spectrum disorders in industrial and mercantile establishments and in
159 other positions that offer financial returns. The director may aid needy
160 citizens with autism spectrum disorders in such ways as the director
161 deems appropriate, expending for such purpose such sum as the
162 General Assembly appropriates, provided the maximum expenditure
163 for any one person shall not exceed the sum of nine hundred sixty
164 dollars in a fiscal year, but, if said maximum amount is insufficient to
165 furnish necessary medical or hospital treatment to a beneficiary, the
166 director may authorize payment of such additional costs as the
167 director deems necessary and reasonable.

168 Sec. 5. (NEW) (*Effective October 1, 2007*) (a) The Board of Education
169 and Services for Citizens with Autism Spectrum Disorders shall,
170 annually, submit to the Governor and the General Assembly its report,
171 containing a statement of the activities of the board during the
172 preceding year. The board shall prepare and maintain a register of
173 citizens with autism spectrum disorders in this state which shall
174 describe their condition and capacity for education and rehabilitative
175 training.

176 (b) The board may accept and receive any bequest or gift of personal
177 property and, subject to the consent of the Governor and Attorney

178 General as provided in section 4b-22 of the general statutes, any devise
179 or gift of real property made to the board, and may hold and use such
180 property for the purposes, if any, specified in connection with such
181 bequest, devise or gift.

182 Sec. 6. (NEW) (*Effective October 1, 2007*) (a) Each physician and
183 psychologist shall file a report, in writing, to the Board of Education
184 and Services for Citizens with Autism Spectrum Disorders not later
185 than thirty days after any person comes under such physician's or
186 psychologist's private or institutional care and such person presents
187 with an autism spectrum disorder. Such report shall include the
188 person's name, address, date of birth and date of diagnosis of an
189 autism spectrum disorder along with a description of the nature of
190 such disorder. Such report shall not be open to public inspection and
191 not be disclosed pursuant to chapter 14 of the general statutes.

192 (b) The board may maintain a vocational rehabilitation program, as
193 authorized under state or federal law, for the purpose of providing
194 and coordinating the full scope of necessary services to assist citizens
195 who have autism spectrum disorders and who are recipients of
196 services from the board to prepare for, enter into and maintain
197 employment consistent with the purposes of the applicable law.

198 Sec. 7. (NEW) (*Effective October 1, 2007*) The Board of Education and
199 Services for Citizens with Autism Spectrum Disorders is empowered
200 to receive any federal funds made available to this state under which
201 vocational rehabilitation is provided for a person who has an autism
202 spectrum disorder and to expend such funds for the purpose or
203 purposes for which they are made available. The State Treasurer shall
204 be the custodian of such funds.

205 Sec. 8. (NEW) (*Effective October 1, 2007*) The Board of Education and
206 Services for Citizens with Autism Spectrum Disorders may cooperate,
207 pursuant to agreements, with the federal government in carrying out
208 the purposes of any federal statutes pertaining to vocational
209 rehabilitation, and is authorized to adopt such methods of

210 administration as are found by the federal government to be necessary
211 for the proper and efficient operation of such agreements or plans for
212 vocational rehabilitation and to comply with such conditions as may
213 be necessary to secure the full benefits of such federal statutes.

214 Sec. 9. (NEW) (*Effective October 1, 2007*) The Board of Education and
215 Services for Citizens with Autism Spectrum Disorders shall annually
216 file with the Comptroller a balance sheet as of June thirtieth and a
217 statement of operations for the fiscal year ending on that date. A copy
218 of such statement shall be filed with the Auditors of Public Accounts.

219 Sec. 10. (NEW) (*Effective October 1, 2007*) The case records of the
220 Board of Education and Services for Citizens with Autism Spectrum
221 Disorders maintained for the purposes of sections 1 to 10, inclusive, of
222 this act shall be confidential and the names and addresses of recipients
223 of assistance under said sections 1 to 10, inclusive of this act shall not
224 be published, disclosed under chapter 14 of the general statutes or
225 used for purposes not directly connected with the administration of
226 the provisions of such sections.

227 Sec. 11. Section 4-5 of the general statutes is repealed and the
228 following is substituted in lieu thereof (*Effective October 1, 2007*):

229 As used in sections 4-6, 4-7 and 4-8, the term "department head"
230 means Secretary of the Office of Policy and Management,
231 Commissioner of Administrative Services, Commissioner of Revenue
232 Services, Banking Commissioner, Commissioner of Children and
233 Families, Commissioner of Consumer Protection, Commissioner of
234 Correction, Commissioner of Economic and Community Development,
235 State Board of Education, Commissioner of Emergency Management
236 and Homeland Security, Commissioner of Environmental Protection,
237 Commissioner of Agriculture, Commissioner of Public Health,
238 Insurance Commissioner, Labor Commissioner, Liquor Control
239 Commission, Commissioner of Mental Health and Addiction Services,
240 Commissioner of Public Safety, Commissioner of Social Services,
241 Commissioner of Mental Retardation, Commissioner of Motor

242 Vehicles, Commissioner of Transportation, Commissioner of Public
 243 Works, Commissioner of Veterans' Affairs, Commissioner of Health
 244 Care Access, Chief Information Officer, the chairperson of the Public
 245 Utilities Control Authority, the executive director of the Board of
 246 Education and Services for the Blind, the executive director of the
 247 Board of Education and Services for Citizens with Autism Spectrum
 248 Disorders, the executive director of the Connecticut Commission on
 249 Culture and Tourism and the Ombudsman for Property Rights.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	New section
Sec. 3	<i>October 1, 2007</i>	New section
Sec. 4	<i>October 1, 2007</i>	New section
Sec. 5	<i>October 1, 2007</i>	New section
Sec. 6	<i>October 1, 2007</i>	New section
Sec. 7	<i>October 1, 2007</i>	New section
Sec. 8	<i>October 1, 2007</i>	New section
Sec. 9	<i>October 1, 2007</i>	New section
Sec. 10	<i>October 1, 2007</i>	New section
Sec. 11	<i>October 1, 2007</i>	4-5

Statement of Purpose:

To establish a board, similar to the Board of Education and Services for the Blind, that will develop, coordinate and provide lifetime services for Connecticut citizens who have autism spectrum disorders.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]