



General Assembly

January Session, 2009

**Raised Bill No. 6656**

LCO No. 4278

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Referred to Committee on Education

Introduced by:  
(ED)

**AN ACT CONCERNING SPECIAL EDUCATION.**

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

1 Section 1. Subsection (b) of section 10-76g of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2009*):

4 (b) Any local or regional board of education which provides special  
5 education pursuant to the provisions of sections 10-76a to 10-76g,  
6 inclusive, for any exceptional child described in subparagraph (A) of  
7 subdivision (5) of section 10-76a, under its jurisdiction, excluding (1)  
8 children placed by a state agency for whom a board of education  
9 receives payment pursuant to the provisions of subdivision (2) of  
10 subsection (e) of section 10-76d, and (2) children who require special  
11 education, who reside on state-owned or leased property or in  
12 permanent family residences, as defined in section 17a-154, and who  
13 are not the educational responsibility of the unified school districts  
14 established pursuant to sections 17a-37, 17a-240 and 18-99a, shall be  
15 financially responsible for the reasonable costs of special education  
16 instruction, as defined in the regulations of the State Board of

17 Education, in an amount equal to (A) for any fiscal year commencing  
18 prior to July 1, 2005, five times the average per pupil educational costs  
19 of such board of education for the prior fiscal year, determined in  
20 accordance with the provisions of subsection (a) of section 10-76f, [and]  
21 (B) for the fiscal [year] years commencing July 1, 2005, [and each fiscal  
22 year thereafter] to July 1, 2008, inclusive, four and one-half times such  
23 average per pupil educational costs of such board of education, (C) for  
24 the fiscal years commencing July 1, 2009, to July 1, 2011, inclusive, (i)  
25 ninety per cent of the per pupil costs that are equal to or in excess of  
26 four and one-half times such average per pupil educational costs of  
27 such board of education, (ii) sixty per cent of the per pupil costs that  
28 are equal to or in excess of three times such average per pupil  
29 educational costs of such board of education, but are less than four and  
30 one-half times such average per pupil educational costs of such board  
31 of education, and (iii) thirty per cent of the per pupil costs that are  
32 equal to or in excess of one and one-half times such average per pupil  
33 educational costs of such board of education, but are less than three  
34 times such average per pupil educational costs of such board of  
35 education, (D) for the fiscal years commencing July 1, 2012, and July 1,  
36 2013, (i) ninety per cent of the per pupil costs that are equal to or in  
37 excess of four and one-half times such average per pupil educational  
38 costs of such board of education, (ii) sixty-five per cent of the per pupil  
39 costs that are equal to or in excess of three times such average per  
40 pupil educational costs of such board of education, but are less than  
41 four and one-half times such average per pupil educational costs of  
42 such board of education, and (iii) forty per cent of the per pupil costs  
43 that are equal to or in excess of one and one-half times such average  
44 per pupil educational costs of such board of education, but are less  
45 than three times such average per pupil educational costs of such  
46 board of education, (E) for the fiscal years commencing July 1, 2014,  
47 and July 1, 2015, (i) ninety per cent of the per pupil costs that are equal  
48 to or in excess of four and one-half times such average per pupil  
49 educational costs of such board of education, (ii) seventy per cent of  
50 the per pupil costs that are equal to or in excess of three times such

51 average per pupil educational costs of such board of education, but are  
52 less than four and one-half times such average per pupil educational  
53 costs of such board of education, and (iii) fifty per cent of the per pupil  
54 costs that are equal to or in excess of one and one-half times such  
55 average per pupil educational costs of such board of education, but are  
56 less than three times such average per pupil educational costs of such  
57 board of education, (F) for the fiscal years commencing July 1, 2016,  
58 and July 1, 2017, (i) ninety per cent of the per pupil costs that are equal  
59 to or in excess of four and one-half times such average per pupil  
60 educational costs of such board of education, (ii) seventy-five per cent  
61 of the per pupil costs that are equal to or in excess of three times such  
62 average per pupil educational costs of such board of education, but are  
63 less than four and one-half times such average per pupil educational  
64 costs of such board of education, and (iii) sixty per cent of the per pupil  
65 costs that are equal to or in excess of one and one-half times such  
66 average per pupil educational costs of such board of education, but are  
67 less than three times such average per pupil educational costs of such  
68 board of education, (G) for the fiscal year commencing July 1, 2018,  
69 and each fiscal year thereafter, (i) ninety per cent of the per pupil costs  
70 that are equal to or in excess of four and one-half times such average  
71 per pupil educational costs of such board of education, (ii) eighty per  
72 cent of the per pupil costs that are equal to or in excess of three times  
73 such average per pupil educational costs of such board of education,  
74 but are less than four and one-half times such average per pupil  
75 educational costs of such board of education, and (iii) seventy per cent  
76 of the per pupil costs that are equal to or in excess of one and one-half  
77 times such average per pupil educational costs of such board of  
78 education, but are less than three times such average per pupil  
79 educational costs of such board of education. The State Board of  
80 Education shall pay on a current basis any costs in excess of the local  
81 or regional board's basic contribution paid by such board in  
82 accordance with the provisions of this subsection. Any amounts paid  
83 by the State Board of Education on a current basis pursuant to this  
84 subsection shall not be reimbursable in the subsequent year.

85 Application for such grant shall be made by filing with the Department  
86 of Education, in such manner as prescribed by the commissioner,  
87 annually on or before December first a statement of the cost of  
88 providing special education pursuant to this subsection, provided a  
89 board of education may submit, not later than March first, claims for  
90 additional children or costs not included in the December filing.  
91 Payment by the state for such excess costs shall be made to the local or  
92 regional board of education as follows: Seventy-five per cent of the  
93 cost in February and the balance in May. The amount due each town  
94 pursuant to the provisions of this subsection shall be paid to the  
95 treasurer of each town entitled to such aid, provided the treasurer shall  
96 treat such grant, or a portion of the grant, which relates to special  
97 education expenditures incurred in excess of such town's board of  
98 education budgeted estimate of such expenditures, as a reduction in  
99 expenditures by crediting such expenditure account, rather than town  
100 revenue. Such expenditure account shall be so credited no later than  
101 thirty days after receipt by the treasurer of necessary documentation  
102 from the board of education indicating the amount of such special  
103 education expenditures incurred in excess of such town's board of  
104 education budgeted estimate of such expenditures.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2009	10-76g(b)

**Statement of Purpose:**

To create a three-tiered reimbursement approach for special education.

*[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.]*