



# House of Representatives

**File No. 824**

General Assembly

January Session, 2013

**(Reprint of File No. 292)**

House Bill No. 6384  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 17, 2013

**AN ACT CONCERNING THE DISPROPORTIONATE OR  
INAPPROPRIATE IDENTIFICATION OF ENGLISH LANGUAGE  
LEARNERS AS REQUIRING SPECIAL EDUCATION.**

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

1 Section 1. Section 10-76kk of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 (a) Any local or regional board of education identified by the  
4 Department of Education that disproportionately and inappropriately  
5 identifies (1) minority students, or (2) English language learners as  
6 requiring special education services because such students have a  
7 reading deficiency in contravention of the provisions of subparagraph  
8 (A) of subdivision (4) of subsection (a) of section 10-76ff shall annually  
9 submit a report to the department on the plan adopted by such board  
10 that reduces the misidentification of such minority students or English  
11 language learners by improving reading assessments and  
12 interventions for students in kindergarten to grade three, inclusive.

13 (b) The Department of Education shall study the plans and

14 strategies used by a local or regional board of education that  
 15 demonstrate improvement in the reduction of the misidentification of  
 16 minority students or English language learners requiring special  
 17 education under this section. Such study shall examine the correlation  
 18 between improvements in teacher training in the science of reading  
 19 and the reduction in misidentification of students requiring special  
 20 education services.

21 (c) For purposes of this section, "minority students" means those  
 22 whose race is defined as other than white, or whose ethnicity is  
 23 defined as Hispanic or Latino by the federal Office of Management and  
 24 Budget for use by the Bureau of Census of the United States  
 25 Department of Commerce; and "English language learners" means  
 26 those students reported as English language learners by the local or  
 27 regional board of education for such students to the Department of  
 28 Education.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	10-76kk

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill, which requires the State Department of Education (SDE) to inform a board that is misidentifying students as needing special education due to a reading deficiency, including English language learners, is not anticipated to result in a fiscal impact, as SDE is currently able to identify this subset of students.

House "A" changed the monitored class of students from "students whose primary language is not English," to "English language learners," which eliminated the fiscal impact contained in the underlying bill.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

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**OLR Bill Analysis****HB 6384 (as amended by House "A")\******AN ACT CONCERNING ENGLISH LANGUAGE LEARNERS.*****SUMMARY:**

By law, when the State Department of Education (SDE) informs a local or regional board of education that it disproportionately and inappropriately identifies minority students as needing special education due to a reading deficiency, the board must annually report to SDE on how it is reducing the misidentifications. Then, SDE must study such reduction plans. This bill extends these requirements to situations where SDE informs a board that it is misidentifying students who are English language learners. It also defines "English language learners" as those students reported as English language learners by the local or regional school board for such students to SDE.

\*House Amendment "A" (1) changes the monitored class of misidentified special education students from "students whose primary language is not English" to "English language learners," (2) defines "English language learners," (3) requires boards of education to submit to SDE plans for reducing special education misidentification of English language learners, and (4) requires SDE to study board of education plans for reducing such misidentifications.

EFFECTIVE DATE: July 1, 2013

**BACKGROUND*****Board of Education Reduction Plans***

By law, SDE must study the plans and strategies submitted by local and regional boards of education to reduce the number of minority students misidentified as eligible for special education. The study

determines whether a correlation exists between improvements in teacher training for reading instruction and a reduction in misidentified students.

**COMMITTEE ACTION**

Education Committee

Joint Favorable

Yea 34 Nay 0 (03/13/2013)

Appropriations Committee

Joint Favorable

Yea 42 Nay 8 (04/30/2013)