



General Assembly

Substitute Bill No. 5562

February Session, 2014



AN ACT CONCERNING SPECIAL EDUCATION.

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

1 Section 1. (*Effective from passage*) Not later than January 1, 2015, the
2 Department of Education shall add "SLD - Dyslexia" under "Specific
3 Learning Disabilities" in the "Primary Disability" section of the
4 individualized education program form used by planning and
5 placement teams for the provision of special education and related
6 services to children requiring special education and related services.

7 Sec. 2. Subsection (f) of section 10-145a of the 2014 supplement to
8 the general statutes is repealed and the following is substituted in lieu
9 thereof (*Effective July 1, 2014*):

10 (f) On and after July 1, 2006, any program of teacher preparation
11 leading to professional certification shall include, as part of the
12 curriculum, instruction in literacy skills and processes that reflects
13 current research and best practices in the field of literacy training. Such
14 instruction shall (1) be incorporated into requirements of student major
15 and concentration, and (2) on and after July 1, 2015, include the
16 detection and recognition of, and appropriate interventions for,
17 students with dyslexia.

18 Sec. 3. Subparagraph (D) of subdivision (8) of subsection (a) of

19 section 10-76d of the 2014 supplement to the general statutes is
20 repealed and the following is substituted in lieu thereof (*Effective from*
21 *passage*):

22 (D) Immediately upon the formal identification of any child as a
23 child requiring special education and at each planning and placement
24 team meeting for such child, the responsible local or regional board of
25 education shall inform the parent or guardian of such child or
26 surrogate parent or, in the case of a pupil who is an emancipated
27 minor or eighteen years of age or older, the pupil of (i) the laws
28 relating to special education, (ii) the rights of such parent, guardian,
29 surrogate parent or pupil under such laws and the regulations adopted
30 by the State Board of Education relating to special education, including
31 the right of a parent, guardian or surrogate parent to withhold from
32 enrolling such child in kindergarten, in accordance with the provisions
33 of section 10-184, and (iii) any relevant information and resources
34 relating to individualized education programs created by the
35 Department of Education. If such parent, guardian, surrogate parent or
36 pupil does not attend a planning and placement team meeting, the
37 responsible local or regional board of education shall mail such
38 information to such person.

39 Sec. 4. Subsection (b) of section 10-76g of the 2014 supplement to the
40 general statutes is repealed and the following is substituted in lieu
41 thereof (*Effective July 1, 2014*):

42 (b) Any local or regional board of education which provides special
43 education pursuant to the provisions of sections 10-76a to 10-76g,
44 inclusive, for any exceptional child described in subparagraph (A) of
45 subdivision (5) of section 10-76a, under its jurisdiction, excluding (1)
46 children placed by a state agency for whom a board of education
47 receives payment pursuant to the provisions of subdivision (2) of
48 subsection (e) of section 10-76d, and (2) children who require special
49 education, who reside on state-owned or leased property, and who are
50 not the educational responsibility of the unified school districts
51 established pursuant to sections 17a-37, 17a-240 and 18-99a, shall be

52 financially responsible for the reasonable costs of special education
53 instruction, as defined in the regulations of the State Board of
54 Education, in an amount equal to (A) for any fiscal year commencing
55 prior to July 1, 2005, five times the average per pupil educational costs
56 of such board of education for the prior fiscal year, determined in
57 accordance with the provisions of subsection (a) of section 10-76f, [and]
58 (B) for the fiscal [year] years commencing July 1, 2005, [and each fiscal
59 year thereafter] to July 1, 2013, inclusive, four and one-half times such
60 average per pupil educational costs of such board of education, [The]
61 and (C) for the fiscal year commencing July 1, 2014, and each fiscal
62 year thereafter, (i) ten per cent of the per pupil costs that are equal to
63 or in excess of four and one-half times such average per pupil
64 educational costs of such board of education, (ii) forty per cent of the
65 per pupil costs that are equal to or in excess of three times such
66 average per pupil educational costs of such board of education, but are
67 less than four and one-half times such average per pupil educational
68 costs of such board of education, and (iii) seventy per cent of the per
69 pupil costs that are equal to or in excess of one and one-half times such
70 average per pupil educational costs of such board of education, but are
71 less than three times such average per pupil educational costs of such
72 board of education. For the fiscal year commencing July 1, 2014, and
73 each fiscal year thereafter, the State Board of Education shall pay on a
74 current basis any costs in excess of the local or regional board's basic
75 contribution, paid by such board in accordance with the provisions of
76 subparagraph (C) of subdivision (2) of this subsection, as follows: (I)
77 Ninety per cent of the per pupil costs that are equal to or in excess of
78 four and one-half times such average per pupil educational costs of
79 such board of education, (II) sixty per cent of the per pupil costs that
80 are equal to or in excess of three times such average per pupil
81 educational costs of such board of education, but are less than four and
82 one-half times such average per pupil educational costs of such board
83 of education, and (III) thirty per cent of the per pupil costs that are
84 equal to or in excess of one and one-half times such average per pupil
85 educational costs of such board of education, but are less than three
86 times such average per pupil educational costs of such board of

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2014</i>	10-145a(f)
Sec. 3	<i>from passage</i>	10-76d(a)(8)(D)
Sec. 4	<i>July 1, 2014</i>	10-76g(b)

ED *Joint Favorable Subst.*