



Substitute House Bill No. 6737

Public Act No. 15-209

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING TRANSITIONAL SERVICES FOR YOUTH AND YOUNG ADULTS WITH AUTISM SPECTRUM DISORDER.

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

Section 1. Subparagraph (D) of subdivision (8) of subsection (a) of section 10-76d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(D) Immediately upon the formal identification of any child as a child requiring special education and at each planning and placement team meeting for such child, the responsible local or regional board of education shall inform the parent or guardian of such child or surrogate parent or, in the case of a pupil who is an emancipated minor or eighteen years of age or older, the pupil of (i) the laws relating to special education, (ii) the rights of such parent, guardian, surrogate parent or pupil under such laws and the regulations adopted by the State Board of Education relating to special education, including the right of a parent, guardian or surrogate parent to withhold from enrolling such child in kindergarten, in accordance with the provisions of section 10-184, and (iii) any relevant information and resources relating to individualized education programs created by the

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Department of Education, including, but not limited to, information relating to transition resources and services for high school students. If such parent, guardian, surrogate parent or pupil does not attend a planning and placement team meeting, the responsible local or regional board of education shall mail such information to such person.

Sec. 2. Section 10-76b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) The State Board of Education shall provide for the development and supervision of the educational programs and services for children requiring special education and may regulate curriculum, conditions of instruction, including the use of physical restraint and seclusion pursuant to chapter 814e, physical facilities and equipment, class composition and size, admission of students, and the requirements respecting necessary special services and instruction to be provided by local and regional boards of education. The State Board of Education shall adopt regulations, in accordance with the provisions of chapter 54, concerning the use of physical restraint and seclusion pursuant to chapter 814e. The educational aspects of all programs and instructional facilities in any day or residential child-caring agency or school which provides training for children requiring special education and which receives funding from the state under the provisions of sections 10-76a to 10-76g, inclusive, shall be subject to the approval and supervision of the commissioner in accordance with regulations adopted by the State Board of Education concerning requirements for such programs and accommodations.

(b) The commissioner shall designate by regulation, subject to the approval of the State Board of Education, the procedures which shall be used to identify exceptional children.

(c) Said board shall be the agency for cooperation and consultation

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with federal agencies, other state agencies and private bodies on matters of public school education of children requiring special education, provided the full responsibilities for other aspects of the care of such children shall be reserved to such other agencies.

(d) The State Board of Education shall ensure that local and regional boards of education are providing the information described in subparagraph (D) of subdivision (8) of subsection (a) of section 10-76d, as amended by this act, to the parent or guardian of a child requiring special education or the surrogate parent appointed pursuant to section 10-94g and, in the case of a pupil who is an emancipated minor or eighteen years of age or older, the pupil.

Sec. 3. (NEW) (*Effective July 1, 2015*) (a) As used in this section, "parent" means the parent or guardian of a child requiring special education or the surrogate parent appointed pursuant to section 10-94g of the general statutes or, in the case of a pupil who is an emancipated minor or eighteen years of age or older, the pupil.

(b) On or before July 1, 2015, the State Board of Education shall draft a written bill of rights for parents of children receiving special education services to guarantee that the rights of such parents and children are adequately safeguarded and protected during the provision of special education and related services under chapter 164 of the general statutes. Such bill of rights shall inform parents of: (1) The right to request consideration of the provision of transition services for a child receiving special education services who is eighteen to twenty-one, inclusive, years of age, (2) the right to receive transition resources and materials from the department and the local or regional board of education responsible for such child, (3) the requirement that the local or regional board of education responsible for such child shall create a student success plan for each student enrolled in a public school, beginning in grade six, pursuant to subsection (j) of section 10-221a of the general statutes, and (4) the right of such child to receive

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realistic and specific postgraduation goals as part of such child's individualized education program.

(c) For the school year commencing July 1, 2015, and each school year thereafter, the Department of Education shall annually distribute to local and regional boards of education the written bill of rights for parents of children receiving special education services, which shall be provided to parents, at a planning and placement team meeting for a child receiving special education services in grades six to twelve, inclusive.

Sec. 4. (*Effective July 1, 2015*) The Commissioner of Rehabilitation Services, in consultation with the Commissioner of Education, the Commissioner of Mental Health and Addiction Services, the Commissioner of Developmental Services and the Labor Commissioner, or the commissioners' designees, shall develop a proposed definition for "competitive employment" to be used by each agency in relation to state matters. Not later than February 1, 2016, the Commissioner of Rehabilitation Services shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to human services, education, public health and labor concerning the definition developed in accordance with this section.

Sec. 5. (NEW) (*Effective July 1, 2015*) Not later than February 1, 2016, and annually thereafter, the Commissioner of Developmental Services shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to public health concerning the activities of the Department of Developmental Service's Division of Autism Spectrum Disorder Services, established pursuant to section 17a-215c of the general statutes, and the Autism Spectrum Disorder Advisory Council, established pursuant to section 17a-215d of the general statutes. Such report shall include, but not be limited to:

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(1) The number and ages of persons with autism spectrum disorder who are served by the Department of Developmental Services' Division of Autism Spectrum Disorder Services and, when practicable to report, the number and ages of such persons who are served by other state agencies; (2) the number and ages of persons with autism spectrum disorder on said division's waiting list for Medicaid waiver services; (3) the type of Medicaid waiver services currently provided by the department to persons with autism spectrum disorder; (4) a description of the unmet needs of persons with autism spectrum disorder on said division's waiting list; (5) the projected estimates for a five-year period of the costs to the state due to such unmet needs; (6) measurable outcome data for persons with autism spectrum disorder who are eligible to receive services from said division, including, but not limited to, (A) the number of such persons who are enrolled in postsecondary education, (B) the employment status of such persons, and (C) a description of such persons' living arrangements; and (7) a description of new initiatives and proposals for new initiatives that are under consideration.

Approved July 2, 2015