



General Assembly

**Substitute Bill No. 6737**

January Session, 2015



**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:

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2 section 10-76d of the general statutes is repealed and the following is  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

4 (D) Immediately upon the formal identification of any child as a  
5 child requiring special education and at each planning and placement  
6 team meeting for such child, the responsible local or regional board of  
7 education shall inform the parent or guardian of such child or  
8 surrogate parent or, in the case of a pupil who is an emancipated  
9 minor or eighteen years of age or older, the pupil of (i) the laws  
10 relating to special education, (ii) the rights of such parent, guardian,  
11 surrogate parent or pupil under such laws and the regulations adopted  
12 by the State Board of Education relating to special education, including  
13 the right of a parent, guardian or surrogate parent to withhold from  
14 enrolling such child in kindergarten, in accordance with the provisions  
15 of section 10-184, and (iii) any relevant information and resources  
16 relating to individualized education programs created by the  
17 Department of Education, including, but not limited to, information

18 relating to transition resources and services for high school students. If  
19 such parent, guardian, surrogate parent or pupil does not attend a  
20 planning and placement team meeting, the responsible local or  
21 regional board of education shall mail such information to such  
22 person.

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 Section 10-76b of the general statutes is repealed and the  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

25 (a) The State Board of Education shall provide for the development  
26 and supervision of the educational programs and services for children  
27 requiring special education and may regulate curriculum, conditions  
28 of instruction, including the use of physical restraint and seclusion  
29 pursuant to chapter 814e, physical facilities and equipment, class  
30 composition and size, admission of students, and the requirements  
31 respecting necessary special services and instruction to be provided by  
32 local and regional boards of education. The State Board of Education  
33 shall adopt regulations, in accordance with the provisions of chapter  
34 54, concerning the use of physical restraint and seclusion pursuant to  
35 chapter 814e. The educational aspects of all programs and instructional  
36 facilities in any day or residential child-caring agency or school which  
37 provides training for children requiring special education and which  
38 receives funding from the state under the provisions of sections 10-76a  
39 to 10-76g, inclusive, shall be subject to the approval and supervision of  
40 the commissioner in accordance with regulations adopted by the State  
41 Board of Education concerning requirements for such programs and  
42 accommodations.

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

46 (c) Said board shall be the agency for cooperation and consultation  
47 with federal agencies, other state agencies and private bodies on  
48 matters of public school education of children requiring special  
49 education, provided the full responsibilities for other aspects of the

50 care of such children shall be reserved to such other agencies.

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

57 Sec. 3. (NEW) (*Effective July 1, 2015*) (a) As used in this section,  
58 "parent" means the parent or guardian of a child requiring special  
59 education or surrogate parent or, in the case of a pupil who is an  
60 emancipated minor or eighteen years of age or older, the pupil.

61 (b) On or before July 1, 2015, the State Board of Education shall draft  
62 a written for parents of children receiving special education services  
63 bill of rights to guarantee that the rights of such parents and children  
64 are adequately safeguarded and protected during the provision of  
65 special education and related services under chapter 164 of the general  
66 statutes. Such bill of rights shall inform parents of: (1) The right to  
67 request consideration of the provision of transition services for a child  
68 receiving special education services who is eighteen to twenty-one  
69 years of age, (2) the right to receive transition resources and materials  
70 from the department and the local or regional board of education  
71 responsible for such child, (3) the requirement that the local or regional  
72 board of education responsible for such child shall create a student  
73 success plan for each student enrolled in a public school, beginning in  
74 grade six, pursuant to subsection (j) of section 10-221a of the general  
75 statutes, and (4) the right of such child to receive realistic and specific  
76 postgraduation goals as part of such child's individualized education  
77 program.

78 (c) For the school year commencing July 1, 2015, and each school  
79 year thereafter, the Department of Education shall annually distribute  
80 the written parents' of children receiving special education services bill  
81 of rights at a planning and placement team meeting for a child

82 receiving special education services in grades six to twelve, inclusive.

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

95 Sec. 5. (NEW) (*Effective July 1, 2015*) Not later than February 1, 2016,  
96 and annually thereafter, the Commissioner of Developmental Services  
97 shall report, in accordance with the provisions of section 11-4a of the  
98 general statutes, to the joint standing committee of the General  
99 Assembly having cognizance of matters relating to public health  
100 concerning the activities of the Department of Developmental Service's  
101 Division of Autism Spectrum Disorder Services, established pursuant  
102 to section 17a-215c of the general statutes, and the Autism Spectrum  
103 Disorder Advisory Council, established pursuant to section 17a-215d  
104 of the general statutes. Such report shall include, but not be limited to:  
105 (1) The number and ages of persons with autism spectrum disorder  
106 who are served by state agencies; (2) the number and ages of persons  
107 with autism spectrum disorder on the department's wait list for  
108 Medicaid waiver services; (3) the type of Medicaid waiver services  
109 currently provided by the department to persons with autism  
110 spectrum disorder; (4) a description of the unmet needs of persons  
111 with autism spectrum disorder; (5) the projected estimates for a five-  
112 year period of the costs to the state due to such unmet needs; (6)  
113 measurable outcome data for persons with autism spectrum disorder,  
114 including, but not limited to, (A) the number of such persons who are

