



General Assembly

January Session, 2015

***Raised Bill No. 1056***

LCO No. 4347



Referred to Committee on EDUCATION

Introduced by:  
(ED)

***AN ACT CONCERNING THE EXCESS COST THRESHOLD AND THE  
COLLECTION OF DATA RELATING TO PER PUPIL COSTS FOR  
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2 repealed and the following is substituted in lieu thereof (*Effective July*  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, 2015*):

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

15 education instruction, as defined in the regulations of the State Board  
16 of Education, in an amount equal to (A) for any fiscal year  
17 [commencing] ending prior to [July 1, 2005] June 30, 2006, five times  
18 the average per pupil educational costs of such board of education for  
19 the prior fiscal year, determined in accordance with the provisions of  
20 subsection (a) of section 10-76f, [and] (B) for the fiscal [year  
21 commencing July 1, 2005, and each fiscal year thereafter] years ending  
22 June 30, 2006, to June 30, 2017, inclusive, four and one-half times such  
23 average per pupil educational costs of such board of education, (C) for  
24 the fiscal year ending June 30, 2018, the quotient obtained by dividing  
25 net current expenditures of such local or regional board of education  
26 for the prior fiscal year by the number of resident students of such  
27 local or regional board of education multiplied by three and one-half,  
28 (D) for the fiscal year ending June 30, 2019, the quotient obtained by  
29 dividing net current expenditures of such local or regional board of  
30 education for the prior fiscal year by the number of resident students  
31 of such local or regional board of education multiplied by three, (E) for  
32 the fiscal year ending June 30, 2020, the quotient obtained by dividing  
33 net current expenditures of such local or regional board of education  
34 for the prior fiscal year by the number of resident students of such  
35 local or regional board of education multiplied by two and one-half,  
36 and (F) for the fiscal year ending June 30, 2021, and each fiscal year  
37 thereafter, the quotient obtained by dividing net current expenditures  
38 of such local or regional board of education for the prior fiscal year by  
39 the number of resident students of such local or regional board of  
40 education multiplied by two. For purposes of this subsection, "net  
41 current expenditures" has the same meaning as provided in section 10-  
42 261, and "resident students" has the same meaning as provided in  
43 section 10-262f. The State Board of Education shall pay on a current  
44 basis any costs in excess of the local or regional board's basic  
45 contribution paid by such board in accordance with the provisions of  
46 this subsection. Any amounts paid by the State Board of Education on  
47 a current basis pursuant to this subsection shall not be reimbursable in  
48 the subsequent year. Application for such grant shall be made by filing

49 with the Department of Education, in such manner as prescribed by  
50 the commissioner, annually on or before December first a statement of  
51 the cost of providing special education pursuant to this subsection,  
52 provided a board of education may submit, not later than March first,  
53 claims for additional children or costs not included in the December  
54 filing. Payment by the state for such excess costs shall be made to the  
55 local or regional board of education as follows: Seventy-five per cent of  
56 the cost in February and the balance in May. The amount due each  
57 town pursuant to the provisions of this subsection shall be paid to the  
58 treasurer of each town entitled to such aid, provided the treasurer shall  
59 treat such grant, or a portion of the grant, which relates to special  
60 education expenditures incurred in excess of such town's board of  
61 education budgeted estimate of such expenditures, as a reduction in  
62 expenditures by crediting such expenditure account, rather than town  
63 revenue. Such expenditure account shall be so credited no later than  
64 thirty days after receipt by the treasurer of necessary documentation  
65 from the board of education indicating the amount of such special  
66 education expenditures incurred in excess of such town's board of  
67 education budgeted estimate of such expenditures.

68 Sec. 2. Subsection (c) of section 10-220 of the general statutes is  
69 repealed and the following is substituted in lieu thereof (*Effective July*  
70 *1, 2015*):

71 (c) Annually, each local and regional board of education shall  
72 submit to the Commissioner of Education a strategic school profile  
73 report for each school under its jurisdiction and for the school district  
74 as a whole. The superintendent of each local and regional school  
75 district shall present the profile report at the next regularly scheduled  
76 public meeting of the board of education after each November first.  
77 The profile report shall provide information on measures of (1) student  
78 needs, (2) school resources, including technological resources and  
79 utilization of such resources and infrastructure, (3) student and school  
80 performance, including truancy, (4) the number of students enrolled in  
81 an adult high school credit diploma program, pursuant to section 10-

82 69, operated by a local or regional board of education or a regional  
83 educational service center, (5) equitable allocation of resources among  
84 its schools, (6) reduction of racial, ethnic and economic isolation, and  
85 (7) special education. For purposes of this subsection, measures of  
86 special education include (A) special education identification rates by  
87 disability, (B) rates at which special education students are exempted  
88 from mastery testing pursuant to section 10-14q, (C) expenditures for  
89 special education, including such expenditures as a percentage of total  
90 expenditures and the individual expenditure for each child requiring  
91 special education and related services, as defined in section 10-76a, (D)  
92 achievement data for special education students, (E) rates at which  
93 students identified as requiring special education are no longer  
94 identified as requiring special education, (F) the availability of  
95 supplemental educational services for students lacking basic  
96 educational skills, (G) the amount of special education student  
97 instructional time with nondisabled peers, (H) the number of students  
98 placed out-of-district, and (I) the actions taken by the school district to  
99 improve special education programs, as indicated by analyses of the  
100 local data provided in subparagraphs (A) to (H), inclusive, of this  
101 subdivision. The superintendent shall include in the narrative portion  
102 of the report information about parental involvement and if the district  
103 has taken measures to improve parental involvement, including, but  
104 not limited to, employment of methods to engage parents in the  
105 planning and improvement of school programs and methods to  
106 increase support to parents working at home with their children on  
107 learning activities. For purposes of this subsection, measures of  
108 truancy include the type of data that is required to be collected by the  
109 Department of Education regarding attendance and unexcused  
110 absences in order for the department to comply with federal reporting  
111 requirements and the actions taken by the local or regional board of  
112 education to reduce truancy in the school district. Such truancy data  
113 shall be considered a public record for purposes of chapter 14.

114 Sec. 3. (NEW) (*Effective July 1, 2015*) On or before October first

115 annually, the Department of Education shall submit a report on data  
116 relating to the expenditures for special education by local and regional  
117 boards of education for the prior fiscal year, collected pursuant to  
118 subparagraph (C) of subdivision (7) of subsection (c) of section 10-220  
119 of the general statutes, as amended by this act, to the joint standing  
120 committee of the General Assembly having cognizance of matters  
121 relating to education, in accordance with the provisions of section 11-  
122 4a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	10-76g(b)
Sec. 2	<i>July 1, 2015</i>	10-220(c)
Sec. 3	<i>July 1, 2015</i>	New section

**Statement of Purpose:**

To phase in a change to the excess cost threshold for special education and to require the Department of Education to annually collect and report data relating to local special education expenditures.

*[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.]*