OLR Bill Analysis

sHB 5447

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE AUDITORS OF PUBLIC ACCOUNTS CONCERNING PRIVATE PROVIDERS OF SPECIAL EDUCATION.

SUMMARY

This bill requires, starting July 1, 2019, a local or regional board of education to have a written contract, instead of an agreement as under current law, with a private special education provider in order to receive a state reimbursement grant for special education costs (“excess cost grant”). Under the excess cost grant program, the state reimburses a board when the cost of a student’s special education services exceed four and a half times the average per pupil educational cost of that school district.

The bill prohibits a student’s individualized education program from being considered a contract between a board of education and a special education services private provider for purposes of the excess cost grant.

The bill specifies that the requirement to have a contract must not be construed to limit or interrupt special education and related services provided by a board or private provider to a student.

Under current law, the Auditors of Public Accounts have authority to audit and report on agreements between boards and private special education providers. The bill extends this authority to include the contracts it requires in order to be eligible for the state reimbursement grant. Specifically, it:

1. requires boards that enter into these contracts to submit to an auditors’ examination of their monitoring of student attendance at the provider’s program to ensure that proper services are being provided and costs are being controlled;
2. authorizes the auditors to act as the board’s agent in order to conduct an audit of the private providers’ records and accounts; and

3. requires the auditors to report their findings to the board of education that entered into the contract, the education commissioner, and the Education Committee.

EFFECTIVE DATE: July 1, 2018

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute
Yea 35    Nay 0    (03/23/2018)