



General Assembly

February Session, 2018

Raised Bill No. 199

LCO No. 1229



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
(INS)

AN ACT CONCERNING SPECIAL EDUCATION FUNDING.

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

1 Section 1. (NEW) (*Effective from passage*) For the purposes of this
2 section and sections 2 and 3 of this act:

3 (1) "A child requiring special education" has the same meaning as
4 provided in section 10-76a of the general statutes;

5 (2) "Committee" means the Special Education Predictable Cost
6 Cooperative Implementation Committee established pursuant to
7 section 2 of this act;

8 (3) "Plan" means the plan prepared by the committee pursuant to
9 section 2 of this act;

10 (4) "Special education" has the same meaning as provided in section
11 10-76a of the general statutes; and

12 (5) "Special education predictable cost cooperative" or "cooperative"
13 means a special education funding mechanism that: (A) Aggregates

14 special education costs at the state level to compensate for volatility at
15 the local level by (i) providing predictability to local and regional
16 boards of education for special education costs, (ii) maintaining current
17 state funding for special education, (iii) differentiating funding based
18 on student learning needs, (iv) equitably distributing special education
19 funding, (v) providing boards of education with flexibility and
20 encouraging innovation, and (vi) limiting local financial responsibility
21 for students with extraordinary needs; (B) is funded by: (i) A
22 community contribution from each school district, calculated based on
23 the number of special education students enrolled in the school district
24 and the school district's previous special education costs, with each
25 town paying the community contribution of its resident students,
26 reduced by an equity adjustment based on the town's ability to pay,
27 and (ii) the state contribution, which is a reallocation of the special
28 education portion of the equalization aid grant and the excess cost
29 grant; (C) provides all school districts with some state support for
30 special education services; (D) ensures that a school district's
31 community contribution will be lower than the actual per-pupil special
32 education cost of the school district; and (E) reimburses school districts
33 for one hundred per cent of their actual special education costs for a
34 fiscal year.

35 Sec. 2. (NEW) (*Effective from passage*) (a) The Commissioner of
36 Education shall establish a Special Education Predictable Cost
37 Cooperative Implementation Committee. The committee shall develop
38 a plan to implement the Special Education Predictable Cost
39 Cooperative.

40 (b) The committee shall consist of the following members:

41 (1) The Commissioner of Education, or the commissioner's designee;

42 (2) The Secretary of the Office of Policy and Management, or the
43 secretary's designee;

44 (3) Two persons appointed by the Governor, one of whom shall be a
45 special education director and one of whom shall be the parent or

46 guardian of a child requiring special education;

47 (4) Two representatives of the Connecticut Association of Public
48 School Superintendents appointed by the executive director of the
49 association, one of whom shall be the superintendent of a local or
50 regional school district in this state with an enrollment of not more
51 than five thousand students and one of whom shall be the
52 superintendent of a local or regional school district in this state with an
53 enrollment of greater than five thousand students;

54 (5) One representative of the Connecticut Conference of
55 Municipalities, appointed by the executive director of the conference;

56 (6) One representative of the Connecticut Alliance of Regional
57 Education Service Centers, appointed by the commissioner, who shall
58 be an executive director of a regional educational service center
59 established pursuant to section 10-66a of the general statutes;

60 (7) The director of the UConn Actuarial Science Program at The
61 University of Connecticut, or the director's designee; and

62 (8) One representative of the Connecticut School Finance Project,
63 appointed by the director of the project.

64 (c) All appointments to the committee shall be made not later than
65 thirty days after the effective date of this section. Any vacancy shall be
66 filled by the appointing authority.

67 (d) The Commissioner of Education, or the commissioner's
68 designee, shall schedule the first meeting of the committee, which shall
69 be held not later than thirty days after the effective date of this section.
70 The chairperson of the committee shall be elected from among the
71 members at the first meeting of the committee.

72 (e) Not later than one hundred twenty days after the effective date
73 of this section, the committee shall submit its plan and any
74 recommendations concerning legislation necessary to implement the
75 plan to the Commissioner of Education, Insurance Commissioner and

76 the joint standing committees of the General Assembly having
77 cognizance of matters relating to appropriations, education and
78 insurance in the manner specified in section 11-4a of the general
79 statutes. The plan shall include, but need not be limited to: (1) The
80 committee's recommendations concerning administration, governance,
81 management and operations of the cooperative; (2) an actuarial
82 analysis of the cooperative; (3) a plan to fund the initial capital
83 investment in the cooperative; (4) a timeline to implement the
84 cooperative; (5) key dependencies and prerequisites for implementing
85 the cooperative; and (6) a framework to satisfy all requirements of
86 applicable law. The committee shall terminate on the date that it
87 submits such plan or January 1, 2019, whichever is later.

88 (f) The contents of the plan shall not be considered regulations
89 under section 4-166 of the general statutes.

90 (g) The plan shall become effective when approved by a majority
91 vote of each chamber of the General Assembly. In the event that the
92 General Assembly disapproves the plan, such plan shall be deemed to
93 be rejected.

94 Sec. 3. (NEW) (*Effective from passage*) Notwithstanding any provision
95 of the general statutes, other than subsection (g) of section 2 of this act,
96 the Commissioner of Education shall implement, by regulation and
97 within available appropriations, the cooperative based upon the plan
98 for the fiscal year ending June 30, 2020, and each fiscal year thereafter.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section

Statement of Purpose:

To alter the manner in which special education is funded in this state.

[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.]