AN ACT CONCERNING THE PROVISION OF SPECIAL EDUCATION.

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

Section 1. Section 10-76q of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2019):

(a) The State Board of Education, in accordance with regulations adopted by said board, shall: (1) Provide the professional services necessary to identify, in accordance with section 10-76a, children requiring special education who are enrolled at a technical education and career school; (2) identify each such child; (3) determine the appropriateness of the technical education and career school for the educational needs of each such child; (4) provide an appropriate educational program for each such child; (5) maintain a record thereof; and (6) annually evaluate the progress and accomplishments of special education programs provided by the Technical Education and Career System.

(b) Where it is deemed appropriate that a child enrolled in a technical education and career school receive special education, the parents or guardian of such child shall have a right to the hearing and appeal process as provided for in section 10-76h.

(c) If a planning and placement team determines that a student requires special education services which preclude such student's participation in the vocational education program offered by a technical education and career school, the student shall be referred to the board of education in the town in which the student resides for the
development of an individualized educational program and such
board of education shall be responsible for the implementation and
financing of such program.]

Sec. 2. Section 10-76d of the general statutes is amended by adding
subsection (i) as follows (Effective July 1, 2019):

(NEW) (i) No local or regional board of education shall discipline,
suspend, terminate or otherwise punish any member of a planning and
placement team employed by such board who discusses or makes
recommendations concerning the provision of special education and
related services for a child during a planning and placement team
meeting for such child. Nothing in this subsection shall limit or
prevent a supervisor conducting a performance evaluation for a
member of a planning and placement team from evaluating such
member's professional conduct during a planning and placement team
meeting.

Sec. 3. (Effective from passage) (a) There is established a working
group to study issues relating to the gap of services for children three
to five years of age, inclusive, during the period in which such children
are no longer eligible for services provided by the birth-to-three
program, established pursuant to section 17a-248b of the general
statutes, and not yet eligible to receive special education and related
services pursuant to sections 10-76a to 10-76h, inclusive, of the general
statutes until such children are enrolled in kindergarten. As part of
such study, the working group shall review and evaluate the eligibility
criteria for special education and related services that creates such gap
and prevents children from experiencing a continuity of services.

(b) The working group shall consist of the following members:

(1) The Commissioner of Early Childhood, or the commissioner's
designee;

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

(3) The Child Advocate;
(4) A representative designated by the Connecticut Association of Public School Superintendents;

(5) Three birth-to-three program service providers, selected by the Commissioner of Early Childhood; and

(6) A representative from each regional educational service center who is responsible for the provision of special education services for the center, designated by the center.

(c) All member selections to the working group pursuant to subdivision (5) of subsection (b) of this section shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the Commissioner of Early Childhood.

(d) The first meeting of the working group shall be scheduled by the Commissioner of Early Childhood and held not later than sixty days after the effective date of this section. The chairperson of the working group shall be elected from among the members of the working group at the first meeting.

(e) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to education shall serve as administrative staff of the working group.

(f) Not later than January 1, 2020, the working group shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes. The working group shall terminate on the date that it submits such report or January 1, 2020, whichever is later.

Sec. 4. Section 10-76jj of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2019):

The individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time, for any child identified as deaf or hard of hearing shall include a language
and communication plan. In the case of a child with an individualized education program, the language and communication plan shall be developed by the planning and placement team for such child. Such language and communication plan shall address: (1) The primary language or mode of communication chosen for the child, (2) opportunities for direct communication with peers and professional personnel in the primary language or mode of communication for the child, (3) educational options available to the child, (4) the qualifications of teachers and other professional personnel administering such plan for the child, including such teacher's or personnel's proficiency in the primary language or mode of communication for the child, (5) the accessibility of academic instruction, school services and extracurricular activities to the child, (6) assistive devices and services for the child, and (7) communication and physical environment accommodations for the child, and (8) an emergency communication plan that includes procedures for alerting the child of an emergency situation and ensuring that the specific needs of the child are met during the emergency situation.

Sec. 5. (Effective from passage) (a) As used in this section, "emergency communication plan" means a plan developed for a student identified as deaf, hard of hearing or both blind or visually impaired and deaf, that includes procedures for alerting such student of an emergency situation and ensuring that the specific needs of the student are met during the emergency situation.

(b) Not later than October 1, 2019, the Department of Emergency Services and Public Protection, in consultation with the Department of Education, shall revise the school security and safety plan standards, developed pursuant to section 10-222n of the general statutes, to include provisions relating to emergency communication plans.

(c) Not later than January 1, 2020, each local and regional board of education shall revise the school security and safety plan for each school under the jurisdiction of such board, developed pursuant to section 10-222m of the general statutes, to include provisions relating
to emergency communication plans.

Sec. 6. (Effective from passage) Not later than October 1, 2019, the School Safety Infrastructure Council shall revise the school safety infrastructure criteria for school building projects, developed pursuant to section 10-292r of the general statutes, to include provisions relating to emergency communication plans. As used in this section, "emergency communication plan" means a plan developed for a student identified as deaf, hard of hearing or both blind or visually impaired and deaf, that includes procedures for alerting such student of an emergency situation and ensuring that the specific needs of the student are met during the emergency situation.

Sec. 7. (Effective July 1, 2019) The Departments of Education and Public Health and the Office of Early Childhood shall develop a process for collecting and sharing data to ensure that students with an individualized education program or a plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time, and whose primary disability is identified as being deaf, hard of hearing or both blind or visually impaired and deaf, have the necessary language skills to acquire knowledge that will assist them to be successful in school and after graduation. Not later than January 1, 2020, the Department of Education shall submit a report on such process to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 8. (Effective July 1, 2019) The Department of Education shall establish a working group, within the department, on language assessment for students identified as deaf, hard of hearing or both blind or visually impaired and deaf. The working group shall develop guidelines concerning appropriate language assessments, practices and programs and the provision of immediate interventions when a student does not demonstrate progress in age-appropriate expressive and receptive language skills.

Sec. 9. (NEW) (Effective July 1, 2019) A local or regional board of
education shall, upon the identification of a student as gifted and
talented, provide written notice of such identification to the parent or
guardian of such student. Such notice shall include, but need not be
limited to, (1) an explanation of how such student was identified as
gifted and talented, and (2) the contact information for (A) the
employee at the Department of Education who has been designated to
be responsible for providing information and assistance to boards of
education and parents or guardians of students related to gifted and
talented students, pursuant to section 10-3e of the general statutes, and
(B) any associations in the state that provide support to gifted and
talented students.

Sec. 10. Subsection (h) of section 10-264l of the general statutes is
repealed and the following is substituted in lieu thereof (Effective July
1, 2019):

(h) (1) In the case of a student identified as requiring special
education, the school district in which the student resides shall: [(1)]
(A) Hold the planning and placement team meeting for such student
and shall invite representatives from the interdistrict magnet school to
participate in such meeting; and [(2)] (B) pay the interdistrict magnet
school an amount equal to the difference between the reasonable cost
of educating such student and the sum of the amount received by the
interdistrict magnet school for such student pursuant to subsection (c)
of this section and amounts received from other state, federal, local or
private sources calculated on a per pupil basis. Such school district
shall be eligible for reimbursement pursuant to section 10-76g. If a
student requiring special education attends an interdistrict magnet
school on a full-time basis, such interdistrict magnet school shall be
responsible for ensuring that such student receives the services
mandated by the student's individualized education program whether
such services are provided by the interdistrict magnet school or by the
school district in which the student resides.

(2) In the case of a student with a plan pursuant to Section 504 of the
Rehabilitation Act of 1973, as amended from time to time, the school
district in which the student resides shall pay the interdistrict magnet school an amount equal to the difference between the reasonable cost of educating such student and the sum of the amount received by the interdistrict magnet school for such student pursuant to subsection (c) of this section and amounts received from other state, federal, local or private sources calculated on a per pupil basis. If a student with a plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time, attends an interdistrict magnet school on a full-time basis, such interdistrict magnet school shall be responsible for ensuring that such student receives the services mandated by the student's plan whether such services are provided by the interdistrict magnet school or by the school district in which the student resides.

This act shall take effect as follows and shall amend the following sections:

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