

**Proposed Substitute
Bill No. 6644**

January Session, 2023

LCO No. 5233

**AN ACT CONCERNING THE DISTRIBUTION OF INFORMATION
REGARDING SPECIAL EDUCATION TO FAMILIES AND STUDENTS.**

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

1 Section 1. Section 17a-248e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) Each eligible child and his or her family shall receive (1) a
4 multidisciplinary assessment of the child's unique needs and the
5 identification of services appropriate to meet such needs, (2) a written
6 individualized family service plan developed by a multidisciplinary
7 team, including the parent, within forty-five days after the referral, (3)
8 review of the individualized family service plan with the family at least
9 every six months, with evaluation of the individualized family service
10 plan at least annually, and (4) not later than two months after the date
11 on which any child is determined to be ineligible for participation in
12 preschool programs under Part B of the Individuals with Disabilities
13 Act, 20 USC 1471 et seq., a referral to register for a mobile application
14 designated by the Commissioner of Early Childhood for the purpose of
15 continued screening for developmental and social-emotional delays in
16 partnership with the local or regional board of education for the school
17 district in which such child resides pursuant to subparagraph (H) of
18 subdivision (10) of subsection (a) of section 10-76d, provided a form
19 used for screening for developmental and social-emotional delays using
20 a validated screening tool, such as the Ages and Stages Questionnaire
21 and the Ages and Stages Social-Emotional Questionnaire, or its
22 equivalent, is provided to any family upon the request of such family

23 for the purpose of completing and submitting such form to the local or
24 regional board of education for the school district in which such child
25 resides.

26 (b) The individualized family service plan shall be in writing and
27 contain: (1) A statement of the child's present level of physical
28 development, cognitive development, language and speech
29 development and self-help skills, based on acceptable objective criteria;
30 (2) a statement of the family's priority, resources and concerns relating
31 to enhancing the development of the eligible child; (3) a statement of the
32 major outcomes expected to be achieved for the child and the family and
33 the criteria, procedures and timelines used to determine the degree to
34 which progress toward achieving the outcomes are being made, and
35 whether modifications or revisions of the outcomes are necessary; (4) a
36 statement of specific early intervention services necessary to meet the
37 unique needs of the eligible child and the family, including the
38 frequency, intensity and the method of delivering services; (5) a
39 statement of the natural environments in which the services shall be
40 provided; (6) the projected dates for initiation of services and the
41 anticipated duration of such services; (7) the name of the approved
42 comprehensive service provider that will provide or procure the
43 services specified in the individualized family service plan; (8) the name
44 of the individual service coordinator from the profession most
45 immediately relevant to the eligible child's or the family's needs who
46 will be responsible for the implementation of the plan and coordination
47 with the other agencies and providers or an otherwise qualified
48 provider selected by a parent; and (9) the steps to be taken to support
49 the transition of the child who is eligible for participation in preschool
50 programs under Part B of the Individuals with Disabilities Act, 20 USC
51 1471 et seq., as appropriate.

52 (c) The individualized family service plan shall be signed by the
53 child's pediatrician or a primary care provider or qualified personnel, as
54 those terms are defined in section 17a-248.

55 (d) The lead agency may provide early intervention services, arrange
56 for the delivery of early intervention services by participating agencies
57 or contract with providers to deliver early intervention services to
58 eligible children and the families of such children. The lead agency in
59 providing, arranging or contracting for early intervention services shall
60 monitor all birth-to-three service providers for quality and
61 accountability in accordance with Section 616 of the Individuals with
62 Disabilities Education Act, 20 USC 1416 and establish state-wide rates
63 for such services.

64 (e) The individual service coordinator for an eligible child shall not
65 later than three months prior to the third birthday of such child, (1) meet
66 with the parent or guardian of such child to provide to and discuss with
67 such parent or guardian the contact information for the person
68 responsible for the administration or coordination of special education
69 services for the school district in which such child resides, and (2)
70 provide such person responsible for the administration or coordination
71 of special education services with the individualized family service plan
72 for such child.

73 Sec. 2. (NEW) (*Effective July 1, 2023*) Not later than January 1, 2024,
74 the Department of Education shall develop an informational handout
75 for students that explains what it means for a student to have an
76 individualized education program or a plan pursuant to Section 504 of
77 the Rehabilitation Act of 1973, including what rights such student is
78 entitled to in the classroom under such program or plan. Such handout
79 shall (1) be age-appropriate, (2) prepared separately for students in
80 grades (A) kindergarten to four, inclusive, (B) five to eight, inclusive,
81 and (C) nine to twelve, inclusive, (3) translated into multiple languages,
82 including English, Spanish, Portuguese, French and Polish, and (4)
83 include a glossary of the most common tools used in the implementation
84 of such program or plan. The department shall make such handout
85 available to local and regional boards of education and post such
86 handout available on the department's Internet web site.

87 Sec. 3. Subparagraphs (D) and (E) of subdivision (10) of subsection (a)
88 of section 10-76d of the general statutes are repealed and the following
89 is substituted in lieu thereof (*Effective July 1, 2023*):

90 (D) Immediately upon the formal identification of any child as a child
91 requiring special education and at each planning and placement team
92 meeting for such child, the responsible local or regional board of
93 education shall inform the parent or guardian of such child or surrogate
94 parent or, in the case of a pupil who is an emancipated minor or eighteen
95 years of age or older, the pupil of (i) the laws relating to special
96 education, (ii) the rights of such parent, guardian, surrogate parent or
97 pupil under such laws and the regulations adopted by the State Board
98 of Education relating to special education, including the right of a
99 parent, guardian or surrogate parent to (I) withhold from enrolling such
100 child in kindergarten, in accordance with the provisions of section 10-
101 184, [and] (II) have advisors and the school paraprofessional assigned to
102 such child or pupil attend and participate in all portions of such meeting
103 at which an educational program for such child or pupil is developed,
104 reviewed or revised, in accordance with the provisions of subparagraph
105 (C) of this subdivision, and (III) a separate document that is a plain
106 language and detailed explanation of the hearing and appeals process,
107 as provided in section 10-76h, available to such child or pupil if there is
108 a disagreement about the individualized education program,
109 identification, evaluation or educational placement of or the provision
110 of a free appropriate public education to such child or pupil, and which
111 includes information regarding available resources and local advocacy
112 groups that provide assistance relating to such hearings and appeals,
113 such as the Connecticut Parent Advocacy Center, and (iii) any relevant
114 information and resources relating to individualized education
115 programs created by the Department of Education, including, but not
116 limited to, information relating to transition resources and services for
117 high school students and the Parent's Guide to Special Education in
118 Connecticut developed by the department. If such parent, guardian,
119 surrogate parent or pupil does not attend a planning and placement
120 team meeting, the responsible local or regional board of education shall

121 mail such information to such person.

122 (E) Each local and regional board of education shall have in effect at
123 the beginning of each school year an educational program for each child
124 or pupil who has been identified as eligible for special education, and
125 shall provide (i) the informational handout described in section 2 of this
126 act to each child with an individualized education program or plan
127 pursuant to Section 504 of the Rehabilitation Act of 1973, and (ii) the
128 Parent's Guide to Special Education in Connecticut developed by the
129 Department of Education and the rights and resources available to such
130 child in the provision of special education and related services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	17a-248e
Sec. 2	<i>July 1, 2023</i>	New section
Sec. 3	<i>July 1, 2023</i>	10-76d(a)(10)(D) and (E)