

Education Committee JOINT FAVORABLE REPORT

Bill No.: SB-1244

Title: AN ACT MAKING INVESTMENTS IN IN-DISTRICT SPECIAL EDUCATION.

Vote Date: 3/28/2025

Vote Action: Joint Favorable Substitute Change of Reference to Appropriations

PH Date: 2/19/2025

File No.:

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SPONSORS OF BILL:

Governor Ned Lamont

REASONS FOR BILL:

This bill seeks to create a maximum tuition rate for out of district special education programs, and to require local and regional boards of education to review and publish a report on their special education spending every five years.

Connecticut has a high rate of utilizing out of district special education programs, and the cost of these programs have been increasing significantly, placing a burden on school districts. These provisions would help create transparency regarding special education spending and would help reduce the cost burden placed on districts by the tuition rates of out of district special education programs.

In addition, the bill seeks to create a grant program for in district special education programs. This would help encourage the development and improvement of in district programs, which could offset the cost burden of sending students to out of district programs and allow more students to be educated in their home district.

SUBSTITUTE LANGUAGE:

Section 1, line 3, changes the word “tuition” to “tuition and related fees.” Section 3, lines 53–54, adds that school boards must follow FERPA rules about keeping data private when they do their required five-year review of special education spending.

RESPONSE FROM ADMINISTRATION/AGENCY:

[Ned Lamont, Governor](#)

Governor Lamont submitted written testimony in support of the bill. The testimony noted that out of district special education programs tend to be more expensive than those offered in district, and that these costs tend to rise year over year, putting a financial burden on school districts. It discussed how the bill would help create consistent and transparent rates for the tuition for out of district special education services. It noted how the bill would create a grant for local and regional special education programs to promote the establishment of in district special education programs that would offer high quality and inclusive education to students.

[Charlene Russell-Tucker, Commissioner, Connecticut Department of Education](#)

Charlene Tucker submitted written testimony regarding the bill. The testimony expressed support for creating maximum tuition rates for out of district special education programs as well as for creating a grant to encourage the development of in district and regional special education services.

[Christina Ghio, Acting Child Advocate, Office of the Child Advocate](#): submitted written testimony regarding the bill. The testimony expressed support for investing in in-district special education services. It noted that Connecticut places special education students at separate schools at higher rates than other states, and that the majority of these students are children of color. It suggested that offering more early intervention and behavioral support would allow more students to be educated in district.

The testimony expressed concerns with the rate setting structure laid out in the bill, suggesting that it would use significant administrative resources that would be better allocated toward ensuring the educational quality of out of district placements.

NATURE AND SOURCES OF SUPPORT:

[Representative Vincent Candelora, House Minority Leader](#): submitted written testimony in support of the bill. He suggested that the cost of outplacement special education services have been increasing significantly year over year without significant explanation as to why they are occurring. He noted that this bill would create more transparency while helping to manage the costs of outplacement special education services so that they do not result in higher taxes or cuts to other programs.

[Emily Byrne, Executive Director, Connecticut Voices of Children](#): submitted written testimony in support of the bill. She discussed the rising cost of special education and how that places a burden on school districts and municipalities and affects the outcomes of special education students. She suggested that the bill would be a step towards managing the cost of tuition for special education and promoting collaborative regional programs.

[Matt Conway, Superintendent, Derby Public Schools](#): submitted written testimony in support of the bill. He suggested that the bill would invest in in district special education programs and allow school districts to better support their students. He also expressed support for the provisions in the bill that would create a clear framework for calculating maximum tuition rates charged by private providers for special education programs to ensure that these rates are transparent and equitable.

[Carolyn Gamerman, Resident, West Hartford](#): submitted written testimony in support of the bill. She suggests that investing in in-district special education programs and offering services

in district would ultimately cheaper than transporting children to receive those services out of district.

[Besty Gara, Executive Director, Connecticut Council of Small Towns](#): submitted written testimony in support of the bill. The testimony expressed support for the provisions of the bill that would create in-district special education programs, as this would make the cost of these programs more predictable and would help towns to account for special education costs as part of their budget.

[Lisa Hammersley, Executive Director, School and State Finance Project](#): submitted written testimony regarding the bill. She discussed the high cost of out of district placements and expressed support for implementing a tuition rate schedule to help control these costs and maintain transparency. The testimony also expressed support for creating a grant program to create in-district and regionalized special education programs, and included suggestions for how these grants could be implemented most effectively.

[Steven Hernandez, Executive Director, ConnCAN](#): submitted written testimony regarding the bill. He noted how having in-district special education programs creates inclusivity and allows special education students to be educated alongside their siblings and peers.

[Orlando Rodriguez, Research and Policy Development, Connecticut Education Association](#): submitted written testimony in support of the bill. The testimony discussed the importance of creating a fixed price schedule for out of district special education services. It expressed several concerns with section 4 of the bill, and suggested ways that the bill could be changed to rectify those concerns.

[Jeffrey Sousa, Superintendent, New Hartford Public Schools](#): submitted written testimony in support of the bill. He discussed the importance of allocating funding toward the Excess Cost Grant and suggested that it should be fully funded.

NATURE AND SOURCES OF OPPOSITION:

[Matthew Berardesca, Senior Director, SESI Schools of New England](#): submitted written testimony in opposition to the bill. He suggested that even if more money is allocated to in district programs, many of these programs do not have the specialized training and resources to serve students with certain educational needs. He suggests that this bill could harm special education students, and that there should instead be a focus on offering more access to specialized programs for students who need them and more investment made in special education professionals.

[Lisa Gregory, CEO, Milestones Behavioral Services](#): submitted written testimony in opposition to the bill. She suggested that the funding model proposed by the bill does not adequately account for the fact that many Approved Private Special Education Programs offer services that extend beyond the traditional school year, as many students require year-round support.

[Ben Shaiken, Director of Government Relations, Connecticut Community Nonprofit Alliance:](#) submitted written testimony in opposition to the bill, and specifically the provisions that would cap tuition rates for out of district special education programs. He suggested that doing so could limit the options available to students (as providers might stop offering certain programs if the tuition, they receive for them would not cover their costs), and could lead to an increase in out of state placements.

Over 113 additional people submitted written testimony in opposition to the bill:

They express concern with tuition rates being capped for Approved Private Schools and suggest that this will be a threat to programs that are able to serve the educational needs of children who are not able to have those needs met in district. They also suggest that grant funding to create in district placement may not provide adequate educational opportunities for students and could create higher costs for districts in years when the need for these services is low. They note that this could place a financial burden on parents of special needs children as well as school districts.

General Comments:

[Alyssa Goduti, President and CEO, Children's League of Connecticut:](#) submitted written testimony regarding the bill. The testimony expressed concerns with the rate setting study for outplaced special education services that is outlined in the bill, as well as concern that the study would ultimately result in rate caps that will burden both students and providers. They suggested that the study would not be comprehensive enough, and that it should be expanded to additionally study RESCs, the cost of transportation services, Non-Profit vs. For-Profit services and Approved vs. Non-Approved providers. The testimony notes that many school districts struggle with the unpredictable nature of tuition rates, and they suggest adding language that would make costs more predictable for school districts. The testimony concluded by discussing the costs involved in special education services and highlighting the importance of addressing the root cause of the increased cost of special education services rather than implementing rate caps.

[Shellye Davis, Divisional Vice President for PSRPs, AFT Connecticut:](#) submitted written testimony regarding the bill. She discussed the important role that paraeducators play in the education system, and suggested that they be paid a living wage, based on the cost of living in the communities they work in, and that strategies be implemented to increase retention of paraeducators.

[Fran Rabinowitz, Executive Director, Connecticut Association of Public School Superintendents:](#) submitted written testimony regarding the bill. The testimony expressed support for further developing in-district special education programs, and suggested that Excess Cost Grants should be fully funded.

[Lon Seidman, Vice President of Government Relations, Connecticut Association of Boards of Education:](#) submitted written testimony regarding the bill. The testimony expressed support for creation a tuition rate schedule for special education programs, but also expressed concerns that providers could stop offering certain programs if the tuition being offered wasn't

sufficient. It also suggested that increasing the Excess Cost Reimbursement Grant by \$40 million is insufficient.

[Duncan Young, Chief Executive Officer, Effective School Solutions:](#)

submitted written testimony regarding the bill. He discussed the connection between mental health and special education. He expressed support for creating a grant to encourage the development of in district special education programs and made suggestions for funding mental health programs for special education students through this grant.

[Cynthia Zweig, President, CSEA Paraeducator Council:](#) submitted written testimony regarding the bill. She discussed the important role that paraeducators play in education and assisting students with disabilities. She suggested that paraeducators be paid a fair wage, and that funding allocated to special education go towards classroom staff and resources.

The following people pieces of written testimony regarding the bill suggesting that more funding be allocated towards schools:

[Isabel Rivera, Organizer, Colectivo de Defensa](#)

[Constanza Segovia, Organizing Director, Connecticut For All](#)

[Danielle Bergh, New London Public Schools](#)

[Leslie Blatteau, President, New Haven Federation of Teachers](#)

[Oralis Guzman, Member, Colectivo de Defensa](#)

[Solange Jesus Velarde, Member, Colectivo de Defensa](#)

[John O'Connor, Professor, CSU-AAUP](#)

[Christher Estrada-Perez, Executive Director, the Student Loan Fund](#)

They discussed the importance of having adequate funding for schools and special education programs. They suggested that an additional \$545 million in funding be allocated to K-12 Education, and that the ECS formula be updated to include special education as a factor.

Reported by: Lauren Kaiser Krause

Date: May 1, 2025