



General Assembly

Substitute Bill No. 1244

January Session, 2025



AN ACT MAKING INVESTMENTS IN IN-DISTRICT SPECIAL EDUCATION.

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

1 Section 1. (NEW) (*Effective July 1, 2025*) (a) Not later than July 1, 2026,
2 the Department of Education shall develop a methodology for
3 calculating the maximum rates of tuition and related fees that may be
4 charged by a provider of special education services to a local or regional
5 board of education. The department shall publish and make such
6 methodology available on its Internet web site.

7 (b) Not later than July 1, 2027, and annually thereafter, the
8 Department of Education shall establish, and annually update, a tuition
9 rate and fee schedule that is based on the methodology for calculating
10 the maximum rates of tuition and related fees that may be charged by a
11 provider of special education services developed pursuant to subsection
12 (a) of this section.

13 Sec. 2. Section 10-91j of the general statutes is repealed and the
14 following is substituted in lieu thereof (*Effective July 1, 2025*):

15 (a) (1) Any agreement entered into or amended on or after July 1,
16 2018, but prior to June 30, 2019, or any contract entered into or amended
17 on or after July 1, 2019, but prior to June 30, 2027, pursuant to section 10-

18 76d, between a local or regional board of education and a private
19 provider of special education services, as defined in section 10-91g, shall
20 include an explanation of how the tuition or costs for services provided
21 under the agreement or contract are to be calculated.

22 (2) Any contract entered into or amended on or after July 1, 2027,
23 pursuant to section 10-76d, between a local or regional board of
24 education and a private provider of special education services shall be
25 in accordance with the tuition rate schedule established pursuant to
26 subsection (b) of section 1 of this act.

27 (3) Any such agreement or contract may include the following
28 provisions: [(1)] (A) A requirement that such private provider of special
29 education services submit monthly or quarterly reports to such board
30 regarding the specific services and frequency of such services being
31 provided by such private provider of special education services to
32 students under the agreement or contract, and [(2)] (B) authorization for
33 such board to [(A)] (i) review and reconcile such reports to the
34 contracted services described in the agreement or contract, or [(B)] (ii)
35 conduct periodic site visits at the location where such private provider
36 of special education services provides services.

37 (b) On and after July 1, 2019, a local or regional board of education
38 shall not be eligible for reimbursement pursuant to subsection (b) of
39 section 10-76g for any costs of special education paid by such board of
40 education to a private provider of special education services unless such
41 board of education has entered into a written contract with such private
42 provider of special education services for the provision of such special
43 education services. The individualized education program of a child
44 shall not be considered a contract between a local or regional board of
45 education and a private provider of special education services for
46 purposes of this section. Nothing in this subsection shall be construed
47 to limit or interrupt the provision of special education and related
48 services to a child by a local or regional board of education or private
49 provider of special education services.

50 Sec. 3. (NEW) (*Effective July 1, 2025*) Not later than June 30, 2026, and
51 every five years thereafter, each local and regional board of education
52 shall conduct, in a manner and form prescribed by the Commissioner of
53 Education and that is in compliance with the Family Educational Rights
54 and Privacy Act of 1974, 20 USC 1232g, as amended from time to time,
55 a comprehensive review of all spending by such board on the provision
56 of special education and related services. Each such board shall submit
57 a report of the results of such review to the commissioner and make such
58 report available on the Internet web site of such board.

59 Sec. 4. (NEW) (*Effective July 1, 2025*) (a) For the fiscal year ending June
60 30, 2027, and each fiscal year thereafter, the Department of Education
61 shall, within available appropriations, administer a competitive grant
62 program for local and regional boards of education to support in-district
63 or regionalized programming for students with disabilities. Grants
64 awarded to local and regional boards of education under the program
65 may be used to enhance and improve existing specialized programming
66 in the school district or start-up costs related to the creation of in-district
67 or regional programming for students who are enrolled in a program
68 operated by a private provider of special education services.

69 (b) The Commissioner of Education shall develop the application to
70 be used by local and regional boards of education in applying for a grant
71 under this section. The application shall include, but need not be limited
72 to, a description of (1) the program location, (2) the student population
73 who will be served, (3) the staffing needs for the programming, (4) any
74 assistive technology and materials necessary to implement the
75 programming, (5) any capital improvement needs, (6) the budget
76 allocation for the programming, and (7) any professional development
77 necessary for implementation of the programming. A local or regional
78 board of education shall submit such application in a form and manner
79 prescribed by the Commissioner of Education.

80 (c) The commissioner shall develop criteria for reviewing and
81 approving grant applications. Such criteria shall be based upon (1)
82 increasing students' access to high-quality general education

83 instruction, and (2) enhancing in-district or regional programming for
84 students with intensive needs, including giving priority to those
85 applications that demonstrate collaboration between multiple boards of
86 education or between boards of education and regional education
87 service centers.

88 (d) Not later than September 30, 2027, and annually thereafter, any
89 local or regional board of education that has received a grant under the
90 program in the prior fiscal year shall submit a report to the
91 commissioner that assesses the impact of the grant on student outcomes
92 and district expenditures. The report shall contain any information and
93 data requested by the commissioner.

94 (e) Not later than December 31, 2027, and annually thereafter, the
95 department shall submit a report on the progress of the program to the
96 joint standing committee of the General Assembly having cognizance of
97 matters relating to education, in accordance with the provisions of
98 section 11-4a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2025</i>	New section
Sec. 2	<i>July 1, 2025</i>	10-91j
Sec. 3	<i>July 1, 2025</i>	New section
Sec. 4	<i>July 1, 2025</i>	New section

Statement of Legislative Commissioners:

In the last sentence of Section 4(a), "currently" was deleted and "private" was added before "provider", for clarity.

ED *Joint Favorable Subst. C/R*

APP

APP *Joint Favorable Subst.-LCO*