
OLR Bill Analysis

sHB 7076

AN ACT PROVIDING EDUCATION MANDATE RELIEF.

SUMMARY

This bill makes the following unrelated changes to the state's education laws:

1. makes the kindergarten waiver process optional by requiring local and regional boards of education (school boards) to consider admitting children under age five only if they adopt an early admission policy (§ 1);
2. ends a student's eligibility for special education on the student's 22nd birthday, rather than at the end of the school year in which the student turns age 22, and makes conforming changes (§§ 2-8);
3. extends the temporary pause on enforcement of the state's school racial imbalance law (§§ 9-11); and
4. repeals a requirement that school boards annually report to the Commission for Educational Technology certain information on their use of internet websites, online services, or mobile applications that do not have a contract that meets the standards required under the state data privacy laws information (§ 12).

EFFECTIVE DATE: July 1, 2026, except that the (1) racial imbalance provisions are effective July 1, 2025, and (2) report repeal is effective upon passage.

§ 1 — KINDERGARTEN WAIVERS

Existing law generally requires a child to be at least age five by September 1st of the school year in order to enroll in public school kindergarten. But current law establishes a mandatory waiver process

that allows children under age five to be admitted if the (1) child's parent or guardian makes a written request to the school principal and (2) principal and an appropriate certified school staff member do an assessment that shows the child is developmentally ready.

The bill makes the waiver process optional for school districts by allowing children under age five to enroll in kindergarten only if the school board adopts an early admissions policy. Any admissions policy must require the same written request and evaluation as required under current law.

§§ 2-8 — AGE FOR SPECIAL EDUCATION ELIGIBILITY

School Boards (§§ 2-4)

PA 23-137 (§§ 32-37) extended qualifying students' eligibility for special education through the end of the school year during which a student turns age 22. (By law, the school year runs from July 1 to June 30.)

The bill instead ends a student's eligibility for special education on their 22nd birthday and makes various conforming changes. In doing so, the bill reverts to the eligibility limit established in 2020 by a federal court ruling and codified in PA 22-80 (§ 31) (see BACKGROUND). Under the bill, as under current law, school boards' obligation to provide special education ends earlier if the student graduates from high school before hitting the age limit.

Parental Rights (§ 5)

The bill adds a new component to the "special education bill of rights for parents" by requiring that it inform parents of the rights to (1) get information on state agency programs providing services for attaining a child's post-graduation goals in the child's Individualized Education Program (IEP) and (2) establish contact with, and receive help applying for, these programs.

The bill also makes conforming changes requiring the State Board of Education (SBE) to state in its bill of rights that (1) parents' and children's rights are protected until children graduate from high school

or reach age 22 (rather than at the end of the school year when the child turns 22), whichever occurs first, and (2) parents have the right to ask the board to consider providing their child with transition services from age 18 until 22.

***Connecticut Technical Education and Career System (CTECS)
Postsecondary Programs (§ 6)***

Under current law, any student admitted to one of CTECS's postsecondary programs must have a high school diploma or have completed the school year in which the student turned age 22. The bill instead requires that admitted students have a high school diploma or have reached age 22 if the student was receiving special education and did not graduate from high school.

Other Agencies or Liaisons (§§ 7 & 8)

The bill similarly amends the age eligibility requirement for children receiving special education who are placed in a school district by the Department of Children and Families commissioner, offices of a Native American tribe's government, Department of Mental Health and Addiction Services, or Department of Public Health residential facilities operators, among others.

It also makes this change for a state law requiring that the liaison between a school district and the criminal justice system assist all relevant educational service providers in ensuring that people in justice system custody who are age 22 or younger are promptly evaluated for special education services eligibility.

§§ 9-11 — RACIAL IMBALANCE LAW

The racial imbalance law requires SBE, when it finds a racial imbalance at a public school, to give written notification to the school's board of education. In response, the notified school board must prepare a plan to correct the imbalance and submit it to SBE for approval.

PA 24-93, §§ 3-5, paused enforcement of this law for one year by prohibiting SBE from notifying a school board of a racial imbalance at one of its schools until July 1, 2025. The bill extends this prohibition until

July 1, 2029. It similarly extends provisions (1) suspending the requirement that a board notified of an imbalance prepare and file a correction plan, and (2) prohibiting SBE taking any action on any plan received on or after July 1, 2024.

By law a “racial imbalance” is a proportion of minority students enrolled in all grades in a public school that substantially exceeds, or substantially falls short of, the proportion of minority students in the same grades in all the district’s public schools (see BACKGROUND).

BACKGROUND

Age of Special Education Eligibility: A.R. v. Connecticut State Board of Education

The federal Individuals with Disabilities Education Act (IDEA) requires schools to provide a free, appropriate public education to qualifying students with disabilities between ages 3 to 21, inclusive; however, states are not required to do so for children ages 3 through 5 or 18 through 21 if they do not otherwise provide public education to individuals in those age ranges (20 U.S.C. § 1412(a)(1)). Prior to 2020, Connecticut required school boards to provide special education to qualifying students through the end of the school year in which the student turned 21.

In 2020, the Second Circuit of the U.S. Court of Appeals affirmed the U.S. District Court for the District of Connecticut’s ruling that special education eligibility cannot end when a student reaches age 21. It reasoned that since Connecticut provides adult education that can result in a high school diploma for young adults, the IDEA requires the state to provide special education to students with disabilities through the entirety of age 21 and until a student’s 22nd birthday (*A.R. v. Connecticut State Board of Education*, 5 F. 4th 155 (2d Cir. 2021)).

Racial Imbalance Defined

State regulations define “racially imbalanced” as any school in which the percentage of minority students enrolled falls outside the range of 25 percentage points more or less than the district-wide percentage (Conn. Agencies Regs., § 10- 226e-3(b)). For example, in a school district

that has an overall minority enrollment of 50%, any individual school that has less than 25% or more than 75% minority enrollment in comparable grades across the district would be considered racially imbalanced.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 42 Nay 3 (03/24/2025)