



Senate

General Assembly

File No. 361

February Session, 2026

Substitute Senate Bill No. 424

Senate, April 2, 2026

The Committee on Government Oversight reported through SEN. GADKAR-WILCOX of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING OVERSIGHT OF PLANS PURSUANT TO SECTION 504 OF THE REHABILITATION ACT OF 1973 AND SPECIAL EDUCATION NEEDS IN THE STATE.

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

1 Section 1. (NEW) (*Effective July 1, 2026*) For the fiscal year ending June
2 30, 2027, and each fiscal year thereafter, the State Department of
3 Education shall annually compile and make publicly available on its
4 Internet web site data organized by school district showing the number
5 of students in a public school, grades kindergarten to twelve, inclusive,
6 with a plan pursuant to Section 504 of the Rehabilitation Act of 1973, as
7 amended from time to time. The department shall track trends in such
8 data. All local and regional boards of education shall provide any
9 information necessary for the department to compile such data. The
10 department shall disaggregate and post such information in a manner
11 that complies with the requirements of the Family Educational Rights
12 and Privacy Act, 20 USC 1232g, as amended from time to time.

13 Sec. 2. (*Effective July 1, 2026*) (a) The Commissioner of Education shall,
14 within available appropriations, convene a working group to review
15 how local and regional boards of education are providing
16 accommodations to students under plans pursuant to Section 504 of the
17 Rehabilitation Act of 1973, as amended from time to time, including the
18 use of staff and the amount of staff time dedicated to the development
19 and implementation of such plans. The working group shall include, but
20 need not be limited to, representatives from the Connecticut Education
21 Association, Connecticut School Counselor Association, American
22 Federation of Teachers-Connecticut, Connecticut Association of Boards
23 of Education, Connecticut Association of Public School
24 Superintendents, Connecticut Chapter of the National Association of
25 Social Workers and Connecticut Association of School Psychologists.

26 (b) Not later than January 1, 2027, the Commissioner of Education
27 shall submit a report, in accordance with the provisions of section 11-4a
28 of the general statutes, to the joint standing committees of the General
29 Assembly having cognizance of matters relating to education and
30 government oversight. Such report shall include, but need not be
31 limited to, any best practices for plans pursuant to Section 504 of the
32 Rehabilitation Act of 1973, recommendations for statutory changes, if
33 applicable, and a summary and analysis of the impact of such plans and
34 their usage since 2020.

35 Sec. 3. Section 10-15o of the 2026 supplement to the general statutes
36 is repealed and the following is substituted in lieu thereof (*Effective*
37 *October 1, 2026*):

38 (a) There is established an Office of the Educational Ombudsperson,
39 which shall be within the Office of Governmental Accountability for
40 administrative purposes only. The Office of the Educational
41 Ombudsperson shall serve students and families of students in the
42 pursuit of preschool, elementary and secondary education, special
43 education, vocational education and adult education. The Office of the
44 Educational Ombudsperson shall be under the direction of an
45 Educational Ombudsperson who shall be appointed by the Governor

46 and be selected from among individuals with expertise and experience
47 in educational advocacy, special education and educational law.

48 (b) The Office of the Educational Ombudsperson shall:

49 (1) Receive, review and attempt to resolve any complaints from
50 students and students' families, including, but not limited to, attempts
51 to resolve such complaints in collaboration with schools and educators;

52 (2) Compile and analyze data on students and young people, through
53 available data systems, including, but not limited to, the Connecticut
54 Preschool through Twenty and Workforce Information Network,
55 established pursuant to section 10a-57g;

56 (3) Assist employees of local and regional boards of education
57 involved in planning and placement team meetings;

58 (4) Provide information to the public, agencies, legislators and others
59 regarding the issues and concerns of students and make
60 recommendations for resolving such issues and concerns;

61 (5) Analyze and monitor the development and implementation of
62 federal, state and local laws, regulations and policies relating to students
63 and recommend any changes the Educational Ombudsperson deems
64 necessary;

65 (6) Disseminate information concerning the availability of the Office
66 of the Educational Ombudsperson to assist students and families of
67 students, as well as local and regional boards of education with
68 educational resource concerns;

69 (7) On and after July 1, 2027, prioritize the office's efforts on those
70 school districts that have been identified in the study conducted
71 pursuant to section 10-76000 as disproportionately or over-identifying
72 minority students for special education and related services; [and]

73 (8) Employ legal staff and legal counsel as necessary to perform the
74 duties and responsibilities under subdivision (1) of this subsection;

75 (9) Hold hearings, subpoena witnesses and compel their attendance,
76 administer oaths, take the testimony of any person under oath and
77 require the production for examination of any books and papers relating
78 to any matter under investigation or in question;

79 (10) Require written answers to interrogatories under oath relating to
80 any complaint under investigation pursuant to this chapter alleging any
81 discriminatory practice, as described in subdivision (6) of subsection (b)
82 of section 46a-64, as amended by this act, and adopt regulations, in
83 accordance with the provisions of chapter 54, for the procedure for the
84 issuance of interrogatories and compliance with interrogatory requests;

85 (11) Utilize such voluntary and uncompensated services of private
86 individuals, agencies and organizations as may from time to time be
87 offered and needed and with the cooperation of such agencies to carry
88 out the provisions of this section; and

89 ~~[(8)]~~ (12) Take any other actions necessary to fulfill the duties of the
90 Office of the Educational Ombudsperson and the Educational
91 Ombudsperson as set forth in this subsection.

92 (c) On or before January 1, [2026] 2027, and annually thereafter, the
93 Educational Ombudsperson shall submit a report, in accordance with
94 the provisions of section 11-4a, to the Office of Governmental
95 Accountability and the joint standing committees of the General
96 Assembly having cognizance of matters relating to education and
97 children. The Educational Ombudsperson shall report on: (1) The
98 implementation of this section; (2) the overall effectiveness of the
99 Educational Ombudsperson position; [and] (3) the number of
100 complaints received pursuant to subdivision (1) of subsection (b) of this
101 section during the prior year, how many complaints were substantiated
102 or unsubstantiated, whether any corrective action was taken and the
103 average of time it took to process such complaints; and (4) additional
104 steps that need to be taken for the Educational Ombudsperson to be
105 more effective.

106 Sec. 4. Section 46a-64 of the 2026 supplement to the general statutes

107 is repealed and the following is substituted in lieu thereof (*Effective*
108 *October 1, 2026*):

109 (a) It shall be a discriminatory practice in violation of this section: (1)
110 To deny any person within the jurisdiction of this state full and equal
111 accommodations in any place of public accommodation, resort or
112 amusement because of race, creed, color, national origin, ancestry, sex,
113 gender identity or expression, marital status, age, lawful source of
114 income, intellectual disability, mental disability, physical disability,
115 including, but not limited to, blindness or deafness, status as a veteran,
116 status as a victim of domestic violence, status as a victim of sexual
117 assault or status as a victim of trafficking in persons, of the applicant,
118 subject only to the conditions and limitations established by law and
119 applicable alike to all persons; (2) to discriminate, segregate or separate
120 on account of race, creed, color, national origin, ancestry, sex, gender
121 identity or expression, marital status, age, lawful source of income,
122 intellectual disability, mental disability, learning disability, physical
123 disability, including, but not limited to, blindness or deafness, status as
124 a veteran, status as a victim of domestic violence, status as a victim of
125 sexual assault or status as a victim of trafficking in persons; (3) for a
126 place of public accommodation, resort or amusement to restrict or limit
127 the right of a mother to breast-feed her child; (4) for a place of public
128 accommodation, resort or amusement to refuse entry to a person with a
129 disability who is accompanied by a service animal; or (5) to deny any
130 person with a disability or any person training an animal as a service
131 animal to assist a person with a disability, accompanied by such service
132 animal, full and equal access to any place of public accommodation,
133 resort or amusement. Any person with a disability or any person
134 training an animal as a service animal may keep such service animal at
135 all times in such place of public accommodation, resort or amusement
136 at no extra charge, provided such service animal is in the direct custody
137 and control of such person. When it is not obvious what service an
138 animal provides, staff of a place of public accommodation, resort or
139 amusement may inquire of the owner or keeper whether such animal is
140 a service animal required because of a disability and what work or task
141 the animal has been trained to perform. Nothing in this subsection shall

142 preclude a business owner's ability to recover for damage caused to a
143 person or property by a service animal. For the purposes of this
144 subsection, "disability" and "service animal" have the same meanings as
145 provided in section 22-345 and "place of public accommodation, resort
146 or amusement" has the same meaning as provided in section 46a-44.

147 (b) (1) The provisions of this section with respect to the prohibition of
148 sex discrimination shall not apply to (A) the rental of sleeping
149 accommodations provided by associations and organizations which
150 rent all such sleeping accommodations on a temporary or permanent
151 basis for the exclusive use of persons of the same sex, or (B) separate
152 bathrooms or locker rooms based on sex.

153 (2) The provisions of this section with respect to the prohibition of
154 discrimination on the basis of age shall not apply to minors or to special
155 discount or other public or private programs to assist persons sixty
156 years of age and older.

157 (3) The provisions of this section with respect to the prohibition of
158 discrimination on the basis of physical disability shall not require any
159 person to modify his property in any way or provide a higher degree of
160 care for a physically disabled person, including, but not limited to blind
161 or deaf persons, than for a person not physically disabled.

162 (4) The provisions of this section with respect to the prohibition of
163 discrimination on the basis of creed shall not apply to the practice of
164 granting preference in admission of residents into a nursing home as
165 defined in section 19a-490, if (A) the nursing home is owned, operated
166 by or affiliated with a religious organization, exempt from taxation for
167 federal income tax purposes, and (B) the class of persons granted
168 preference in admission is consistent with the religious mission of the
169 nursing home.

170 (5) The provisions of this section with respect to the prohibition of
171 discrimination on the basis of lawful source of income shall not prohibit
172 the denial of full and equal accommodations solely on the basis of
173 insufficient income.

174 (6) The provisions of this section with respect to the prohibition of
175 discrimination on the basis of intellectual disability, mental disability or
176 physical disability that concern a student with an individualized
177 education program or a plan pursuant to Section 504 of the
178 Rehabilitation Act of 1973, as amended from time to time, and where the
179 place of public accommodation is a public school, shall be enforced by
180 complaint made to the Office of the Educational Ombudsperson in lieu
181 of the commission.

182 (c) Any person who violates any provision of this section shall be
183 guilty of a class D misdemeanor.

184 Sec. 5. Subsection (a) of section 46a-82 of the 2026 supplement to the
185 general statutes is repealed and the following is substituted in lieu
186 thereof (*Effective October 1, 2026*):

187 (a) Any person claiming to be aggrieved by an alleged discriminatory
188 practice, except for an alleged violation of section 4a-60g or 46a-68, [or]
189 the provisions of sections 46a-68c to 46a-68f, inclusive, or section 46a-64,
190 as amended by this act, that is described in subdivision (6) of subsection
191 (b) of section 46a-64, as amended by this act, may, by himself or herself
192 or by such person's attorney, file with the commission a complaint in
193 writing under oath, except that a complaint that alleges a violation of
194 section 46a-64c need not be notarized. The complaint shall state the
195 name and address of the person alleged to have committed the
196 discriminatory practice, provide a short and plain statement of the
197 allegations upon which the claim is based and contain such other
198 information as may be required by the commission. The commission
199 whenever it has reason to believe that a person who is named as party
200 to a discriminatory practice complaint has engaged or is engaged in
201 conduct that constitutes a violation of part VI, of chapter 952, may refer
202 such matter to the Office of the Chief State's Attorney and said office
203 shall conduct a further investigation as deemed necessary. After the
204 filing of a complaint, the commission shall provide the complainant
205 with a notice that: (1) Acknowledges receipt of the complaint; and (2)
206 advises of the time frames and choice of forums available under this

207 chapter.

208 Sec. 6. (NEW) (*Effective from passage*) The Commissioner of Education
209 shall implement changes to the special education data system
210 developed by the Department of Education to better adapt its use for
211 plans pursuant to Section 504 of the Rehabilitation Act of 1973, as
212 amended from time to time, and the differing requirements of such
213 plans compared to individualized education programs. Such changes
214 shall ensure, at a minimum, that the reporting requirements for plans
215 pursuant to Section 504 of said act be limited to: (1) Student
216 demographic information, (2) the evaluation period, (3) identification of
217 behavioral, social and emotional needs of students, (4) the type of
218 accommodation provided, (5) requirements related to case management
219 or social workers, (6) any additional testing performed, (7) the
220 identification of accessibility technologies utilized, and (8) any other
221 information required under sections 10-76a to 10-76h, inclusive, of the
222 general statutes, to the extent permitted by the Family Educational
223 Rights and Privacy Act, 20 USC 1232g, as amended from time to time.

224 Sec. 7. (NEW) (*Effective July 1, 2026*) Not later than July 1, 2027, and
225 annually thereafter, each local and regional board of education shall
226 report to the Department of Education, for students of the school district
227 who have plans pursuant to Section 504 of the Rehabilitation Act of
228 1973, as amended from time to time and for which the board is
229 responsible for implementing such plan: (1) The number of students
230 with such plan by grade level, (2) the types of supports given to
231 students, and (3) the number of complaints made by parents of the
232 students with such plans. The department shall disaggregate such
233 information in a manner that complies with the requirements of the
234 Family Educational Rights and Privacy Act, 20 USC 1232g, as amended
235 from time to time.

236 Sec. 8. (NEW) (*Effective July 1, 2026*) The Department of Education
237 shall provide increased oversight and coordination with local and
238 regional boards of education to support students with plans pursuant
239 to Section 504 of the Rehabilitation Act of 1973, as amended from time

240 to time.

241 Sec. 9. (*Effective from passage*) (a) Not later than January 1, 2027, the
242 Department of Education shall perform a needs assessment of the
243 number of social workers and school counselors required to attain an
244 ideal student-to-counselor and social worker ratio, specified by
245 elementary, middle and high school student need, for students with
246 individualized education programs and plans pursuant to Section 504
247 of the Rehabilitation Act of 1973, as amended from time to time.

248 (b) Not later than January 1, 2027, the Commissioner of Education
249 shall submit a report, in accordance with the provisions of section 11-4a
250 of the general statutes, to the joint standing committees of the General
251 Assembly having cognizance of matters relating to education and
252 government oversight. Such report shall include the results of the needs
253 assessment and recommendations for the ideal student-to-counselor
254 and social worker ratio, specified by elementary, middle and high
255 school for students with such programs or plans.

256 Sec. 10. (*Effective from passage*) The Commissioner of Social Services
257 shall identify any services that local and regional boards of education
258 provide that could be eligible for Medicaid reimbursement to leverage
259 federal funding for school or support services. Not later than December
260 31, 2026, the commissioner shall submit a report, in accordance with the
261 provisions of section 11-4a of the general statutes, to the joint standing
262 committees of the General Assembly having cognizance of matters
263 relating to human services, government oversight and appropriations
264 and the budgets of state agencies. Such report shall include a detailed
265 listing of any identified services that could be eligible for such
266 reimbursement.

267 Sec. 11. (*Effective from passage*) Not later than December 31, 2026, the
268 Chief Workforce Officer of the Office of Workforce Strategy shall
269 develop and report a strategic assessment plan to increase the capacity
270 of school social workers and school counselors in the state to the General
271 Assembly, in accordance with the provisions of section 11-4a of the
272 general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2026</i>	New section
Sec. 2	<i>July 1, 2026</i>	New section
Sec. 3	<i>October 1, 2026</i>	10-15o
Sec. 4	<i>October 1, 2026</i>	46a-64
Sec. 5	<i>October 1, 2026</i>	46a-82(a)
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>July 1, 2026</i>	New section
Sec. 8	<i>July 1, 2026</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In Section 1, the first sentence was reworded for clarity, in Section 2, "establish" was changed to "convene" and " how local and regional boards of education are providing accommodations to students under" was added for clarity, in Sections 6, 8 and 9, references to the Bureau of Special Education were deleted for statutory consistency, in Sections 6 and 7 references to FERPA were added to avoid potential conflicts with federal law, and in Section 7 the first sentence was reworded for clarity.

GOS *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Education, Dept.	GF - Cost	581,100	131,100
Office of Workforce Strategy	GF - Cost	Up to 100,000	None
State Comptroller - Fringe Benefits ¹	GF - Cost	90,900	90,900
Governmental Accountability, Off.	GF - Cost	86,000	86,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill, which makes various changes relating to student plans pursuant to section 504 of the Rehabilitation Act of 1973 (504 plans), results in the fiscal impacts described by section below.

Sections 1 and 7 result in a one-time cost of \$150,000 in FY 27 to the State Department of Education (SDE) related to collecting and reporting data regarding 504 plans. The funding is required to build systems to integrate data from CT-SEDS (state special education data system) into SDE's data warehouse to facilitate the reporting requirements.

Section 2 establishes a working group to review how boards of education are developing and implementing 504 plans, which results in no fiscal impact as the work group has the necessary resources and

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.82% of payroll in FY 27.

expertise to fulfil the requirements.

Sections 3 – 5 empower the Office of the Educational Ombudsperson² (OEO) to employ legal staff to conduct hearings, subpoena witnesses, and require depositions, as well as designate OEO to receive complaints related to discrimination against students with IEPs or 504 plans, resulting in a General Fund cost of \$122,000 annually beginning in FY 27.

This cost is associated with hiring one additional position³ within the Office of Governmental Accountability (OGA) and includes an ongoing annual salary cost of \$86,000 and an associated fringe cost of \$36,000 beginning in FY 27. This position is necessary to support the expanded scope of work created with additional legal and investigative responsibilities created by these sections.

Section 6 requires SDE to update the CT-SEDS system to include reporting for various information about students with 504 plans and such 504 plans. This results in a one-time development cost of \$300,000 to SDE in FY 27 to modify the CT-SEDS system for such data collection and integration.

Section 8 requires SDE to provide increased oversight of and coordination with school districts regarding 504 plans, which results in a cost of \$131,100 to SDE and corresponding fringe benefits of \$54,900 annually beginning in FY 27 to hire one full time education consultant.

Section 9 requires SDE to perform a needs assessment of the number of social workers and school counselors required to attain an ideal student to counselor ratio. This has no fiscal impact as SDE is currently developing a workload analysis that studies this topic.

Section 10 requires the Department of Social Services to identify and report on Medicaid-eligible school services by December 31, 2026, which results in no fiscal impact as the department already possesses the

² The Office of the Educational Ombudsperson is currently vacant.

³ This position is a Staff Attorney I.

necessary resources and expertise to fulfill the requirements of the bill.

Section 11 results in a one-time cost of up to \$100,000 in FY 27 only by requiring the Office of Workforce Strategy (OWS) to develop a strategic assessment plan to increase the capacity of school social workers and school counselors in the state. In order to complete this plan by December 31, 2026, OWS will require consulting services which are anticipated to cost up to \$100,000.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 424*****AN ACT CONCERNING OVERSIGHT OF PLANS PURSUANT TO SECTION 504 OF THE REHABILITATION ACT OF 1973 AND SPECIAL EDUCATION NEEDS IN THE STATE.*****SUMMARY**

This bill transfers jurisdiction over certain claims alleging disability discrimination in a public school from the Commission on Human Rights and Opportunity (CHRO) to the Office of the Educational Ombudsperson (OEO) (§§ 3-5). PA 25-93, § 27, established this office, effective July 1, 2025, but it has not yet been established in practice.

The transfer applies only to complaints concerning a student with an individualized education program (IEP) or a Section 504 plan that allege a violation of state law prohibiting discrimination based on an intellectual, mental, or physical disability. It does not apply to alleged violations of the federal laws governing these plans (the Individuals with Disabilities Education Act (IDEA) or Section 504, see BACKGROUND).

Under current law, in addition to various public outreach duties, OEO can receive, review, and attempt to resolve complaints from students and their families, including by collaborating with schools and educators. The bill appears to give OEO additional responsibility for processing legal complaints (for example, by holding hearings and subpoenaing witnesses), but it does not specify a process for filing complaints with the office or authorize the ombudsperson to order any remedies or relief. It is unclear what recourse people will have for these state discrimination law violations if OEO is not established by the date enforcement responsibility shifts from CHRO to OEO (October 1, 2026).

The bill also requires the State Department of Education (SDE) to:

1. post data on students with 504 plans on its website (and requires school boards to submit specified 504 plan data to SDE) (§§ 1 & 7),
2. create a working group to review how school boards are providing accommodations under Section 504 plans (§ 2),
3. modify the special education data system (CT-SEDS) to better adapt for Section 504 plan use (§ 6),
4. increase oversight and coordination with school boards to support students with 504 plans (§ 8), and
5. determine the number of social workers and school counselors needed to get to an ideal ratio of counselors and social workers to students with IEPs or 504 plans (§ 9).

The bill also requires the (1) Department of Social Services (DSS) to identify services schools provide that might be eligible for Medicaid reimbursement (§ 10) and (2) Office of Workforce Strategy to develop and report a strategic assessment plan to increase the capacity of school social workers and school counselors (§ 11).

EFFECTIVE DATE: Various, see below.

§§ 1 & 7 — SHARING 504 PLAN DATA

Starting in FY 27, the bill requires SDE to post on its website the number of students with 504 plans in grades kindergarten to 12, organized by district. School boards must give SDE any information it needs to compile the data, and SDE must disaggregate the data and make sure it complies with the federal Family Educational Rights and Privacy Act (FERPA). The bill also requires SDE to track trends in this data.

The bill requires, starting by July 1, 2027, each school board to submit to SDE the (1) number of students with 504 plans by grade, (2) types of supports given to these students, and (3) number of complaints made by students with the plans. (It is unclear what constitutes a

“complaint.”)

EFFECTIVE DATE: July 1, 2026

§ 2 — WORKING GROUP ON 504 PLANS

The bill requires SDE, within available appropriations, to create a working group to review how school boards are providing accommodations for students through Section 504 plans. The review must include the use of staff and the amount of staff time dedicated to developing and implementing the plans.

The group must include, at a minimum, representatives from the:

1. Connecticut Education Association,
2. Connecticut School Counselor Association,
3. American Federation of Teachers-Connecticut,
4. Connecticut Association of Boards of Education,
5. Connecticut Association of Public School Superintendents,
6. Connecticut Chapter of the National Association of Social Workers, and
7. Connecticut Association of School Psychologists.

By January 1, 2027, SDE must report to the Education and Government Oversight committees. The report must include (1) best practices for Section 504 plans, (2) any recommended statutory changes, and (3) a summary and analysis of 504 plans’ impact and usages since 2020.

EFFECTIVE DATE: July 1, 2026

§§ 3-5 — DISABILITY DISCRIMINATION COMPLAINTS CONCERNING STUDENTS WITH AN IEP OR 504 PLAN

Existing law prohibits (1) discriminating against, segregating, or separating someone based on his or her intellectual, mental, or physical

disability and (2) denying someone full and equal accommodation in a place of public accommodation because of these disabilities. CHRO has jurisdiction over state anti-discrimination laws and is charged with following statutory procedures for processing complaints alleging violations of the laws.

The bill requires OEO, rather than CHRO, to receive, investigate, and “attempt to resolve” complaints concerning a student with an IEP or a 504 plan that claim discrimination based on an intellectual, mental, or physical disability in a public school. Unlike the law on CHRO, the bill does not create a formal complaint process, give OEO specific enforcement powers, or specify how an OEO decision is appealed. Thus, it appears that OEO lacks the powers and procedures necessary to adjudicate the claims the bill makes it responsible for.

Scope of Jurisdiction Transfer

The transfer of jurisdiction applies only to complaints from students with IEP or 504 plans alleging violations of state discrimination law; it does not apply to complaints about a student’s 504 plan or IEP. Neither CHRO nor OEO has the authority to enforce Section 504 (because it is federal law), and federal and state law generally make SDE responsible for initially hearing IDEA-related complaints. The IDEA and state case law generally require students with disabilities who are seeking relief available under IDEA (such as additional services or a change in placement) to exhaust administrative remedies under IDEA before filing a complaint under other discrimination laws (see BACKGROUND).

It also appears that, under the bill, CHRO would retain jurisdiction over some complaints involving discrimination against students with disabilities in public school. For example, the bill does not transfer jurisdiction over claims of discrimination based on learning disability (such as dyslexia or dysgraphia), and it does not appear to apply in instances where a student without an IEP or a 504 plan is denied a requested accommodation.

Additional OEO Powers and Duties

PA 25-93 (§ 27) places OEO within the Office of Governmental Accountability for administrative purposes only. The governor must appoint an ombudsperson, who must have expertise and experience in educational advocacy, special education, and educational law. (The ombudsperson has not yet been appointed and the office has not been established.)

Under current law, the office is not charged with investigating violations of law; instead, it is required to assist students and families with resolving education-related concerns. The law requires the office to (1) receive and review complaints from students and families related to preschool, elementary and secondary education, special education, vocational education, and adult education and (2) attempt to resolve any complaints it receives, including by collaborating with schools and educators.

The bill expands the duties of the educational ombudsperson, giving them various powers and duties related to investigating legal complaints. Specifically, the bill requires the ombudsperson to:

1. employ legal staff and legal counsel necessary to receive, review, and attempt to resolve complaints from students and their families (the scope of the expansion of the office's authority to investigate legal complaints, other than the discrimination claims the bill specifically transfers to it, is unclear);
2. hold hearings, subpoena witnesses and compel their attendance, administer oaths and take testimony, and require parties to turn over any books or papers relating to an investigation so they may be examined;
3. require written answers to interrogatories under oath that relate to disability discrimination complaints that the bill places under the office's jurisdiction;
4. adopt regulations on the procedure for issuing interrogatories and complying with interrogatory requests; and

5. use voluntary and uncompensated services from private individuals, agencies, and organizations to carry out the office's duties.

Complaint Procedures. The bill specifically exempts the discrimination claims transferred to the ombudsperson's jurisdiction under the bill from procedures for filing and adjudicating complaints with CHRO, but it does not establish any complaint procedures for OEO. It is also unclear (1) who would decide cases filed with OEO or (2) whether the office has the authority to order any remedies.

Annual Report. The bill also requires the ombudsperson, as part of the office's annual report, to include the number of complaints it received during the year, how many were substantiated or unsubstantiated, whether corrective action was taken, and the average time to process complaints. Under existing law, OEO's annual report must be submitted to the Children and Education committees.

EFFECTIVE DATE: October 1, 2026

§ 6 — CT-SEDS CHANGES FOR 504 PLANS

The bill requires SDE to modify the special education data system (CT-SEDS) to better align it with Section 504 plans, which have different requirements compared to IEPs. (In practice, CT-SEDS has two separate processes within the system, one for IEPs and one for 504 plans.)

The changes must limit the components required for Section 504 plans to:

1. student demographic information;
2. the evaluation period;
3. behavioral, social, and emotional needs identification;
4. accommodation types;
5. requirements related to case management or social workers;

6. additional testing performed;
7. identification of accessibility technology used; and
8. any other information required by laws that generally apply to IEPs.

EFFECTIVE DATE: Upon passage

§ 8 — OVERSIGHT BY THE BUREAU OF SPECIAL EDUCATION

The bill requires SDE to increase oversight and coordination with school boards to support students with 504 plans. (The bill does not further specify what this entails.)

EFFECTIVE DATE: July 1, 2026

§ 9 — SCHOOL SOCIAL WORKER AND COUNSELOR NEEDS ASSESSMENT

Under the bill, SDE must determine, through a needs assessment, the number of social workers and school counselors needed to get to an ideal ratio of counselors and social workers to students with IEPs or 504 plans. By January 1, 2027, SDE must report on the needs assessment to the Education and Government Oversight committees, including the ideal student to counselor and social worker ratios for elementary school, middle school, and high school.

EFFECTIVE DATE: Upon passage

§ 10 — MEDICAID REIMBURSEMENT FOR SERVICES

The bill requires the DSS commissioner to identify services that school boards provide that might be eligible for Medicaid reimbursement to leverage federal funding for school or support services. By December 31, 2026, DSS must submit a detailed listing of any services identified to the Appropriations, Government Oversight, and Human Services committees.

EFFECTIVE DATE: Upon passage

§ 11 — PLAN TO INCREASE SCHOOL COUNSELORS' AND SOCIAL WORKERS' CAPACITY

By December 31, 2026, the Office of Workforce Strategy's chief workforce officer must develop and report a strategic assessment plan to increase the capacity of school social workers and school counselors in the state. (Presumably, this is their capacity to provide core services.)

EFFECTIVE DATE: Upon passage

BACKGROUND***IDEA Compared to Section 504***

IDEA is the main federal law governing special education (20 U.S.C. § 1400 et seq.; 34 C.F.R. § 300.1 et seq.). It authorizes grants to states and school districts and attaches a series of conditions to funding, which states agree to adhere to by accepting funding. IDEA guarantees students with qualifying disabilities the right to a free appropriate public education (FAPE) that is tailored to their unique needs and implemented under a planning document called an IEP. It also requires school districts to identify and evaluate students who may need special education, educate students with disabilities with their nondisabled peers to the maximum extent possible, and follow certain procedural safeguards, among other things.

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794; 34 C.F.R. § 104.1 et seq.) protects individuals with disabilities from discrimination in programs and activities that receive federal financial assistance, including public schools. Unlike under IDEA, Section 504 does not require schools to write down the accommodations or modifications it will provide students in a formal plan; however, in practice, Connecticut schools develop "504 plans" to ensure compliance with the law.

Resolving Violations of Federal IDEA and Section 504 Rights

Under IDEA, states must establish procedures for resolving disputes between parents and school districts over the provision of a FAPE (including evaluation, identification, and educational placement). Connecticut has adopted an SDE-administered process that conforms to

federal law (CGS § 10-76h). Further, federal law specifies that parents and students must exhaust administrative remedies available under IDEA before filing a complaint under federal discrimination laws (such as Section 504) if the relief they seek is available through the IDEA administrative process (20 U.S.C. § 1415). The Connecticut Supreme Court has held that a similar requirement applies to the denial of a FAPE under state law (*Graham v. Friedlander*, 334 Conn. 564 (2020)).

There is no state-level enforcement procedure for Section 504. Under Section 504, schools must adopt due process standards to provide for prompt and equitable resolution of complaints. These must include an opportunity for parents to examine relevant records, an impartial hearing opportunity, and a review procedure (34 C.F.R. § 104.36). Federal regulations allow individuals aggrieved by violations of Section 504 to file a complaint with the applicable federal agency (for discrimination in schools, the U.S. Department of Education’s Office of Civil Rights (OCR)) (29 U.S.C. § 794a(a)(2)).

COMMITTEE ACTION

Government Oversight Committee

Joint Favorable

Yea 9 Nay 3 (03/17/2026)