

# HOUSE . . . . . No. 4390

---

---

## The Commonwealth of Massachusetts

---

HOUSE OF REPRESENTATIVES, April 11, 2018.

The committee on Education to whom were referred the petition (accompanied by bill, Senate, No. 300) of Kathleen O'Connor Ives and Linda Dean Campbell for legislation relative transportation reimbursement to out of district schools for special needs students, the petition (accompanied by bill, Senate, No. 305) of Richard J. Ross, Steven S. Howitt, Barbara A. L'Italien and Bruce E. Tarr for legislation relative to the definition of students enrolled in special education classes inside and outside of school districts, the petition (accompanied by bill, House, No. 224) of Jennifer E. Benson and others that the Department of Elementary and Secondary Education be directed to make an investigation and study to determine whether there are sufficient and appropriate services provided to low incidence students with disabilities, the petition (accompanied by bill, House, No. 225) of Jennifer E. Benson and others for legislation to promote cost-effective, high quality in-district programs for students with disabilities, the petition (accompanied by bill, House, No. 265) of Patricia A. Haddad and others relative to improving procurement procedures to ensure opportunities for students with disabilities, the petition (accompanied by bill, House, No. 286) of Kay Khan and others relative to licensing group care facilities under the control of the Department of Early Education and Care that serve students with special needs, the petition (accompanied by bill, House, No. 331) of Chris Walsh, Jonathan Hecht and James J. O'Day relative to greater transparency and accountability for out-of-district placement costs, the petition (accompanied by bill, House, No. 332) of Chris Walsh, James J. Dwyer and Bruce E. Tarr for legislation to increase the state reimbursements for special education costs and the petition (accompanied by bill, House, No. 2869) of Alice Hanlon Peisch and Rady Mom relative to special education finance, reports recommending that the accompanying bill (House, No. 4390) ought to pass.

For the committee,

ALICE HANLON PEISCH.

**HOUSE . . . . . No. 4390**

---

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act relative to special education finance.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. There shall be a special commission to study the role of Approved  
2 Massachusetts Day and Residential Private Special Education Programs. The commission shall  
3 consist of 11 members: the secretary of education or designee, who shall be serve as the chair of  
4 the commission; the house and senate chairs of the joint committee on education, or designees;  
5 the commissioner of elementary and secondary education, or designee; the commissioner of  
6 early education and care, or designee; the child advocate of designee; a representative nominated  
7 jointly by the Federation for Children with Special Needs, Inc., Massachusetts Advocates for  
8 Children and the Disability Law Center; a representative of Massachusetts Administrators for  
9 Special Education and 3 persons appointed by the secretary of education, 1 of whom shall be  
10 selected from a list of 3 persons nominated by the Massachusetts Association of School  
11 Superintendents, 1 of whom shall be selected from a list of 3 persons nominated by the  
12 Massachusetts Association of School Committees, Inc., and 1 of whom shall be elected from a  
13 list of 3 persons nominated by the Massachusetts Association of 766 Approved Private Schools.

14           The commission shall examine, report and make recommendations on topics including,  
15 but not limited to (1) best practices of licensing, monitoring and providing oversight of  
16 Approved Massachusetts Day and Residential Private Special Education Programs (Chapter 766  
17 schools); (2) collection of data related to providing appropriate educational programming; and  
18 (3) collection of data related to providing the most appropriate services to students in chapter 766  
19 schools.

20           The commission shall consult with and solicit input from various persons and groups,  
21 including but not limited to, the department of developmental services; the division of local  
22 services, the executive directors of Chapter 766 schools of varying size and scope throughout the  
23 commonwealth; organizations representing individuals with developmental disabilities; district  
24 directors of special education throughout the commonwealth; organizations representing  
25 children with disabilities and their parents; and associations representing special education  
26 administrators and other educational administrators, school officials, and municipal officials.

27           The first meeting of the commission shall take place within 60 days after the effective  
28 date of this act. The commission shall file a report containing recommendations, including  
29 legislation and regulations necessary to carry out its recommendations, with the clerks of the  
30 house and senate not later than 12 months following the first meeting of the commission.