HOUSE DOCKET, NO. 1450 FILED ON: 1/20/2011

HOUSE . . . . . No. 1071

The Commonwealth of Massachusetts

PRESENTED BY:

Walter F. Timilty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act strengthening oversight of the delivery of special education services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Walter F. Timilty	*7th Norfolk*

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HOUSE . . . . . No. 1071

By Mr. Timilty of Milton, a petition (accompanied by bill, House, No. 1071) of Walter F. Timilty relative to special education services. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *521* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act strengthening oversight of the delivery of special education services.

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

SECTION 1. The Department of Education shall withhold funds for special education from cities, towns, school districts, or private schools or agencies that do not comply with regulations or statutes related to special education or do not carry out plans for such compliance within a reasonable period of time.

The Department shall investigate and resolve concerns raised through the Problem Resolution System of the Department and an In District Program. The approval activities and oversight of the Department for the approved programs does not relieve school districts of their responsibility to monitor the programs of individual students enrolled in the approved programs by the school districts. The approval activities and oversight of the Department for the approved programs does not make the Department a guarantor or insurer for services or programs provided to individual students

School districts shall develop local problem resolution procedures that allow parents to present a concern to a district representative and receive a response related to the concern. Local procedures shall not be used to delay or deny a parent's right to access other dispute resolution mechanisms

The Department shall promulgate regulations to implement this section.

17 SECTION 2. The Department of Education shall establish a commission to oversee and
18 enforce the special education dispute resolution. The commission shall study and analyze the
19 delivery of special education assistance, student progress, and parental involvement.

20 The Department of Education shall provide research, materials, and information it has
21 developed on special education issues and such other assistance as may be necessary and
22 practical.

23 Chapter 71 B of the Massachusetts General Laws is hereby amended by inserting the
24 section 13.