

HOUSE No. 4749

The Commonwealth of Massachusetts

By Ms. Walz of Boston, for the committee on Education, on House, No. 481, a Bill
Relative to Special Education (House, No. 4749). June 10, 2010

FOR THE COMMITTEE:

NAME:	DISTRICT/ADDRESS:
Martha M. Walz	8th Suffolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act Relative to Special Education.

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 3 of Chapter 71B of the General Laws is hereby amended by adding at the end
2 thereof the following paragraph:

3 Notwithstanding any general or special law to the contrary, when the department of children and
4 families determines that a child in its custody needs a new residential placement and the child is
5 an eligible student with disabilities currently enrolled in a public day school placement within a
6 school district or education collaborative, the department of children and families shall, except in
7 cases of emergency, notify the school district at least 1 week prior to changing the child's
8 residence. The notification from the department of children and families shall include an offer to
9 meet with the school district prior to changing the child's place of residence. In the case of an
10 emergency, the district shall be notified within 3 days of the change in the child's residence and
11 the department of children and families shall offer to meet with the district within 1 week of the
12 notification. If the department of children and families makes a decision to place a child in an
13 approved private residential school, the district is authorized, but not required, to continue
14 enrollment of the child in his current public day school placement, if appropriate. If the district
15 continues enrollment of the child in his current public day school placement, it is required to
16 provide transportation at its expense for the child to and from his residential placement. If the
17 district does not continue enrollment of the child in his current public day school placement, the
18 department of children and families shall be responsible for the cost of the approved private
19 residential school.