SENATE DOCKET, NO. 1489 FILED ON: 1/16/2015

SENATE . . . . . No. 310

The Commonwealth of Massachusetts

PRESENTED BY:

Barbara A. L'Italien

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 adoption of the accompanying bill:

An Act expanding inclusive transition programs for students with severe disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Barbara A. L'Italien	*Second Essex and Middlesex*
Tom Sannicandro	*7th Middlesex*
James B. Eldridge	*Middlesex and Worcester*
Brian A. Joyce	*Norfolk, Bristol and Plymouth*
Joan B. Lovely	*Second Essex*
Marcos A. Devers	*16th Essex*
Jonathan Hecht	*29th Middlesex*

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SENATE . . . . . No. 310

By Mrs. L'Italien, a petition (accompanied by bill, Senate, No. 310) of Barbara L'Italien, Tom Sannicandro, James B. Eldridge, Brian A. Joyce and other members of the General Court for legislation to expand inclusive transition programs for students with severe disabilities. Education.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act expanding inclusive transition programs for students with severe disabilities.

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

Whereas individuals with disabilities aged 18-22 are entitled to receive a free appropriate public education in the least restrictive environment;

Whereas, the least restrictive environment for most of those students is outside of the confines of a public high school building;

Whereas, individuals with disabilities aged 18-22 have few if any genuine peers that still attend public high school;

Whereas college is the natural place for students aged 18-22 to learn the transition skills necessary to be prepared for integrated competitive employment;

Whereas, individuals with intellectual disabilities who participated in post-secondary education were 26% more likely to leave vocational rehabilitation services with a paid job and earn a 73% higher weekly income;

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

14 SECTION 1 Chapter 71B of the General Laws is hereby amended by inserting after
15 Section 16 the following section: -

16 Section 17: Inclusive Concurrent Enrollment

17 (a) Subject to appropriation, the Executive Office of Education shall develop and
18 administer a discretionary grant program to provide monies to school committees and state
19 public institutions of higher education partnering together to offer inclusive concurrent
20 enrollment program options for school-aged children with disabilities ages 18 to 22, inclusive;
21 provided:

22 (1) that the grant program shall be limited to said students who are considered to have
23 severe intellectual disabilities, autism spectrum disorders, or other developmental disabilities;
24 and

25 (2) in the case of students aged 18-19, the grant program shall be further limited to
26 students with severe disabilities who have been unable to achieve the competency determination
27 necessary to pass the statewide assessment test pursuant to section 1Dof chapter 69 of the
28 general laws. .

29 (b) The goal of the grant program shall be for school committees to partner with
30 institutions of higher education to provide a free appropriate public education in the least
31 restrictive environment that meets the transition needs of students with severe intellectual
32 disabilities, autism spectrum disorders, or other developmental disabilities, and to support their

33 academic success, participation in student life of the college community, and competitive
34 employment. This shall be achieved by fully including said students in higher education
35 institutions by requiring the following:

36 (1) development of partnerships between institutions of higher education and school
37 committees which also include any relevant agency serving students with severe intellectual
38 disabilities, autism spectrum disorders, and other developmental disabilities, including but not
39 limited to a vocational rehabilitation agency;

40 (2) enrollment in credit-bearing and non-credit courses that include students without
41 disabilities including enrollment in credit-bearing courses in audit status for students who may
42 not meet course prerequisites;

43 (3) participation in on-campus student life activities;

44 (4) adequate preparation for competitive employment;

45 (5) waiver of tuition for all courses by the institution of higher education;

46 (6) provision of supports and services necessary to facilitate a student's enrollment and
47 support inclusion in academic courses, extracurricular activities, internships, work experiences,
48 and other aspects of the institution of higher education's regular postsecondary program;

49 (7) training and technical assistance for teachers, faculty and personnel regarding strategy
50 and teaching methodology to achieve successful inclusion of individuals with severe intellectual
51 disabilities, autism spectrum disorders, and other developmental disabilities;

52 (8) that students with severe intellectual disabilities, autism spectrum disorders, and other
53 developmental disabilities be socially and academically integrated with nondisabled students to

54 the maximum extent possible; and institutions of higher education may choose to engage
55 students pursuing study in the areas of special education, general education, vocational
56 rehabilitation, assistive technology, psychology, or related fields;

57 (9) utilization of person-centered planning in the development of the course of study for
58 each participating student.

59 (c) The Executive Office of Education, in consultation with the Department of
60 Elementary and Secondary Education, the Department of Higher Education and the Inclusive
61 Concurrent Enrollment Advisory Board, shall develop guidelines to ensure that the grant
62 program meets this goal.

63 (d) Subject to appropriation, the Executive Office of Education shall designate an
64 Inclusive Concurrent Enrollment Coordinator to manage grant administration and coordinate
65 reporting. The Executive Office of Education shall notify all participating school committees and
66 institutions of higher education of the name and contact information for the Inclusive Concurrent
67 Enrollment Coordinator.

68 (e) The Executive Office of Education shall establish an Inclusive Concurrent Enrollment
69 Advisory Board to evaluate and to advise the Executive Office of Education on efforts to
70 implement inclusive concurrent enrollment and to participate in educational outreach efforts on
71 inclusive concurrent enrollment. The Inclusive Concurrent Enrollment Advisory Board shall
72 include representatives of school districts and colleges and universities where the inclusive
73 concurrent enrollment program has been successfully implemented, two former or current
74 students who have participated in an inclusive concurrent enrollment program, the co-chairs of
75 the joint committee on Education or designees, the co-chairs of the joint committee on Higher

76 Education or designees, the Commissioner of Higher Education or designee, the Commissioner
77 of Elementary and Secondary Education or designee, the Secretary of Education or designee, the
78 Commissioner of the Department of Development Disability Services or designee, the
79 Commissioner of the Massachusetts Rehabilitation Commission or designee, a representative of
80 Massachusetts Advocates for Children, a representative of the Federation for Students with
81 Special Needs, a representative of the Institute for Community Inclusion, and the Inclusive
82 Concurrent Enrollment Coordinator. The Inclusive Concurrent Enrollment Advisory Board shall
83 meet quarterly.

84 (f) The Inclusive Concurrent Enrollment Coordinator, in consultation with the
85 Department of Elementary and Secondary Education, the Department of Higher Education and
86 the Inclusive Concurrent Enrollment Advisory Board, shall develop strategies and procedures
87 designed to assist institutions of higher education in sustaining, expanding and replicating
88 inclusive concurrent enrollment partnerships established through the Executive Office of
89 Education's discretionary grant program. Strategies and procedures shall include but not be
90 limited to:

91 (1) provision of continued grant funding for partnerships between institutions of higher
92 education and school committees that have developed inclusive concurrent enrollment programs
93 in order to sustain the existing programs and to retain employment specialists to assist students in
94 meeting competitive employment and other transition-related goals;

95 (2) adoption of procedures and funding mechanisms to ensure that new partnerships
96 providing inclusive concurrent enrollment programs fully utilize the models and expertise
97 developed in existing partnerships to ensure that all programs are successful and sustainable;

98 (3) development of a mechanism to encourage existing and new partnerships to expand
99 capacity to respond to school committees and individual parents who are not currently
100 benefitting from those partnerships and who request an opportunity for their children to
101 participate in inclusive concurrent enrollment;

102 (4) outreach to institutions of higher education and school committees that are not
103 currently participating in inclusive concurrent enrollment, with intent to encourage such
104 institutions of higher education and school committees to offer inclusive concurrent enrollment
105 programming;

106 (5) addressing of challenges frequently faced by institutions of higher education and
107 newly created inclusive concurrent enrollment programs and a compilation of best practices to
108 address these difficulties;

109 (6) for those institutions that offer residential life for students, the integration of students
110 with severe intellectual disabilities, autism spectrum disorders, and other developmental
111 disabilities into the housing offered to nondisabled students with the accommodations, supports,
112 and services necessary to enable inclusive dormitory living.

113 (g) The executive office of education shall distribute strategies and procedures developed
114 pursuant to subsection (f) to all public colleges and universities in the Commonwealth annually.

115 (h) The executive office of education shall select grant recipients no later than July 15 of
116 each year.

117 (i) The executive office of education, in consultation with the department of elementary
118 and secondary education and the department of higher education, shall make a report available

119 online on the status of the grant program annually, no later than March 15. The report shall
120 include but not be limited to the following components:

121 (1) enrollment data that details the number of students enrolled in inclusive concurrent
122 enrollment each semester and the unduplicated count of total students served at each institution;

123 (2) a list of all full-time and part-time employment positions supported by the grant
124 program that are dedicated to supporting students with severe disabilities through the inclusive
125 concurrent enrollment program and the average salary for those positions including but not
126 limited to:

127 (i) educational coaches;

128 (ii) educational specialists;

129 (iii) job coaches and vocational specialists;

130 (iv) program specialists;

131 (v) program directors;

132 (vi) peer mentors, note-takers, and tutors;

133 (vii) contracted employees;

134 (viii) parent and school committee liaisons.

135 (3) a list of all courses taken by all students participating in the inclusive concurrent
136 enrollment program during the academic year with indication as to whether the student attempted
137 the course for credit or for audit and whether the student passed or completed the course;

138 (4) a summary of innovative strategies and practices implemented at each institution of
139 higher education that helped foster their relationship with school committees or helped students
140 succeed;

141 (5) employment data for students and graduates, obtained to the best of the ability of the
142 school committee and the institution of higher education;

143 (6) a report detailing the amount of grant funds allocated to each institution of higher
144 education in the planning and implementation phases, the amount allocated to the department of
145 elementary and secondary education and the department of higher education, and the amount
146 allocated to the executive office of education.

147 SECTION 2. The executive office of education shall promulgate guidelines pursuant to
148 section 17 of chapter 71B of the General Laws on or before January 1, 2015.