SENATE DOCKET, NO. 1887 FILED ON: 1/16/2015

SENATE . . . . . No. 324

The Commonwealth of Massachusetts

PRESENTED BY:

Kathleen O'Connor Ives

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 relative to education.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kathleen O'Connor Ives	*First Essex*
Donald H. Wong	*9th Essex*
Aaron Vega	*5th Hampden*
Steven S. Howitt	*4th Bristol*
James M. Kelcourse	*1st Essex*
Diana DiZoglio	*14th Essex*

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SENATE . . . . . No. 324

By Ms. O'Connor Ives, a petition (accompanied by bill, Senate, No. 324) of Kathleen O'Connor Ives, Donald H. Wong, Aaron Vega, Steven S. Howitt and other members of the General Court for legislation relative to education. Education.

The Commonwealth of Massachusetts

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

An Act relative to education.

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. Chapter 71B of the General Laws, is hereby further amended by inserting after Section 5C the following section:- Section 5D. The Commonwealth shall fully fund municipalities for the cost of transportation of a special education student to an out-of-district program; and provided, further, that the private transporter of the child accepts rates of payment for such transportation as determined by the department of elementary and secondary education. Said funding shall be in addition to amounts distributed pursuant to chapter 70 and shall not be included in the calculation of base aid, as defined in said chapter 70, for any subsequent fiscal year. The department of elementary and secondary education shall define those costs associated with providing transportation for pupils to out-of-district programs that shall be eligible for reimbursement under this program. The board of elementary and secondary education shall promulgate rules and regulations establishing a process by which school districts may seek and accept reimbursement from insurers and similar third party payors for health care goods or

13 services provided under an individualized education plan which constitute medically necessary
14 treatment for disease, illness, injury, or bodily dysfunction.

15 SECTION 2. Section 3 of chapter 70 of the General Laws, is hereby amended by
16 inserting at the end the following:

17 "The foundation funding formula shall make the following changes:

18 1. Increase the average tuition to $35,000

19 2. The special education enrollment shall be adjusted for in district students to 4% and
20 5% for vocational students."

21 SECTION 3. That a special commission is hereby established for the purpose of
22 conducting an investigation and study of residency with regards to students that are transient as
23 they pertain to education and fiscal and programmatic process. The commission shall study and
24 recommend strategies that address fiscal and programmatic responsibility. The commission shall
25 make recommendations on defining residency as it pertains to these students.

26 The commission shall consist of the house and senate chairs of the joint committee on
27 education, who shall serve as co-chairs of the commission or the chairs designee; 1 member to be
28 appointed by the senate minority leader; 1 member to be appointed by the house minority leader;
29 the commissioner of elementary and secondary education or the commissioner's designee; and 2
30 persons to be appointed by the governor. All appointments shall be made not later than 30 days
31 after the effective date of this resolve. The chairpersons shall meet with the commission not later
32 than 60 days after the effective date of this resolve.

33 SECTION 4. Notwithstanding any general special law to the contrary, the Department of
34 Elementary and Secondary Education is hereby authorized and directed to standardize the
35 qualifications of special education dispute arbitrators.