

HOUSE No. 4542

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

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:

1 Chapter 71 of the general laws, as appearing in the 2008 official edition, is hereby
2 amended by adding the following section: - Section 17. School districts shall develop local
3 alternative dispute resolution procedures regarding the delivery of special education services.
4 This procedure shall provide parents or guardians the opportunity to present a concern related to
5 a student’s individual education plan to an independent third party mediator, who shall assist the
6 school district and the parents or guardians in reaching a consensual, informed resolution.
7 Participation in such a local dispute resolution process shall be voluntary. Parents or guardians
8 shall not be required to reach an agreement with the school district at the conclusion of the
9 process. Local procedures shall not be used to delay or deny a parent or guardian's right to other
10 dispute resolution mechanisms, including, but not limited to, the bureau of special education
11 appeals. The department shall promulgate rules and regulations to implement this section.