

**HOUSE . . . . . No. 1923**

---

The Commonwealth of Massachusetts

PRESENTED BY:

*Patricia A. Haddad*

*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 pricing for chapter 71B approved private school programs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	<i>1/20/2011</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>	<i>2/1/2011</i>
<i>John J. Binienda</i>	<i>17th Worcester</i>	<i>2/4/2011</i>
<i>Benjamin B. Downing</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>2/4/2011</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/4/2011</i>
<i>David M. Torrissi</i>	<i>14th Essex</i>	<i>2/4/2011</i>

**HOUSE . . . . . No. 1923**

By Mrs. Haddad of Somerset, a petition (accompanied by bill, House, No. 1923) of Patricia A. Haddad and others relative to pricing for certain private school programs. Education.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Eleven**

An Act relative to pricing for chapter 71B approved private school programs.

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

1 Notwithstanding any general or special law to the contrary, the division of purchased  
2 services of the department of procurement shall promulgate rules and regulations relative to the  
3 pricing of programs approved under chapter 71B of the General Laws for the purpose of  
4 promoting recruitment and retention of all direct care staff and improving instructional resources.

5 Rules and regulations shall include the following provisions:-

6 (a) the division shall establish a pricing mechanism, including eligibility and procedural  
7 requirements, that allows approved programs to apply for salary and benefit increases for all  
8 direct care staff including, but not limited to, teachers, related service staff, health care staff and  
9 clinical staff to increase the rate of licensure and certification, as may be required by state or  
10 federal law, and to decrease the rate of staff attrition and to ensure that benefits and salaries are  
11 comparable to the benefits and salaries of similar employees in public schools or relevant  
12 agencies of the commonwealth. Said salaries and benefits shall be prorated for the length of said

13 programs. The pricing mechanism shall also address department of elementary and secondary  
14 education approved instructional resource upgrades;

15 (b) the department of elementary and secondary education shall, at the next evaluation of  
16 an approved private special education program as required in section 3 of chapter 71B, review  
17 the facilities, textbooks, equipment, technology, materials and supplies of the program necessary  
18 to instruct students in the Massachusetts curriculum frameworks and recommend to the division  
19 pricing adjustments to address needed instructional resource upgrades as determined by the  
20 department; and

21 (c) the division's pricing mechanisms shall not be based upon non-commonwealth or  
22 prior year's revenues. No mechanism established by the division shall delay a program price  
23 adjustment for more than 90 days. Private special education programs must provide purchasers,  
24 the department of elementary and secondary education and the operational services division with  
25 a notice of intent to apply for salary and benefit upgrades by October 1 for the following fiscal  
26 year.