

HOUSE No. 3287

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 special education funding.

PETITION OF:

NAME:

Patricia A. Haddad

DISTRICT/ADDRESS:

5th Bristol

HOUSE No. 3287

By Mrs. Haddad of Somerset, a petition (subject to Joint Rule 12) of Patricia A. Haddad relative to special education funding. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to special education funding.

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 1. Section 2 of Chapter 70 of the General Law, as appearing in the 2010
2 Official Edition, is hereby amended by striking out the definitions of “assumed tuitioned-out
3 special education enrollment” and “assumed in-school special education enrollment” and
4 inserting in place thereof the following definitions:-

5 "Assumed tuitioned-out special education enrollment”, the statewide average percentage
6 of students included in foundation enrollments who participate in an Individual Education Plan
7 and attend an out-of-district placement. The percentage shall be based on the statewide average
8 tuitioned-out special education enrollment for the preceding academic year, or the statewide
9 average tuitioned-out special education enrollment for the preceding fiscal year, whichever is
10 lower.

11
12 "Assumed in-school special education enrollment", the statewide average percentage of
13 students included in foundation enrollments who participate in an Individual Education Plan and
14 attend an in-district placement. The percentage shall be based on the statewide average in-school
15 special education enrollment for the preceding academic year, or the statewide average in-school
16 special education enrollment for the preceding fiscal year, whichever is lower.

17 SECTION 2. Section 5A (a) of chapter 71B, as so appearing, is hereby amended by
18 striking out the fourth sentence.

19 SECTION 3. Section 5A (b) of chapter 71B, as so appearing, is hereby amended by
20 striking out the words “transportation costs” from the third sentence.

21 SECTION 4. Section 5A (c) of chapter 71B, as so appearing, is hereby amended by
22 striking out the last sentence of the first paragraph and inserting in place thereof the following
23 sentence:-

24 The costs of programs shall be reimbursed according to the following formula: In fiscal
25 year 2014 school districts will receive eighty percent of approved costs, including transportation
26 costs, if the city, town, or district utilizes a regional transportation network to reduce
27 transportation costs or other collaborative and demonstrated efforts to reduce such costs, above
28 3.75 times the per pupil foundation budget; eighty percent of all such costs above 3.5 times the
29 per pupil foundation budget for fiscal year 2015; eighty percent of all such costs above 3.25 per
30 pupil foundation budget for fiscal year 2016 and eighty percent of all such costs above 3.0 times
31 the per pupil foundation budget for fiscal year 2017 and hereafter. In fiscal year 2014 each
32 school district shall be reimbursed at no less than the same amount of approved costs in the
33 preceding fiscal year.