HOUSE DOCKET, NO. 326 FILED ON: 1/10/2019

HOUSE . . . . . No. 476

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:	DISTRICT/ADDRESS:	DATE ADDED:
Patricia A. Haddad	*5th Bristol*	*1/10/2019*
Louis L. Kafka	*8th Norfolk*	*1/17/2019*
Ruth B. Balser	*12th Middlesex*	*1/31/2019*
Paul Brodeur	*32nd Middlesex*	*1/31/2019*
Antonio F. D. Cabral	*13th Bristol*	*1/24/2019*
Daniel R. Cullinane	*12th Suffolk*	*1/29/2019*
Mark J. Cusack	*5th Norfolk*	*1/24/2019*
Michael S. Day	*31st Middlesex*	*2/1/2019*
Sal N. DiDomenico	*Middlesex and Suffolk*	*2/1/2019*
Carolyn C. Dykema	*8th Middlesex*	*1/23/2019*
Nika C. Elugardo	*15th Suffolk*	*2/1/2019*
Kimberly N. Ferguson	*1st Worcester*	*1/30/2019*
Paul K. Frost	*7th Worcester*	*2/1/2019*
Thomas A. Golden, Jr.	*16th Middlesex*	*2/2/2019*
Kenneth I. Gordon	*21st Middlesex*	*1/28/2019*
James K. Hawkins	*2nd Bristol*	*2/2/2019*
Stephan Hay	*3rd Worcester*	*1/24/2019*
Jonathan Hecht	*29th Middlesex*	*1/31/2019*

Adam G. Hinds	*Berkshire, Hampshire, Franklin and Hampden*	*1/30/2019*
Kate Hogan	*3rd Middlesex*	*1/30/2019*
Russell E. Holmes	*6th Suffolk*	*2/1/2019*
Kevin G. Honan	*17th Suffolk*	*1/29/2019*
Hannah Kane	*11th Worcester*	*2/1/2019*
Patrick Joseph Kearney	*4th Plymouth*	*2/1/2019*
David Paul Linsky	*5th Middlesex*	*1/24/2019*
Jay D. Livingstone	*8th Suffolk*	*1/29/2019*
Paul W. Mark	*2nd Berkshire*	*2/1/2019*
Mathew J. Muratore	*1st Plymouth*	*1/29/2019*
James M. Murphy	*4th Norfolk*	*2/1/2019*
Tram T. Nguyen	*18th Essex*	*1/26/2019*
Sarah K. Peake	*4th Barnstable*	*1/29/2019*
David M. Rogers	*24th Middlesex*	*2/1/2019*
Jeffrey N. Roy	*10th Norfolk*	*1/28/2019*
Alan Silvia	*7th Bristol*	*1/25/2019*
José F. Tosado	*9th Hampden*	*1/28/2019*
Dean A. Tran	*Worcester and Middlesex*	*1/31/2019*
Aaron Vega	*5th Hampden*	*1/28/2019*
Tommy Vitolo	*15th Norfolk*	*1/29/2019*
Bud L. Williams	*11th Hampden*	*1/30/2019*

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HOUSE . . . . . No. 476

By Mrs. Haddad of Somerset, a petition (accompanied by bill, House, No. 476) of Patricia A. Haddad and others relative to special education funding. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *264* OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

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:

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

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

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

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

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

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

The costs of programs shall be reimbursed according to the following formula: In fiscal year 2018 school districts will receive eighty percent of approved costs, including transportation costs, if the city, town, or district utilizes a regional transportation network to reduce transportation costs or other collaborative and demonstrated efforts to reduce such costs, above 3.75 times the per pupil foundation budget; eighty percent of all such costs above 3.5 times the per pupil foundation budget for fiscal year 2019; eighty percent of all such costs above 3.25 per pupil foundation budget for fiscal year 2020 and eighty percent of all such costs above 3.0 times the per pupil foundation budget for fiscal year 2021 and hereafter. In fiscal year 2018, each school district shall be reimbursed at no less than the same amount of approved costs in the preceding fiscal year.