SENATE . . . . . No. 2539

The Commonwealth of Massachusetts

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

SENATE, February 13, 2020.

The committee on Higher Education to whom was referred the petition (accompanied by bill, Senate, No. 756) of Joan B. Lovely, Michael J. Rodrigues, Diana DiZoglio, Brian M. Ashe and other members of the General Court for legislation to create higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities, reports recommending that the accompanying bill (Senate, No. 2539) ought to pass.

For the committee,
Anne M. Gobi

FILED ON: 2/4/2020

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In the One Hundred and Ninety-First General Court
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An Act creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities.

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 amended by inserting after Section 16 the following section: -

Section 17: (a) Subject to appropriation, the executive office of education shall develop and administer a discretionary grant program to provide monies to school committees and public institutions of higher education partnering to offer inclusive concurrent enrollment program options for school-aged children, ages 18 to 21, inclusive. The program shall be limited to students who are considered to have severe intellectual disabilities, autism spectrum disorders, or other developmental disabilities, and have been unable to achieve the competency determination necessary to pass the statewide assessment test pursuant to section 1D of chapter 69 of the general laws.

(b) The grant program shall enable school committees to partner with public institutions of higher education in order to assist in the transitional needs of eligible students pursuant to subsection (a), which shall include facilitating movement from school to post-school activities

and competitive employment. Said grant program shall be based on a results oriented process focused on improving academic and functional achievement in accordance with the provisions of the federal Individuals with Disabilities Education Act.

SECTION 2. The executive office of education, in consultation with the state university council of presidents or designee, the university of Massachusetts office of the president or designee and executive director of Massachusetts association of community colleges or designee shall promulgate guidelines pursuant to section 17 of chapter 71B of the General Laws on or before August 15, 2020.

SECTION 3. The executive office of education shall file a report with the joint committee on education, the joint committee on higher education and the house and senate committees on ways and means on the status of the inclusive concurrent enrollment grant program established in section 17 of chapter 71B of the General Laws not later than December 26, 2020. The report shall include, but not be limited to the following:

(1) enrollment data detailing the number of students enrolled in inclusive concurrent enrollment each semester and the unduplicated count of total students served at each institution;

(2) a list of all full-time and part-time employment positions supported by the grant program that are dedicated to supporting students participating in the inclusive concurrent enrollment program and the average salary for those positions including but not limited to: (i) educational coaches; (ii) educational specialists; (iii) job coaches and vocational specialists; (iv) program specialists; (v) program directors; (vi) peer mentors, note-takers, and tutors; (vii) contracted employees and; (viii) parent and school committee liaisons;

(3) a list of all courses taken by students participating in the inclusive concurrent enrollment program during the academic year with indication as to whether the student attempted the course for credit or for audit and whether the student passed or completed the course;

(4) a summary of innovative strategies and practices implemented at each institution of higher education that helped foster relationships with school committees;

(5) employment data for students participating in the inclusive concurrent enrollment program, obtained to the best of the ability of participating school committees and institutions of higher education;

(6) the total funding received for the program including amounts allocated to each grantee and any executive agency or participating state board, department or institute of higher education and;

(7) a cost analysis and recommendations on implementing a statewide inclusive concurrent enrollment grant program that would include all school districts and public institutions of higher education in the Commonwealth.

SECTION 4. (a) The department of higher education shall establish an inclusive concurrent enrollment task force to advise the department on efforts to implement inclusive concurrent enrollment and to participate in educational outreach efforts related to inclusive concurrent enrollment. The inclusive concurrent enrollment task force shall include the following members or their designees: the inclusive concurrent enrollment coordinator, who shall serve as chair; the secretary of education, the commissioner of higher education; the commissioner of elementary and secondary education; the commissioner of the department of developmental services; the commissioner of the Massachusetts rehabilitation commission; a representative of

the Massachusetts Administrators for Special Education; a representative of the Massachusetts Association of School Committees; a representative of the Massachusetts Association of School Superintendents; a representative of Massachusetts Advocates for Children, Inc.; a representative of the Federation for Students with Special Needs, Inc.; a representative of the Institute for Community Inclusion; at least 2 representatives of school districts, and public institutions of higher education that have successfully implemented inclusive concurrent enrollment initiatives, to be appointed by the chair; and 2 students who are participating or have participated in an inclusive concurrent enrollment program, to be appointed by the chair. Members of the advisory board shall serve without compensation. The inclusive concurrent enrollment task force shall file a report on a plan to implement inclusive concurrent enrollment and existing eligibility requirements for department of developmental services and Massachusetts rehabilitation commission services that could be used to support inclusive opportunities in higher education beyond the age of 21 years, pursuant to section 17 of chapter 71B of the General Laws, including, but not limited to: (i) the use of ABLE accounts to support access to higher education; (ii) eligibility of students to receive financial assistance from scholarship programs included in section 16 of chapter 15A of the General Laws; (iii) the use of interagency agreements or policies to support effective collaboration between public institutions of higher education, school committees, and executive agencies, including but not limited to maximizing federal financial participation through Medicaid and; (iv) whether federal financial aid exists for students beyond the age of 21 that may wish to participate in the inclusive concurrent enrollment program.

(b) The report, including any recommendations, shall be filed with the clerks of the house and senate, the chairs of the house and senate committee on ways and means and the chairs of

the joint committee on education and the joint committee of higher education not later than January 1, 2021.