

HOUSE No. 571

The Commonwealth of Massachusetts

PRESENTED BY:

Adam Scanlon and Michael P. Kushmerek

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 the long-term fiscal health and sustainability of special education in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Adam Scanlon</i>	<i>14th Bristol</i>	<i>1/20/2023</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>1/20/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/27/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/16/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>3/3/2023</i>
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>3/3/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>3/4/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>3/4/2023</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>3/8/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>3/13/2023</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>3/15/2023</i>

HOUSE No. 571

By Representatives Scanlon of North Attleborough and Kushmerek of Fitchburg, a petition (accompanied by bill, House, No. 571) of Adam Scanlon, Michael P. Kushmerek and others for legislation to establish a special commission (including members of the General Court) relative to the long-term fiscal health and sustainability of special education. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to the long-term fiscal health and sustainability of special education in the Commonwealth.

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. (a) There shall be a special commission to study Chapter 71B and make
2 recommendations toward the long-term fiscal health and sustainability of Special Education
3 throughout the Commonwealth, and make recommendations to consider all matters pertaining to
4 the improvement of fiscal health and educational outcomes. The commission shall examine the
5 impact and efficacy of special education programs in the Commonwealth.

6 (b) The special commission shall consist of the house chair of the joint committee on
7 education or designee, the senate chair of the joint committee on education or designee, the
8 commissioner of education or designee, one member of the house of representatives to be
9 appointed by the speaker, one member of the senate to be appointed by the senate president, and
10 six members to be appointed by the governor, one of whom shall be a representative of the
11 Massachusetts administrators for special education, one of whom shall be a representative of the

12 Massachusetts association of school committees, one of whom shall be a representative of the
13 Massachusetts association of school superintendents, one of whom shall be a member of a local
14 parents' advisory council, one of whom shall be a representative of the Massachusetts school
15 psychologists association, one of whom shall be a representative of the Massachusetts
16 elementary school principals association.

17 (c) Said special commission shall:

18 (i) examine the universe of students eligible for said programs as well as educational
19 programs and finances of school districts and municipalities;

20 (ii) perform a comparative analysis of the number of children receiving special education
21 and the costs of these services in the Commonwealth;

22 (iii) examine current transportation services for children receiving special education and
23 alternatives available to reduce costs, increase efficiency and improve the quality of said
24 services;

25 (iv) examine ways to increase coordination among school districts for the provision of
26 higher quality cost-effective services, including the regionalization of special education
27 programs;

28 (v) examine the system of evaluating, placing, and monitoring students receiving special
29 education, including out-of-district placements;

30 (vi) examine the system of appeals and monitoring of school district compliance with
31 state and federal special education laws administered by the department of education;

32 (vii) examine the cost trends to local and regional school districts of providing special
33 education services, the capacity of said districts to fund such services within the resources
34 required or made available by chapter seventy of the General Laws and the effects of said
35 services on the programmatic and fiscal planning and educational accomplishments of said
36 districts; and

37 (viii) study issues surrounding the classroom discipline of children with special needs,
38 including the impact, if any, of proposed or enacted federal laws relative to said issues, and
39 identify modifications to laws and regulations of the commonwealth that would be necessary to
40 comply with said proposed or enacted federal law changes.

41 SECTION 2. Said special commission shall report to the house and senate committees on
42 ways and means the results of its study, and recommendations for implementing findings, by
43 filing the same with the clerks of the house of representatives and senate and the joint committee
44 on education on or before January 1, 2024.