SENATE DOCKET, NO. 271 FILED ON: 1/12/2023

SENATE . . . . . No. 241

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

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 resolve:

Resolve establishing a special education funding reform commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	*7/11/2023*

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By Ms. Comerford, a petition (accompanied by resolve, Senate, No. 241) of Joanne M. Comerford that provisions be made for an investigation and study by a special commission (including members of the General Court) relative to special education funding reform. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *295* OF 2021-2022.]

The Commonwealth of Massachusetts

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

Resolve establishing a special education funding reform commission.

Resolved, there shall be a Special Education Financing Commission to review the Commonwealth's system for financing special education and make recommendations for a more equitable system that provides adequate funding to local school districts to meet the costs of providing high quality education to students with disabilities.

The commission's review shall evaluate the commonwealth's current special education financing structure and make recommendations to achieve the following goals:

(1) special education funds shall be sufficient to allow all schools to provide a high quality education in the least restrictive environment that meets the unique needs of each eligible student;

(2) special education funds provided to school districts shall recognize the variation in the resources that are required to provide students with different disabilities a high quality education;

(3) districts with more students receiving special education services shall equitably receive more state special education assistance funding than districts with fewer students receiving special education services;

(4) districts with less local resources shall equitably receive more state special education assistance funding than districts with more local resources;

(5) special education funds shall be relatively predictable and stable to enable school districts to budget effectively and implement multi-year plans;

(6) the special education funding system shall promote the efficient use of funds without incentivizing the under or misdiagnosis of students with disabilities;

(7) the special education funding system shall promote flexibility and innovation in providing high quality education;

(8) the special education funding system shall limit local financial responsibility for providing education to students with extraordinary needs; and

(9) the special education funding system shall provide sufficient funds to meet the costs of transportation of special education students.

In carrying out the review, the commissioner of elementary and secondary education shall provide to the commission any data and information relevant to the commission's charge. The commissioner of elementary and secondary education shall furnish reasonable staff and other support for the work of the commission.

Prior to issuing its recommendations, the commission shall conduct not fewer than 4 public hearings across regions of the commonwealth.

The commission shall include the house and senate chairs of the joint committee on education, who shall serve as co-chairs, the governor or a designee, the secretary of education, the commissioner of elementary and secondary education, the commissioner of early education and care, the director of the Massachusetts office on disability, the speaker of the house of representatives or a designee, the president of the senate or a designee, the minority leader of the house of representatives or a designee, the minority leader of the senate or a designee, the chair of the house committee on ways and means or a designee, the chair of the senate committee on ways and means or a designee, the house and senate chairs of the joint committee on children, families and persons with disabilities, and 1 member to be appointed by each of the following organizations: the Massachusetts Municipal Association, Inc., the Massachusetts Business Alliance for Education, Inc., the Massachusetts Association of School Committees, Inc., the Massachusetts Association of School Superintendents, Inc., the Massachusetts Teachers Association, the American Federation of Teachers Massachusetts, the Massachusetts Association of Vocational Administrators, Inc., the Massachusetts Association of Regional Schools, Inc., Massachusetts Advocates for Children, Federation for Children with Special Needs, ARC of Mass, and the Parent Professional Advocacy League of Massachusetts. Members shall not receive compensation for their services but may receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities as members of the commission.

It shall not constitute a violation of chapter 268A of the General Laws for a person employed by a school district to serve on the commission or to participate in commission deliberations that may have a financial impact on the district employing that person or on the rate

at which that person may be compensated. The commission may establish procedures to ensure that no such person participates in commission deliberations that may directly affect the school districts employing those persons or that may directly affect the rate at which those persons are compensated.

The commission shall file its report on or before June 30, 2024. A copy of the report and recommendations shall be made publicly available on the website of the department of elementary and secondary education and submitted to the joint committee on education, the joint committee on children, families and persons with disabilities, and the house and senate committees on ways and means.