

**HOUSE . . . . . No. 1040**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Jennifer E. Benson*

*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 to promote cost-effective, high quality in-district programs for students with disability.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>William N. Brownsberger</i>	
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>James B. Eldridge</i>	
<i>Patricia D. Jehlen</i>	
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Harriette L. Chandler</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>

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By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 1040) of Jennifer E. Benson and others relative to establishing a grant program to promote cost-effective, high quality in-district programs for students with disabilities. Education.

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act to promote cost-effective, high quality in-district programs for students with disability.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Subject to appropriation the Department of Elementary and Secondary Education shall  
2 develop and administer a discretionary grant pilot program to provide monies to school districts  
3 to develop cost-effective and high quality models of in-district educational services and supports  
4 for students with disabilities currently enrolled in out-of-district programs and for students with  
5 disabilities identified by the district at risk for placement in more restrictive out-of-district  
6 programs. The goal of the grant program shall be for school districts to develop the capacity to  
7 educate children in their communities in the least restrictive environment in a high quality, cost  
8 effective program. The pilot program will reflect the diversity of the Commonwealth’s schools,  
9 and will be limited to no more than six school districts, including two rural, two suburban and  
10 two urban school districts. The pilot demonstration program will run for at least three and no  
11 more than four years. The department shall issue a RFP no later than three months after the start  
12 of the first fiscal year to be disseminated statewide to all local school districts.

13 Each school district shall receive a grant to be used to design, plan, and administer the in-  
14 district program. School districts are may contract with private schools and collaboratives to  
15 provide consultation and programmatic expertise, support, and services necessary to develop  
16 capacity to serve students within the district. Funds can additionally be used for staff training,  
17 staff planning time and materials and technology. Funds may not be used to pay for salaries for  
18 personnel employed or contracted by the school district in programs currently operating in the  
19 district.

20 The first year of the grant pilot shall be devoted exclusively to planning, including but not  
21 limited to involving parents from the community. The second and third years shall be devoted  
22 to implementation, and the final year shall also be devoted to evaluation. The department shall  
23 identify an evaluator at the outset of the program to design the intervention, establish the  
24 methodology, and collect data from all the pilot programs to document and evaluate planning  
25 costs and requirements, efficacy, operational successes and challenges, outcomes, and cost  
26 effectiveness.

27 There shall be an advisory committee which shall assist the department in developing and  
28 implementing this grant program. Members of the advisory committee shall include the  
29 commissioner of the department of developmental services or designee, the commissioner of the  
30 department of mental health or designee, and the commissioner of the mass rehabilitation  
31 commission or designee, and one person selected by each of the following organizations: the  
32 Massachusetts Administrators for Special Education, the Massachusetts Association of School  
33 Superintendents, the Massachusetts Organization of Educational Collaboratives, the  
34 Massachusetts Association of 766 Approved Private Schools, the Massachusetts Advocates for  
35 Children, the Federation for Children with Special Needs, and the Disability Law Center.

36           The department and the advisory committee shall report to the house and senate  
37 committees on ways and means and the joint committee on education on the status of the  
38 project annually on August 31, with a final report at the conclusion of the demonstration which  
39 reports findings on the efficacy of the pilot programs and makes recommendations to support  
40 high quality cost-effective in-district programs statewide, including but not limited to any  
41 recommendations on mechanisms for reimbursing special education costs.