HOUSE DOCKET, NO. 2606 FILED ON: 1/20/2011

HOUSE . . . . . No. 1923

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 passage of the accompanying:

An Act relative to pricing for chapter 71B approved private school programs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Patricia A. Haddad	*5th Bristol*
Stephen L. DiNatale	*3rd Worcester*
John J. Binienda	*17th Worcester*
Benjamin B. Downing	*Berkshire, Hampshire, and Franklin*
James J. O'Day	*14th Worcester*
David M. Torrisi	*14th Essex*

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HOUSE . . . . . No. 1923

By Mrs. Haddad of Somerset, a petition (accompanied by bill, House, No. 1923) of Patricia A. Haddad and others relative to pricing for certain private school programs. Education.

The Commonwealth of Massachusetts

An Act relative to pricing for chapter 71B approved private school programs.

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

Notwithstanding any general or special law to the contrary, the division of purchased services of the department of procurement shall promulgate rules and regulations relative to the pricing of programs approved under chapter 71B of the General Laws for the purpose of promoting recruitment and retention of all direct care staff and improving instructional resources.

Rules and regulations shall include the following provisions:-

(a) the division shall establish a pricing mechanism, including eligibility and procedural requirements, that allows approved programs to apply for salary and benefit increases for all direct care staff including, but not limited to, teachers, related service staff, health care staff and clinical staff to increase the rate of licensure and certification, as may be required by state or federal law, and to decrease the rate of staff attrition and to ensure that benefits and salaries are comparable to the benefits and salaries of similar employees in public schools or relevant agencies of the commonwealth. Said salaries and benefits shall be prorated for the length of said programs. The pricing mechanism shall also address department of elementary and secondary education approved instructional resource upgrades;

(b) the department of elementary and secondary education shall, at the next evaluation of an approved private special education program as required in section 3 of chapter 71B, review the facilities, textbooks, equipment, technology, materials and supplies of the program necessary to instruct students in the Massachusetts curriculum frameworks and recommend to the division pricing adjustments to address needed instructional resource upgrades as determined by the department; and

(c) the division's pricing mechanisms shall not be based upon non-commonwealth or prior year's revenues. No mechanism established by the division shall delay a program price adjustment for more than 90 days. Private special education programs must provide purchasers, the department of elementary and secondary education and the operational services division with

25 a notice of intent to apply for salary and benefit upgrades by October 1 for the following fiscal
26 year.