

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act relative to a special education services for low incidence populations.

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

1 The department of elementary and secondary education shall make an investigation and a
2 study, subject to appropriation, to determine whether there are sufficient and appropriate services
3 for students with low incidence disabilities and to identify opportunities for administrative
4 efficiencies and cost savings by school districts.

5 There shall be an advisory group which shall assist the department in conducting the
6 investigation and study. Members of the advisory group shall include the commissioner of
7 elementary and secondary education, or his designee, who shall serve as chair of the advisory
8 group; the commissioner of the department of public health, or his designee; the commissioner of
9 the department developmental services, or her designee; the commissioner of the department of
10 mental health, or her designee; a representative of the Massachusetts commission for the blind; a
11 representative of the Massachusetts commission for the deaf and hard of hearing; and one person
12 selected by each of the following organizations: the Massachusetts Administrators for Special
13 Education, the Massachusetts Association of School Superintendents, the Massachusetts
14 Organization of Educational Collaboratives, the Massachusetts Association of 766 Approved
15 Private Schools, Massachusetts Advocates for Children, the Federation for Children with Special
16 Needs, Massachusetts Developmental Disabilities Council, and the Massachusetts Head Injury
17 Foundation. The commissioner of elementary and secondary education may appoint such other
18 members as he deems necessary to assist the department in carrying out the investigation and
19 study.

20 The advisory group shall advise and assist the department in performing the study by
21 reviewing available data concerning students with low incidence disabilities. The advisory group
22 shall examine, report and make recommendations on topics including, but not limited to: (1)
23 current special education program and service delivery structures and placements for students
24 with low incidence disabilities; (2) programs and services provided by non-educational agencies

25 that support students with disabilities; (3) the needs and challenges associated with transitioning
26 from early intervention through post-secondary and adult service systems, as well as student
27 relocations from one district to another; (4) the costs of special education personnel, materials
28 and equipment, tuition, room and board, transportation, rent and consultant services associated
29 with implementing individual education plans of students with low incidence disabilities; (5)
30 alternative funding and reimbursement mechanisms to support the costs associated with the
31 provision of special education services to students with low incidence disabilities; (6) best
32 practices for providing high quality and cost-effective services to students with low incidence
33 disabilities; and (7) challenges and opportunities for ensuring coherent, appropriate and cost-
34 effective services for students across multiple agencies as they progress from early intervention
35 services to pre-K-12 education, and to postsecondary education and adult services including, but
36 not limited to, examining the opportunity for funding to follow a child through the system.

37 The department shall file a report on the results of its investigation and study, and any
38 recommendations relative thereto, with the joint committee on education no later than 24 months
39 after enactment of this bill.