

HOUSE No. 4419

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 20, 2020.

The committee on Higher Education to whom were referred the petition (accompanied by bill, House, No. 1212) of Sean Garballey that the Board of Higher Education develop and administer a policy providing flexibility in graduation requirements for certain students with certain intellectual or developmental disabilities at public institutions of higher education, the petition (accompanied by bill, House, No. 1218) of Patricia A. Haddad, Sean Garballey and others relative to creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities who have exited special education, and the petition (accompanied by bill, House, No. 1219) of Patricia A. Haddad, Sean Garballey and others relative to creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities, reports recommending that the accompanying bill (House, No. 4419) ought to pass.

For the committee,

JEFFREY N. ROY.

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**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities.

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: Chapter 71B of the General Laws is hereby amended by inserting after

2 Section 16 the following section: -

3 Section 17: (a) Subject to appropriation, the executive office of education shall develop
4 and administer a discretionary grant program to provide monies to school committees and public
5 institutions of higher education partnering to offer inclusive concurrent enrollment program
6 options for school-aged children, ages 18 to 21, inclusive. The program shall be limited to
7 students who are considered to have severe intellectual disabilities, autism spectrum disorders, or
8 other developmental disabilities, and have been unable to achieve the competency determination
9 necessary to pass the statewide assessment test pursuant to section 1D of chapter 69 of the
10 general laws.

11 (b) The grant program shall enable school committees to partner with public institutions
12 of higher education in order to assist in the transitional needs of eligible students pursuant to
13 subsection (a), which shall include facilitating movement from school to post-school activities

14 and competitive employment. Said grant program shall be based on a results oriented process
15 focused on improving academic and functional achievement in accordance with the provisions of
16 the federal Individuals with Disabilities Education Act.

17 SECTION 2. The executive office of education, in consultation with the state university
18 council of presidents or designee, the university of Massachusetts office of the president or
19 designee and executive director of Massachusetts association of community colleges or designee
20 shall promulgate guidelines pursuant to section 17 of chapter 71B of the General Laws on or
21 before August 15, 2020.

22 SECTION 3. The executive office of education shall file a report with the joint
23 committee on education, the joint committee on higher education and the house and senate
24 committees on ways and means on the status of the inclusive concurrent enrollment grant
25 program established in section 17 of chapter 71B of the General Laws not later than December
26 26, 2020. The report shall include, but not be limited to the following:

27 (1) enrollment data detailing the number of students enrolled in inclusive concurrent
28 enrollment each semester and the unduplicated count of total students served at each institution;

29 (2) a list of all full-time and part-time employment positions supported by the grant
30 program that are dedicated to supporting students participating in the inclusive concurrent
31 enrollment program and the average salary for those positions including but not limited to: (i)
32 educational coaches; (ii) educational specialists; (iii) job coaches and vocational specialists; (iv)
33 program specialists; (v) program directors; (vi) peer mentors, note-takers, and tutors; (vii)
34 contracted employees and; (viii) parent and school committee liaisons;

35 (3) a list of all courses taken by students participating in the inclusive concurrent
36 enrollment program during the academic year with indication as to whether the student attempted
37 the course for credit or for audit and whether the student passed or completed the course;

38 (4) a summary of innovative strategies and practices implemented at each institution of
39 higher education that helped foster relationships with school committees;

40 (5) employment data for students participating in the inclusive concurrent enrollment
41 program, obtained to the best of the ability of participating school committees and institutions of
42 higher education;

43 (6) the total funding received for the program including amounts allocated to each
44 grantee and any executive agency or participating state board, department or institute of higher
45 education and;

46 (7) a cost analysis and recommendations on implementing a statewide inclusive
47 concurrent enrollment grant program that would include all school districts and public
48 institutions of higher education in the Commonwealth.

49 SECTION 4. (a) The department of higher education shall establish an inclusive
50 concurrent enrollment task force to advise the department on efforts to implement inclusive
51 concurrent enrollment and to participate in educational outreach efforts related to inclusive
52 concurrent enrollment. The inclusive concurrent enrollment task force shall include the following
53 members or their designees: the inclusive concurrent enrollment coordinator, who shall serve as
54 chair; the secretary of education, the commissioner of higher education; the commissioner of
55 elementary and secondary education; the commissioner of the department of developmental
56 services; the commissioner of the Massachusetts rehabilitation commission; a representative of

57 the Massachusetts Administrators for Special Education; a representative of the Massachusetts
58 Association of School Committees; a representative of the Massachusetts Association of School
59 Superintendents; a representative of Massachusetts Advocates for Children, Inc.; a representative
60 of the Federation for Students with Special Needs, Inc.; a representative of the Institute for
61 Community Inclusion; at least 2 representatives of school districts, and public institutions of
62 higher education that have successfully implemented inclusive concurrent enrollment initiatives,
63 to be appointed by the chair; and 2 students who are participating or have participated in an
64 inclusive concurrent enrollment program, to be appointed by the chair. Members of the advisory
65 board shall serve without compensation. The inclusive concurrent enrollment task force shall file
66 a report on a plan to implement inclusive concurrent enrollment and existing eligibility
67 requirements for department of developmental services and Massachusetts rehabilitation
68 commission services that could be used to support inclusive opportunities in higher education
69 beyond the age of 21 years, pursuant to section 17 of chapter 71B of the General Laws,
70 including, but not limited to: (i) the use of ABLE accounts to support access to higher education;
71 (ii) eligibility of students to receive financial assistance from scholarship programs included in
72 section 16 of chapter 15A of the General Laws; (iii) the use of interagency agreements or
73 policies to support effective collaboration between public institutions of higher education, school
74 committees, and executive agencies, including but not limited to maximizing federal financial
75 participation through Medicaid and; (iv) whether federal financial aid exists for students beyond
76 the age of 21 that may wish to participate in the inclusive concurrent enrollment program.

77 (b) The report, including any recommendations, shall be filed with the clerks of the house
78 and senate, the chairs of the house and senate committee on ways and means and the chairs of

79 the joint committee on education and the joint committee of higher education not later than
80 January 1, 2021.