

HOUSE No. 3683

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 23, 2015.

The committee on the Education to whom were referred the petition (accompanied by bill, Senate, No. 310) of Barbara L'Italien, Tom Sannicandro, James B. Eldridge, Brian A. Joyce and other members of the General Court for legislation to expand inclusive transition programs for students with severe disabilities and the petition (accompanied by bill, House, No. 478) of Tom Sannicandro and Barbara L'Italien for legislation to establish a discretionary grant program for schools assisting children age eighteen to twenty-two with disabilities, reports recommending that the accompanying bill (House, No. 3683) ought to pass.

For the committee,

ALICE HANLON PEISCH.

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act expanding inclusive transition programs for students with severe 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: Inclusive Concurrent Enrollment

4 (a) Subject to appropriation, the executive office of education shall develop and
5 administer a discretionary grant program to provide monies to school committees and state
6 public institutions of higher education partnering together to offer inclusive concurrent
7 enrollment program options for school aged children with disabilities ages 18 to 22, inclusive;
8 provided:

9 (1) that the grant program shall be limited to said students who are considered to have
10 severe intellectual disabilities, autism spectrum disorders, or other developmental disabilities;
11 and

12 (2) in the case of students aged 18-19, the grant program shall be further limited to
13 students with severe disabilities who have been unable to achieve the competency determination

14 necessary to pass the statewide assessment test pursuant to section 1D of chapter 69 of the
15 general laws.

16 (b) The goal of the grant program shall be for school committees to partner with
17 institutions of higher education to provide a free appropriate public education in the least
18 restrictive environment that meets the transition needs of students with severe intellectual
19 disabilities, autism spectrum disorders, or other developmental disabilities, and to support
20 academic success, participation in student life of the college community, and competitive
21 employment. This shall be achieved by fully including said students in higher education
22 institutions by requiring the following:

23 (1) development of partnerships between institutions of higher education and school
24 committees which also include any relevant agency serving students with severe intellectual
25 disabilities, autism spectrum disorders, and other developmental disabilities, including but not
26 limited to a vocational rehabilitation agency;

27 (2) enrollment in credit-bearing and non-credit courses that include students without
28 disabilities including enrollment in credit-bearing courses in audit status for students who may
29 not meet course prerequisites;

30 (3) participation in on-campus student life activities;

31 (4) adequate preparation for competitive employment;

32 (5) waiver of tuition for all courses by the institution of higher education;

33 (6) provision of supports and services necessary to facilitate a student's enrollment
34 and support inclusion in academic courses, extracurricular activities, internships, work

35 experiences, and other aspects of the institution of higher education's regular postsecondary
36 program;

37 (7) training and technical assistance for teachers, faculty and personnel regarding
38 strategy and teaching methodology to achieve successful inclusion of individuals with severe
39 intellectual disabilities, autism spectrum disorders, and other developmental disabilities;

40 (8) that students with severe intellectual disabilities, autism spectrum disorders, and
41 other developmental disabilities be socially and academically integrated with non-disabled
42 students to the maximum extent possible; and institutions of higher education may choose to
43 engage students pursuing study in the areas of special education, general education, vocational
44 rehabilitation, assistive technology, psychology, or related fields; in the administration of the
45 program; and

46 (9) utilization of person-centered planning in the development of the course of study for
47 each participating student.

48 (c) The executive office of education, in consultation with the department of elementary
49 and secondary education, the department of higher education and the inclusive concurrent
50 enrollment advisory board, shall develop guidelines to ensure that the grant program meets this
51 goal.

52 (d) Subject to appropriation, the executive office of education shall designate an inclusive
53 concurrent enrollment coordinator to manage grant administration and coordinate reporting. The
54 executive office of education shall notify all participating school committees and institutions of
55 higher education of the name and contact information for the inclusive concurrent enrollment
56 coordinator.

57 (e) The executive office of education shall establish an inclusive concurrent enrollment
58 advisory board to evaluate and to advise the executive office of education on efforts to
59 implement inclusive concurrent enrollment and to participate in educational outreach efforts on
60 inclusive concurrent enrollment. The inclusive concurrent enrollment advisory board shall
61 include representatives of school districts and colleges and universities where the inclusive
62 concurrent enrollment program has been successfully implemented, 2 former or current students
63 that have participated in an inclusive concurrent enrollment program, the co-chairs of the joint
64 committee on education or designees, the co-chairs of the joint committee on higher education or
65 designees, the commissioner of higher education or designee, the commissioner of elementary
66 and secondary education or designee, the secretary of education or designee, the commissioner
67 of the department of development disability services or designee, the commissioner of the
68 Massachusetts Rehabilitation Commission or designee, a representative of Massachusetts
69 Advocates for Children, a representative of the Federation for Students with Special Needs, a
70 representative of the Institute for Community Inclusion, and the inclusive concurrent enrollment
71 coordinator. The inclusive concurrent enrollment advisory board shall meet quarterly.

72 (f) The inclusive concurrent enrollment coordinator, in consultation with the department
73 of elementary and secondary education, the department of higher education and the inclusive
74 concurrent enrollment advisory board, shall develop strategies and procedures designed to assist
75 institutions of higher education in sustaining, expanding and replicating inclusive concurrent
76 enrollment partnerships established through the executive office of education's discretionary
77 grant program. Strategies and procedures shall include but not be limited to:

78 (1) provision of continued grant funding for partnerships between institutions of
79 higher education and school committees that have developed inclusive concurrent enrollment

80 programs in order to sustain the existing programs and to retain employment specialists to assist
81 students in meeting competitive employment and other transition-related goals;

82 (2) adoption of procedures and funding mechanisms to ensure that new partnerships
83 providing inclusive concurrent enrollment programs fully utilize the models and expertise
84 developed in existing partnerships to ensure that all programs are successful and sustainable;

85 (3) development of a mechanism to encourage existing and new partnerships to
86 expand capacity to respond to individual parents and school committees, who are not currently
87 benefitting from those partnerships and who request an opportunity for their children to
88 participate in inclusive concurrent enrollment;

89 (4) outreach to institutions of higher education and school committees that are not
90 currently participating in inclusive concurrent enrollment with intent to encourage such
91 institutions of higher education and school committees to offer inclusive concurrent enrollment
92 programming;

93 (5) addressing of challenges frequently faced by institutions of higher education and
94 newly created inclusive concurrent enrollment programs and a compilation of best practices to
95 address these difficulties

96 (g) The executive office of education shall distribute strategies and procedures developed
97 pursuant to subsection (f) to all public colleges and universities in the Commonwealth annually.

98 (h) The executive office of education shall select grant recipients no later than July 15 of
99 each year.

100 (i) The executive office of education, in consultation with the department of elementary
101 and secondary education and the department of higher education, shall make a report available
102 online on the status of the grant program annually, no later than March 15. The report shall
103 include, but not be limited to the following components:

104 (1) enrollment data that details the number of students enrolled in inclusive concurrent
105 enrollment each semester and the unduplicated count of total students served at each institution

106 (2) a list of all full-time and part-time employment positions supported by the grant
107 program that are dedicated to supporting students with severe disabilities through the inclusive
108 concurrent enrollment program and the average salary for those positions including but not
109 limited to:

110 (i) educational coaches;

111 (ii) educational specialists;

112 (iii) job coaches and vocational specialists;

113 (iv) program specialists;

114 (v) program directors;

115 (vi) peer mentors, note-takers, and tutors;

116 (vii) contracted employees;

117 (viii) parent and school committee liaisons.

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

121 (4) a summary of innovative strategies and practices implemented at each institution of
122 higher education that helped foster their relationship with school committees or helped students
123 succeed

124 (5) employment data for students and graduates, obtained to the best of the ability of the
125 school committee and the institution of higher education.

126 (6) a report detailing the amount of grant funds allocated to each institution of higher
127 education in the planning and implementation phases, the amount allocated to the department of
128 elementary and secondary education and the department of higher education, and the amount
129 allocated to the executive office of education.

130 SECTION 2. The executive office of education shall promulgate guidelines pursuant to
131 section 17 of chapter 71B of the General Laws on or before January 1, 2015.

132 SECTION 3. Section 2 of Chapter 71B of the General Laws, as so appearing, is hereby
133 amended by inserting after the word “department”, in line 50, the following words:-

134 ; and (12) For older students ages 18-22, options including continuing education,
135 enrollment in credit and noncredit courses that include students without disabilities in an
136 institution of higher education, development of independent living skills, development of skills
137 necessary for seeking, obtaining, and maintaining jobs, development of skills to access
138 community services, and development of skills for self-management of medical needs.