

HOUSE No. 462

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

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 relating to outside special needs placement.

PETITION OF:

NAME:

Sean Garballey

DISTRICT/ADDRESS:

23rd Middlesex

HOUSE No. 462

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 462) of Sean Garballey relative to the placement of certain special needs students. Education.

The Commonwealth of Massachusetts

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

An Act relating to outside special needs placement.

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

1 Chapter 71B section 5 of the Mass General Laws is amended in the second paragraph by
2 deleting the first sentence and inserting the following:

3 Notwithstanding the provisions of Section 27C of Chapter 29 or any other general or
4 special law to the contrary, if a child with a disability whom a school committee provides or
5 arranges for the provisions of special education in an approved private day, public school or
6 residential school placement, including a placement in a pediatric nursing home pursuant to the
7 provisions of section 3, or his parent or guardian moves to a different school district on or after
8 July 1 of any fiscal year, such school committee of the former community of residence shall pay
9 the approved budget costs, including transportation costs of such approved private day, public
10 school or residential placement, including placement in a pediatric nursing home for such child
11 for the balance of such fiscal year, provided however that if such move occurs between March 1
12 and June 30, such school committee of the former community of residence shall pay such costs

13 for the balance of the fiscal year in which such move occurred as well as for the subsequent
14 fiscal year.