

**HOUSE . . . . . No. 481**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Tom Sannicandro***

*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 bill:

An Act expanding inclusive transition programs for students with severe disabilities .

PETITION OF:

| NAME:                         | DISTRICT/ADDRESS:                  |
|-------------------------------|------------------------------------|
| <i>Tom Sannicandro</i>        | <i>7th Middlesex</i>               |
| <i>Kay Khan</i>               | <i>11th Middlesex</i>              |
| <i>Donald F. Humason, Jr.</i> | <i>4th Hampden</i>                 |
| <i>Ruth B. Balsler</i>        | <i>12th Middlesex</i>              |
| <i>Peter V. Kocot</i>         | <i>1st Hampshire</i>               |
| <i>David Paul Linsky</i>      | <i>5th Middlesex</i>               |
| <i>Carl M. Sciortino, Jr.</i> | <i>34th Middlesex</i>              |
| <i>Michael F. Rush</i>        | <i>Norfolk and Suffolk</i>         |
| <i>Cynthia S. Creem</i>       | <i>First Middlesex and Norfolk</i> |
| <i>James B. Eldridge</i>      | <i>Middlesex and Worcester</i>     |
| <i>Marc R. Pacheco</i>        | <i>First Plymouth and Bristol</i>  |
| <i>Jonathan Hecht</i>         | <i>29th Middlesex</i>              |

**HOUSE . . . . . No. 481**

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By Mr. Sannicandro of Ashland, a petition (accompanied by bill, House, No. 481) of Tom Sannicandro and others for legislation to establish a discretionary grant program for schools assisting children age eighteen to twenty-two with disabilities. Education.

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Thirteen**  
\_\_\_\_\_

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           Whereas individuals with disabilities aged 18-22 are entitled to receive a free appropriate  
2 public education in the least restrictive environment;

3           Whereas, the least restrictive environment for most of those students is outside of the  
4 confines of a public high school building;

5           Whereas, individuals with disabilities aged 18-22 have few if any genuine peers that still  
6 attend public high school;

7           Whereas college is the natural place for students aged 18-22 to learn the transition skills  
8 necessary to be prepared for integrated competitive employment;

9           Whereas, individuals with intellectual disabilities who participated in post-secondary  
10 education were 26% more likely to leave vocational rehabilitation services with a paid job and  
11 earn a 73% higher weekly income;

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

14           SECTION 1: Chapter 71B of the General Laws is hereby amended by inserting after  
15 Section 16 the following section: -

16           Section 17: Inclusive Concurrent Enrollment

17 (a) For the purpose of this section the term “Department” shall mean the Department of  
18 Elementary and Secondary Education.

19 (b) Subject to appropriation, the Department shall develop and administer a discretionary  
20 grant program to provide monies to school districts and state public institutions of higher  
21 education partnering together to offer inclusive concurrent enrollment programs options for  
22 school aged children with disabilities ages 18 to 22, inclusive; provided:

23 (1) that the grant program shall be limited to said students who are considered to have  
24 severe disabilities; and

25 (2) in the case of students aged 18-19, shall be further limited to students with severe  
26 disabilities who have been unable to achieve the competency determination necessary to pass the  
27 Massachusetts Comprehensive Assessment System exam.

28 (b) The goal of the grant program shall be for partnerships to provide a free appropriate  
29 public education in the least restrictive environment that meets the transition needs of students  
30 with severe disabilities by developing the capacity of school districts working in partnership with  
31 institutes of higher education to support academic success, participation in student life of the  
32 college community, competitive employment, and provision of a free appropriate public  
33 education in the least restrictive environment. This shall be achieved by fully including students  
34 in higher education institutions by requiring the following:

35 (1) enrollment in credit-bearing and non-credit courses that include students without  
36 disabilities including enrollment in credit-bearing courses in audit status for students who may  
37 not meet course pre-requisites;

38 (2) participation in on-campus student life activities for the college community;

39 (3) adequate preparation for competitive employment;

40 (4) waiver of tuition for all courses by the institution of higher education;

41 (5) provision of supports and services necessary to facilitate a student’s enrollment  
42 and support inclusion in academic courses, extracurricular activities, internships, work  
43 experiences, and other aspects of the institution of higher education’s regular postsecondary  
44 program;

45 (6) training and technical assistance for teachers, faculty and personnel regarding  
46 strategy and teaching methodology to achieve successful inclusion of individuals with severe  
47 disabilities;

48 (7) Students with intellectual disabilities shall be socially and academically  
49 integrated with non-disabled students to the maximum extent possible;

50 (8) formation of a partnership with any relevant agency serving students with  
51 intellectual disabilities, including but not limited to a vocational rehabilitation agency;

52 (9) utilization of person-centered planning in the development of the course of study  
53 for each participating student ;

54 (10) Involvement of students attending the institutes of higher education who are  
55 studying special education, general education, vocational rehabilitation, assistive technology ,  
56 psychology, or related fields;

57 (c) The department, in consultation with the department of higher education and the  
58 Inclusive Concurrent Enrollment Advisory Board, shall develop guidelines and regulations to  
59 ensure that the grant program meets this goal.

60 (d) The executive office of education shall designate an Inclusive Concurrent Enrollment  
61 coordinator to manage grant administration and coordinate reporting . The executive office of  
62 education shall notify all participating school districts and institutions of higher education of the  
63 name and contact information for the inclusive concurrent enrollment coordinator.

64 (c) The Department shall establish an Inclusive Concurrent Enrollment Advisory Board  
65 to evaluate and to advise the Department on efforts to implement inclusive concurrent enrolment  
66 and to participate in educational outreach efforts on inclusive concurrent enrollment. The  
67 Inclusive Concurrent Enrollment Advisory Board shall include representatives of school districts  
68 and colleges and universities where the inclusive concurrent enrollment program has been  
69 successfully implemented, 2 former or current students that have participated in an Inclusive  
70 Concurrent Enrollment program, the Co-Chair of the Committee on Education or their designees,  
71 the Co-Chairs of the Committee on Higher Education or their designees, the Commissioner of  
72 Higher Education or their designee, the Commission of Elementary and Secondary Education of  
73 their designee, the Secretary of Education or their designee, the Commissioner of the Department  
74 of Development Disability Services or their designee, the Commissioner of the Massachusetts  
75 Rehabilitation Commission or their designee, a representative of Massachusetts Advocates for  
76 Children, a representative of the Federation for Students with Special Needs, a representative of  
77 the Institute for Community Inclusion, and the Inclusive Concurrent Enrollment coordinator. The  
78 Inclusive Concurrent Enrollment Advisory Board shall meet not less than 6 times per year.

79 (e) The inclusive concurrent enrollment coordinator, in consultation with the department  
80 of elementary and secondary education, the department of higher education and the inclusive  
81 concurrent enrollment advisory board, shall develop strategies and procedures designed to assist  
82 institutions of higher education in sustaining, expanding and replicating inclusive concurrent  
83 enrollment partnerships established through the department's discretionary grant program.  
84 Strategies and procedures shall address each the following objectives:

85

86 (1) provision of continued grant funding for partnerships between institutions of  
87 higher education and school districts that have developed inclusive concurrent enrollment  
88 programs in order to sustain the existing programs and to retain employment specialists to assist  
89 students in meeting competitive employment and other transition-related goals;

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

93 (3) development of a mechanism to encourage existing and new partnerships to  
94 expand capacity to respond to individual parents that request an opportunity for their children to  
95 participate in the inclusive concurrent enrollment initiative;

96 (4) outreach to IHEs that are not currently participating in ICE with intent to  
97 encourage such IHEs to offer ICE programming;

98 (5) description of challenges frequently faced by new ICE programs and a  
99 compilation of best practices and strategies to address such difficulties; and

100 (6) description of challenges frequently faced by institutions of higher education that  
101 are interested in entering a partnership and a compilation of best practices and strategies to  
102 address such difficulties; and

103 (7) for those institutions that offer residential life for students, the integration of  
104 students with intellectual disabilities into the housing offered to nondisabled students with the  
105 accommodations, supports, and services necessary to enable inclusive dormitory living.

106 (f) The department shall distribute strategies and procedures developed by subsection (e)  
107 to all public colleges and universities in the Commonwealth annually.

108 (g) The department shall select grant recipients no later than July 15 of each year.

109 (h) The department, in consultation with the department of higher education, shall report  
110 to the House and Senate Committees on Ways and Means, the Joint Committee on Education and  
111 the Joint Committee on Higher Education on the status of the grant program annually, no later  
112 than March 15. The report shall include, but not be limited to the following components:

113 (1) enrollment data that details the number of students enrolled in ICE each semester and  
114 the unduplicated count of total students served at each institution do you mean in a year?;

115 (2) a list of all full-time and part-time employment positions dedicated to serving  
116 inclusive concurrent enrollment students and the average salary for those positions including but  
117 not limited to:

118 (i) educational coaches;

- 119 (ii) educational specialists;
- 120 (iii) job coaches and vocational specialists;
- 121 (iv) program specialists;
- 122 (v) program director;
- 123 (vi) peer mentors, note-takers, and tutors;
- 124 (vii) contracted employees;
- 125 (viii) parent and school district liaisons.

126 (3) a list of all courses taken by all ICE students during the academic year with  
127 indication as to whether the student attempted the course for credit or for audit and whether the  
128 student passed or completed the course

129 (4) a summary of unique and creative ideas implemented at each IHE that help foster  
130 their relationships with school districts or help students succeed

131 (5) employment data obtained to the best of the ability of the school district and the  
132 institute of higher education.

133 (6) a report detailing the amount of grant funds allocated to each institution of higher  
134 education in the planning and implementation phases, the amount allocated to the department of  
135 higher education, and the amount allocated to the Department itself.

136 SECTION 2. The Department shall promulgate guidelines and regulations required  
137 pursuant to section 17 of chapter 71B of the General Laws on or before January 1, 2014.

138 SECTION 3. Section 2 of Chapter 71B of the General Laws, as so appearing, is hereby  
139 amended by inserting the following phrase after the tenth item of the third paragraph

140 ;(11) For older students ages 18-22, options including continuing education, enrollment  
141 in credit and noncredit courses that include students without disabilities in an Institute for Higher  
142 Education, development of independent living skills, development of skills necessary for  
143 seeking, obtaining, and maintaining jobs, development of skills to access community services,  
144 and development of skills for self-management of medical needs