

Massachusetts Advocates for Children Legislation 2021

An Act Creating Higher Education Opportunities for Students with Intellectual Disabilities, Autism, and other Developmental Disabilities

HD 3072 (Rep. Garballey, with Rep. Haddad) SD 1763 (Sen. Lovely)

This legislation allows persons with intellectual disabilities (ID), autism, and other developmental disabilities to access state colleges and universities in order to gain skills necessary to work and live independently in the community as adults, implementing key recommendations of the legislative Task Force on College Inclusion. Access to college improves the rates of employment, wages, self-determination skills, and independent living for adults with significant disabilities. The bill removes barriers, allowing individuals with ID and autism to participate in courses and campus life, as non-matriculating students, if they have not passed MCAS. The bill also codifies the Inclusive Concurrent Enrollment grant program, provides consideration of higher education for older students through the special education process, and includes this population in the mission of our state higher education system.

An Act Relative to the Training, Assessment, and Assignment of Qualified School Interpreters in Educational Settings

HD 1883 (Rep. Cabral) SD 392 (Sen. Crighton)

This legislation directs the Department of Elementary and Secondary Education (DESE) to create standards and competencies for the hiring and assignment of school interpreters to provide parents and students with limited English proficiency (LEP) competent interpretation services. This bill incorporates the recommendations of DESE's School Interpreter Task Force, formed pursuant to section 81 of chapter 154 of the acts of 2018. School districts are already required to provide interpreter services for families with LEP pursuant to state and federal law. Unfortunately, many school districts rely on employees or volunteers who are often unqualified as interpreters and unprepared to adequately interpret information vital to a child's growth and development. As a result, too many parents are provided inaccurate information, are unable to participate meaningfully in their child's education, and are unable to access equal education opportunities for their children. To aid in providing competent services, DESE is directed to develop and administer a system for training, assessing, and determining qualifications of interpreters; develop a training curriculum; and maintain a publicly accessible mechanism to identify the interpreters with the highest level of training and skill. Implementation of the bill would be phased in at the direction of the Department, subject to appropriation.

An Act to Ensure Equitable Access to Education, Including Special Education Services, for All Students in Massachusetts

HD 1433, Rep. Decker

This bill will make education data available to the public in a manner that reveals inequities for specific subpopulations of students. Providing the Commonwealth and local communities access to this information is particularly urgent during the COVID-19 pandemic and recovery as Black and Latinx communities, and students within these communities, have been significantly and disproportionately impacted by the pandemic. School districts are already required to submit this data to the Department of Elementary and Secondary Education (DESE) pursuant to state and federal law. This legislation would not require the collection of additional data. It would direct DESE to publish data on the delivery of educational opportunities to students in a manner that will provide important information about the range of

demographic subgroups facing the most significant inequities, such as low-income Black students, Black males with disabilities, or Latino English Learners with disabilities. With this information, DESE, educators, and local communities will be better positioned to address identified disparities. In the future, this legislation will require that DESE publish data in a similar manner regarding access to special education services for students throughout the Commonwealth.

An Act Addressing the Inequitable Impact of the Pandemic on Black and Latinx Individuals with Autism

Lead sponsors: Rep. Barber HD 1984 and Sen. Lovely SD 2904

This legislation ensures that the Massachusetts Autism Commission addresses the disproportionate impact of COVID-19 on Black and Latinx individuals with autism. Black and Latino individuals in Massachusetts have been infected with COVID-19 at rates three times higher than White residents. Furthermore, Black and Latinx families are less likely to have the necessary devices and high-speed internet connection necessary to access remote services and are more likely to experience additional barriers related to family illness, death, and other COVID-19 stressors. Inequities faced by individuals with autism cannot be effectively identified and addressed without gathering race specific data for this population. This bill directs the Autism Commission to investigate available data regarding services provided to individuals with autism by racial and ethnic group, primary language, economic status, and gender. The legislation also requires the Autism Commission's annual report to include recommendations to improve services and address the inequitable impact of the pandemic and recovery process on Black and Latinx individuals who have autism.

An Act addressing the Needs of Students with Disabilities Turning 22 During the COVID-19 Emergency

Lead sponsors: Rep. Gentile HD 2094; Sen. Barrett SD 2396

This legislation helps to address the needs of students with disabilities who turn 22 during the pandemic and require compensatory special education services to address their regression or lack of progress due to the disruption in IEP services caused by the state of emergency. Consistent with federal and state law and guidance, IEP teams will determine which students ages 3-22 require compensatory services. However, for students with disabilities who turn 22 during COVID-19, circuit breaker funds are not available to help districts pay for the costs of these services. This legislation would amend the circuit breaker statute to allow reimbursement for the costs associated with providing compensatory special education services for students who turn 22 (or who otherwise become ineligible for special education services) during the pandemic.

An Act to Improve Augmentative and Alternative Communication Opportunities for Children with Disabilities

Lead sponsors: Rep. Barber HD 815, and Sen. O'Connor SD 860

This legislation amends teacher license regulations to require that all teachers who apply for an initial Massachusetts educator license receive instruction on the appropriate use of augmentative and alternative communication devices for children with disabilities who are nonspeaking or who have limited speech. This bill will enhance the lives of thousands of children, including children with autism, cerebral palsy, and acquired brain injury who rely on augmentative and alternative communication methods to interact with others. This legislation builds upon Chapter 299 of the Acts of 2010, which required only certain special education teachers to have training on the appropriate use of augmentative and alternative communication. This bill will help improve outcomes for students as well as reduce costs for school districts by facilitating inclusion and supporting placement of children with disabilities who are nonspeaking or who have limited speech in the least restrictive environment.

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