

Accompanying the first recommendations of the Department of Education (House, No. 52). Education.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT RELATIVE TO THE TRANSPORTATION OF PERSONS ATTENDING CERTAIN FACILITIES OF THE DEPARTMENT OF MENTAL HEALTH.

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. Section twenty-seven of chapter nineteen of the
2 General Laws, as most recently amended by chapter 1194 of the
3 acts of 1973, is hereby further amended by striking out the second
4 paragraph and inserting in place thereof the following para-
5 graph: —

6 Whenever a child is eligible for admission to a clinical nursery
7 school, and transportation to such nursery school is required, the
8 department shall provide for the transportation of said child to and
9 from the clinical nursery school on such days as it is in session.

1 SECTION 2. Said section twenty-seven of said chapter nine-
2 teen, as so appearing, is hereby further amended by striking out the
3 fifth paragraph and inserting in place thereof the following para-
4 graph: —

5 If there is not sufficient classroom space in a community clinical
6 nursery school for retarded children established under this section,
7 and a child has been determined to be eligible by the department
8 and is admitted to and attends a clinical nursery school, day care
9 center, or other institution for the care, education, or treatment of
10 retarded children conducted by an accredited school or college
11 within the Commonwealth, said department shall, if it approves
12 the program in such facility, reimburse the parents of such child for
13 the cost of transporting such child to and from such nursery school,

14 day care center, other institution or day program providing care,
15 education, or treatment of retarded children on such days as it is in
16 session.

1 SECTION 3. Said chapter 19 is hereby further amended by
2 striking out section 28, as most recently amended by section 3 of
3 chapter 888 of the acts of 1970, and inserting in place thereof the
4 following section: —

5 *Section 28.* Whenever a mentally retarded person qualifies for
6 attendance at an educational, habilitational or day care program
7 or facility of the department of mental health, and said person is
8 not eligible for services under the provisions of chapter seventy-one
9 B, the department shall provide for the transportation of said
10 person to and from such facility on such days as it is in session.

1 SECTION 4. Section thirteen of chapter seventy-one B of the
2 General Laws, as most recently amended by section seventy-one of
3 chapter three hundred sixty-seven of the acts of nineteen hundred
4 and seventy-eight is hereby repealed.