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**The Commonwealth of Massachusetts**

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SENATE, May 5, 1987.

The committee on Education, to whom was referred the petition (accompanied by bill, Senate, No. 229) of Argeo Paul Cellucci, John P. Burke and Robert C. Buell for legislation relative to residential special education placements; the petition (accompanied by bill, Senate, No. 242) of Francis D. Doris for legislation relative to the instruction and support of special needs students; the petition (accompanied by bill, House, No. 297) of Joseph N. Hermann that the Department of Education be required to reimburse the full cost to cities, towns and regional school districts for expenses incurred for children with special needs; the petition (accompanied by bill, House, No. 1497) of William Constantino, Jr., for legislation to require the Commonwealth to provide funding for all special education programs; the petition (accompanied by bill, House, No. 1797) of Joan M. Menard, other members of the General Court and others that provision be made for state aid for the cost of certain special education placements; the petition (accompanied by bill, House, No. 2146) of Marjorie A. Clapprod that provision be made for the Commonwealth to assume full funding for all special education programs; the petition (accompanied by bill, House, No. 2501) of Theodore D. Mann, Anthony M. Mandile, Susan D. Schur, David B. Cohen and Lois G. Pines relative to the funding of all costs incurred by local school committees to provide educational services to special needs children; the petition (accompanied by bill, House, No. 3130) of John F. Cox that provision be made for the Commonwealth to assume and pay all mandated costs of special education; the petition (accompanied by bill, House, No. 3138) of Mary Jane Gibson relative to state assistance for the cost of certain special education placements; and the petition (accompanied by bill, House, No. 3653) of Gregory W. Sullivan relative to residential special education placements, reports the accompanying bill (Senate, No. 1802).

For the committee,

RICHARD A. KRAUS.

**The Commonwealth of Massachusetts**

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

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AN ACT CONCERNING STATE ASSISTANCE FOR THE COST OF CERTAIN  
SPECIAL EDUCATION PLACEMENTS.

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

1 The first paragraph of section 5A of chapter 71B, as added by  
2 section 124 of chapter 351 of the acts of 1981, is hereby amended  
3 by striking the final sentence and inserting in place thereof the  
4 following:

5 The Commonwealth shall pay a portion of the difference  
6 between the residential program rate established by the rate setting  
7 commission and the day program rate. For annual total costs of  
8 a residential program for a child, in no case shall the  
9 commonwealth be required to pay less than sixty per cent of the  
10 first forty thousand dollars of said costs, nor less than seventy per  
11 cent of the next ten thousand dollars of said costs, nor less than  
12 eighty per cent of the next ten thousand dollars of said costs, nor  
13 less than ninety per cent of any additional amount of said costs.

14 Nor shall the Commonwealth be required to pay less than  
15 seventy per cent of the amount the costs of a residential program  
16 for a child who exceeds one per cent of the local education  
17 authority's total annual operating budget, nor less than eighty per  
18 cent of the amount said costs exceed two per cent of its total  
19 annual operating budget, no less than ninety per cent of the  
20 amount said costs exceed three per cent of its total annual  
21 operating budget.