

Advancing Inclusive Higher Education in Massachusetts

***The Evolution of 610 CMR 15.00: "Massachusetts Inclusive
Postsecondary Education Initiative Program Guidelines"***

Greetings from MA DHE Legal!



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Roadmap for Today's Discussion



Legislative History

■ ***FY23 Budget Language***

- Required DHE to promulgate regulations implementing the new program within six months of the Task Force issuing its report...
 - in collaboration with DESE
 - in consultation with: SU and CC Councils of Presidents; UMass President; inclusive concurrent enrollment advisory board
- Established a task force to help inform the development and implementation of the new law (program)
- Task Force issued report to legislature on August 30, 2024
- Final Regulation 610 CMR 15.00 approved by BHE on April 8, 2025, and published in the *Massachusetts Register* on April 25, 2025.

Legislative History

“MAICEI” → “MAIPSE”

- Two components to this initiative now, renaming **MAIPSE***
 - **MAICEI- students ages 18 up to 22 years**
 - Typically referred by school districts
 - **Post-MAICEI- students ages 22 years and over**
 - All IHEs must have a policy on how they are going to extend opportunities to students with severe disabilities ages 22 and over to participate in courses **(and all other aspects of campus life- e.g., housing, extracurricular activities)** as non-matriculating students with their nondisabled peers.
 - IHEs “may” limit participation to student referred by “any relevant state agency or other entity” that “serves individuals with Severe Disabilities” and “supports the participation of students 22 years or older,” including but not limited to:
 - Department of Developmental Services
 - Massachusetts Rehabilitation Commission (now called “MassAbility”) ▪
 - Or another state agency
 - IHEs “may” allow participation of students funded by private sources

**Massachusetts Inclusive Postsecondary Education Initiative (MAIPSE)*

MAICEI Task Force – Evaluating Resources and Student Needs

- *“...The inclusive concurrent enrollment advisory board... **shall convene a task force** to evaluate, develop and pilot mechanisms to support institutions of higher education offering opportunities...to include individuals with severe intellectual disabilities, severe autism spectrum disorders or other severe developmental disabilities over the age of 21...” - c. 71B, § 17(a); Senate Budget Outside Section 165, Inclusive Concurrent Enrollment*
- Temporary advisory body convened in November 2022, comprised of twenty-four (24) individuals representing DHE, DESE, public higher education institutions, adult-serving state agencies, and several advocacy groups
- Met monthly over Zoom conferencing between Fall 2022 to Summer 2024 to evaluate how best to expand supports to eligible people aged 22 years and over
- Collaboratively worked toward evaluating student needs – from housing and transportation, to funding streams and socialization
- Recommendations **substantially** informed drafting of 610 CMR 15.00

MAICEI Task Force - Recommendations

- Task Force ultimately presented thirteen (13) recommendations to the state legislature, including:
 - development of policy guidelines establishing minimum expectations on a **student-centered “participation plan”**
 - implementation of communication strategy to clarify expanded eligibility for individuals aged 22 and over
 - pursuit of DHE/MAICEI, DDS, and MRC alliance that strengthens relationship and opportunities for inclusive postsecondary education
 - evaluation of variability in costs associated with supporting eligible individuals aged 22 and over



Massachusetts Department of Higher Education

Massachusetts Inclusive Concurrent Enrollment Initiative (MAICEI)

Task Force on Higher Education for Students with Severe Developmental Disabilities

Final Report

August 30, 2024

Executive Summary

This report presents the findings and recommendations of the *Massachusetts Inclusive Concurrent Enrollment Initiative (MAICEI) Task Force on Higher Education for Students with Severe Intellectual Disabilities, Severe Autism Spectrum Disorder, and Other Severe Developmental Disabilities*. The co-chairs of the Inclusive Concurrent Enrollment Advisory Board, who also led the Task Force, are Mary Price, State Director of MAICEI, designee for the Commissioner for Higher Education, and Victor Hernandez, Deputy Assistant Commissioner, designee for the Commissioner of the Department of Developmental Services (DDS). This report was developed in response to the legislation enacted in July 2022, which expanded the limited instances of inclusive postsecondary education opportunities for students whose special education entitlement under Chapter 71B has ended, so that they can pursue or continue inclusive higher education opportunities. M.G.L. c. 15A, Section 30A.¹

This report will provide an overview of available information and data supporting thirteen (13) recommendations made by the Task Force, which begin on page 53.

Summary

The 2022 legislation builds on the success of the MAICEI program. The new law requires all public institutes of higher education (IHs) to establish policies that help create pathways for

¹ The legislation also expanded access for students 18-21 who have severe intellectual disabilities, severe autism spectrum disorders or other severe developmental disabilities and are receiving special education services. All those students across Massachusetts may also now have program options offered by any IHs. Prior to the legislation, the MAICEI program participation was limited to some school districts who had partnerships with some IHs. See ch. 126 of the Acts of 2022. This report does not address or provide recommendations regarding that aspect of the legislation. The Department of Elementary and Secondary Education is developing guidance and information for school districts and families regarding this expanded access.

TASK FORCE MEMBERSHIP

Mary Price, co-chair Department of Higher Education	Victor Hernandez, co-chair Department of Developmental Services	Christopher Grimaldi Department of Higher Education
Christine Lenahan Salem State University	Cindy Thomas Institute for Community Inclusion	David Podell, President Mass Bay Community College
Dianne Leszczynski Autism Commission	Jamie Camacho Department of Elementary & Secondary Education	Julia Landau Mass Advocates for Children
Kristen Smidy Gateway Regional School District	Lyndsey Nunes Westfield State University	Maria Palewonsky Institute for Community Inclusion
Mauro Sullivan The ARC of Massachusetts	Pam Nourse Federation of Children with Special Needs	Maureen Gallagher Massachusetts Down Syndrome Congress
Jean Phillips Massachusetts Rehabilitation Commission	Kelli Collobi Malden Public Schools	Elaine Davey Lawrence Public Schools
Vincent Pedone State Universities Council of Presidents	Paul Correia Bristol Community College	Kathy Meagher Shore Collaborative

participation of individuals with severe intellectual disabilities, severe autism spectrum disorder, and other severe developmental disabilities as non-matriculating students after their special education entitlement has ended. It also requires all Massachusetts public IHs to prepare guidelines for selecting eligible students for higher education and identifying appropriate coursework.

The new law recognizes multiple pathways for a student to access the program. In addition to codifying the traditional pathway for MAICEI students ages 18 to 22 through Chapter 71B and the IEP process, under the new law, students with severe disabilities can also access higher education experiences. In addition to a private-pay funding option, such students may access the program through a referral, along with funding support, subject to appropriation, provided by one or more adult-serving state agencies if such agencies are supporting the individual participating in the program in accordance with program guidelines and subject to appropriation. The agencies specifically named in the legislation are the Massachusetts Rehabilitation Commission (MRC) and the Department of Developmental Services (DDS). DDS can provide support associated with supporting participation in public IHs for individuals determined eligible for DDS services, subject to appropriation, provided that the individual supports and services are determined to be the appropriate type, frequency, and duration as identified in an assessment conducted by DDS and subject to the development of an annual individual support plan. MRC can also cover costs associated with supporting participation in public IHs for individuals determined eligible for MRC services, subject to appropriation, provided that access to higher education assists in the attainment of an identified employment

610 CMR 15.00 – Drafting

DRAFT REGULATIONS

Approved for Public Comment by the Board of Higher Education January 14, 2025

610 CMR 15.00 : MASSACHUSETTS INCLUSIVE POSTSECONDARY EDUCATION
INITIATIVE PROGRAM GUIDELINES

Section

15.01: Authority, Scope and Purpose

15.02: Definitions

15.03: Minimum Program Requirements and Grant Eligibility

15.04: Partnership Grant Proposals

15.05: Individualized Student-Centered Participation Plan

15.06: Institutional Reporting Requirements and Department Review

15.07: Department Annual Reporting

15.08: General Provisions

15.01. Authority, Scope and Purpose.

610 CMR 15.00 is promulgated pursuant to the authority of the Board of Higher Education under M.G.L. c. 15A, § 9(u) and § 30A; M.G.L. c. 71B, § 17; and Sections 12, 22, 35, 36, 165 and 168 of Chapter 125 of the Acts of 2022, as amended by Sections 56 and 57 of Chapter 2 of the Acts of 2023, and as further amended by Sections 23 and 26 of Chapter 206 of the Acts of 2024.

The purpose of 610 CMR 15.00 is to establish minimum guidelines and support implementation of the discretionary grant program established in M.G.L. c. 71B, § 17 and M.G.L. c. 15A, § 30A(c).

15.02: Definitions

Board of Higher Education (Board). The Commonwealth's state higher education authority established pursuant to applicable provisions of M.G.L. c. 15A, § 4; responsible for public higher education system oversight and coordination pursuant M.G.L. c. 15A, § 1 *et seq.*; and responsible for private higher education degree granting authority and financial screening and assessments pursuant to M.G.L. c. 69, § 30 *et seq.*

Commissioner of Higher Education (Commissioner). The chief executive and administrative officer of the Department of Higher Education and the Board of Higher Education, pursuant to

- Task Force recommendations substantially informed DHE Legal's drafting of new regulation 610 CMR 15.00
- DHE Legal crafted new regulatory language over the course of several months with stakeholder collaboration and input
- Regulations seeks to establish minimum guidelines, expectations, and procedures to help public higher education institutions offer inclusive education programming safely and appropriately to students with severe disabilities

610 CMR 15.00 – Promulgation



MA Board of Higher Education (BHE) approved DHE's draft 610 CMR 15.00 at its meeting on January 14, 2025, and authorized DHE's Commissioner to solicit public comment.



Draft regulation was subsequently published in both the *Massachusetts Register* and *Boston Globe* for a public comment period between January 31, 2025, and February 21, 2025.



DHE held a public hearing on the draft regulation on February 7, 2025, at which no oral comment or testimony was offered.



DHE received written public comment from Mass Advocates for Children (MAC)



Final regulation 610 CMR 15.00 largely adopts advocates' suggestions to clarify intent and more closely align with statutory language in MGL c. 15A, s. 30A.

Department of Higher Education

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FOR IMMEDIATE RELEASE:

April 8, 2025

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Board of Higher Education Approves Regulations to Improve Post-Secondary Opportunities for Students with Disabilities

BOSTON – The Board of Higher Education (BHE) today unanimously approved the Healey-Driscoll Administration's proposed state regulations aimed at improving inclusive access to post-secondary educational opportunities for students with severe disabilities, including intellectual disabilities, severe autism spectrum disorder, and severe developmental disabilities.

Today's approved regulations position public higher education institutions to offer inclusive postsecondary experiences to eligible individuals with severe disabilities ages 18 and over through a comprehensive model of services called Massachusetts Inclusive Postsecondary Education Initiative (MAIPSE). The regulations further seek to strengthen partnerships with state health and human services agencies that support individuals with disabilities, define expectations for the development of collaborative, individual student-centered participation plans, and also set forth reporting requirements for campuses.

"Students of all abilities deserve opportunities to continue their education after high school," said **Governor Maura Healey**. "I'm proud that Massachusetts is opening doors for more students to have lifechanging higher education experiences, and I'm grateful to the experts and advocates who were dedicated to setting students up for success through these regulations."

Massachusetts Inclusive Postsecondary Education Initiative Program Guidelines (610 CMR 15.00)

- **Definitions** – Renames program “MAIPSE”
- **Policies** – Defines minimum expectations for IHE policies (minimum program eligibility requirements §). IHES must have policy:
 - Student selection criteria
 - IHEs can limit participation to students referred by a state agency with an ISCPP
 - Includes equity considerations for students funding by private pay
 - Minimum expectations on Institutional Administrative Capacity
 - Course Selection Guidelines
 - Policy on Residential Housing
 - Addresses SU concerns
 - Student code of conduct
 - Seeks to fill void for Post-MAICEI students otherwise addressed through IEP Process
- **ISCPP** – sets minimum expectations for Individualized Student-Centered Participation Plan (ISCPP) – IEP-like process for aged 22+ students
- **Reporting requirements** – Annual institutional report; DHE annual report

Next Steps....

- Implementation of 610 CMR 15.00 throughout MA state university and community college segments
 - September 1, 2025 – deadline for public institutions' annual reports regarding participation in MAIPSE programming
 - DHE MAIPSE Director Mary Price will work with institutions and coordinators to help answer questions, troubleshoot potential issues, and otherwise drive implementation of the new reg.
 - Advisory committee will be engaged and consulted as appropriate
- Collaborative outreach efforts aimed toward age 22+ student population
- Launch of New MAIPSE website for outreach

Questions