



NOTICE OF PUBLIC COMMENT

Pursuant to its authority under MGL c. 69, §1B, and in accordance with the Administrative Procedure Act, M.G.L. c. 30A, § 3, the Massachusetts Board of Elementary and Secondary Education (Board) is soliciting public comment on proposed amendments to 603 CMR 18.00, Regulations for Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs.

In general, the proposed amendments seek to: require approved special education day programs, including the day component of special education residential programs, to comply with the updated version of 603 CMR 46; and more closely align documentation requirements currently applicable to special education programs to the proposed documentation requirements in 603 CMR 46. The proposed regulations would take effect on September 2, 2025.

Copies of the proposed amendments are available on the Department's website at <https://www.doe.mass.edu/bese/regs-comments/default.html>, or at <http://www.doe.mass.edu/lawsregs/>, or by calling 781-338- 3375. Public comments may be submitted online by completing this form <https://survey.alchemer.com/s3/8224530/Proposed-Amendments-to-Regulations-on-Safety-Standards-and-Physical-Restraint-2025>, or by email to specialeducation@mass.gov or by mail to: Regulations Public Comment, c/o Commissioner's Office, Department of Elementary and Secondary Education, 135 Santilli Highway, Everett, MA 02149. The deadline to submit public comment is **May 2, 2025 at 5:00 pm**. The Board is expected to vote on the proposed amendments at its regular monthly meeting scheduled for **June 24, 2025**.



Small Business Impact Statement Pursuant to M.G.L. c. 30A, §2

This statement accompanies the filing by the Department of Elementary and Secondary Education of the proposed amendments to 603 CMR 18.00, Regulations for Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs.

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1. The proposed amendments do not affect small businesses.
2. Since the proposed amendments do not affect small businesses, the following considerations are not applicable:
 - a. Reporting, record keeping or other administrative costs required of small businesses for compliance associated with the amendments.
 - b. Appropriateness of performance standards vs. design standards.
 - c. Regulations of this agency or any other state agency, which may duplicate or conflict with the proposed amendments.
 - d. Analysis of whether the proposed amendments are likely to deter or encourage the formation of new business in the state.

Submitted by:

Rhoda E. Schneider

Rhoda E. Schneider, on behalf of the Department of Elementary and Secondary Education

Date: 3/26/25