

HOUSE No. 3572

The Commonwealth of Massachusetts

PRESENTED BY:

David Henry Argosky LeBoeuf

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to promote democratic accountability in the board of elementary and secondary education.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/17/2023</i>

HOUSE No. 3572

By Representative LeBoeuf of Worcester, a petition (accompanied by bill, House, No. 3572) of David Henry Argosky LeBoeuf relative to the membership of the Board of Elementary and Secondary Education. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to promote democratic accountability in the board of elementary and secondary education.

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 1E of chapter 15 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking out the first paragraph and inserting in place
3 thereof the following paragraph:-

4 There shall be in the department a board of elementary and secondary education, in this
5 chapter called the board, which shall consist of 15 members consisting of the chairperson of the
6 student advisory council established under this section, the secretary of education, in this chapter
7 called the secretary, or the secretary’s designee, 1 public school educator selected by the
8 governor from a list of 3 nominees provided by the Massachusetts Teachers Association, 1
9 public school educator selected by the governor from a list of 3 nominees provided by the
10 American Federation of Teachers Massachusetts, 1 member of a school committee selected by
11 the governor from a list of 3 nominees provided by the Massachusetts Association of School
12 Committees, 1 representative of a labor organization selected by the governor from a list of 3

13 nominees provided by the Massachusetts State Labor Council, AFL-CIO; 1 representative of
14 parents of school children selected by the governor from a list of 3 nominees provided by the
15 Massachusetts Parent Teachers Association; and 8 additional members. The 5 members the
16 governor selects from a list of provided nominees shall each be selected by the governor within 2
17 months of when the corresponding list of nominees is provided. The 8 additional members shall
18 be nominated by the governor and shall be confirmed or rejected by a majority of members of
19 the General Court in individual roll call votes for each nominee within 2 months of the
20 governor's nomination. Each of the 8 additional members nominated by the governor shall reside
21 in 1 of 8 districts drawn by the General Court, each district encompassing 5 contiguous senate
22 districts. As determined from the most recent decennial federal census, no more than 3 members
23 of the 15 members of the board shall be residents of municipalities from the top quintile of
24 municipalities by median household income, no more than 3 members shall reside in
25 municipalities in the second quintile of municipalities by median household income and no more
26 than 3 members shall reside in municipalities in the third quintile of municipalities by median
27 household income. As determined from the most recent decennial federal census, no fewer than 3
28 members of the 15 members of the board shall be residents of municipalities from the bottom
29 quintile of municipalities by median household income and no fewer than 3 members shall be
30 residents of municipalities from the fourth quintile of municipalities. The board shall include no
31 more than 1 member from business and industry. No appointive member of said board shall be
32 employed by or receive regular compensation from the department of education. Not more than 2
33 members of said board shall be employed on a full-time basis by any agency of the
34 commonwealth. The 13 members selected or nominated by the governor shall be appointed for a
35 term of 4 years. Vacancies shall be filled consistent with the requirements of section 10 of

36 chapter 30. No person shall be appointed to serve more than 10 years, provided, however, that
37 only service on or after July 1, 1996 shall be counted for this purpose. Prior service on said board
38 for a term of less than 3 years, resulting from an initial appointment or an appointment for the
39 remainder of an unexpired term, shall not be counted as a full term. If a member is absent from
40 any 4 regularly scheduled monthly meetings, exclusive of July and August, in any calendar year,
41 the member's office as a member of said board shall be deemed vacant. The chairperson of the
42 board shall forthwith notify the governor that such vacancy exists. A person affiliated with an
43 independent institution of higher education shall be eligible for membership on said board. No
44 member of said board shall be found to be in violation of section 6 of chapter 268A for

45 conduct which involves his participation, as a member of said board, in a particular
46 matter before said board which may affect the financial interest of an independent institution of
47 higher education with which the member is affiliated; provided, however, that said member, the
48 member's immediate family or partner has no personal and direct financial interest in said
49 particular matter; and provided, further, that such affiliation is disclosed to said board and
50 recorded in the minutes of the board.

51 SECTION 2. All terms of the members of the board of elementary and secondary
52 education appointed by the governor pursuant to section 1E of chapter 15 of the General Laws
53 are hereby vacated and the board shall be reconstituted in accordance with the provisions of this
54 act.

55 SECTION 3. Section 2 shall take effect 1 year after its passage.