

**HOUSE . . . . . No. 392**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Paul K. Frost**

*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 passage of the accompanying bill:

An Act commissioning a study and review, and recommending change, to Chapter 70, the education funding formula and law.

PETITION OF:

NAME:

Paul K. Frost

DISTRICT/ADDRESS:

7th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 433 OF 2007-2008.]

## The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

### AN ACT COMMISSIONING A STUDY AND REVIEW, AND RECOMMENDING CHANGE, TO CHAPTER 70, THE EDUCATION FUNDING FORMULA AND LAW.

*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 4 of Chapter 70 of the General Laws is hereby amended by striking out the entire section and  
2 inserting in place thereof the following new section 4:—  
3 In 2005, and every four years thereafter, there will hereby be established a Chapter 70 Education Reform  
4 commission to study and review the current manner in which the Commonwealth funds public school education,  
5 including, but not limited to, a study and review of the following: the way foundation budgets are calculated;  
6 whether such calculations may be simplified; whether such calculations provide an adequate and equitable education  
7 to all the children of the Commonwealth; whether there are alternative, dependable sources to fund public education  
8 other than the property tax; and whether the usage of average income could replace property tax in the education  
9 funding formula, or whichever resulting amount was greater. Said Chapter 70 Education Reform commission will  
10 make both specific and general recommendations to the general court regarding such changes in the formula and  
11 education funding laws as may be appropriate, as well as recommendations to ensure that state and local spending,  
12 resources, and high educational goals and standards are linked to provide an adequate and equitable education for all  
13 children in the Commonwealth, and at the same time, such recommendations should consider both short and long  
14 term strategies for the continued economic health of the Commonwealth: thus, the commission's recommendations  
15 may take into account a multi-year phase-in of such recommendations.  
16 The Chapter 70 Education Reform commission shall also examine the assumed percentage for special education  
17 costs included in such formula and shall make recommendations regarding changes in such percentage or other  
18 mechanisms to finance special education costs including, but not limited to: reimbursement programs or phased-in;  
19 standards-based funding programs that increase the state contribution to such costs over a fixed period of years; and  
20 funding of the special education "Circuit Breaker", the special education "Stop-Loss Pool", to provide insurance for  
21 school districts for extraordinarily high individual student's special needs requirements, and the Zero (0) Interest  
22 Loan legislation as set forth in the Acts of 2000, c159, Sec. 171.  
23 In conducting such review, said Chapter 70 Education Reform commission shall seek to determine the educational  
24 standards, programs, resources, and services needed to provide all students an adequate education and to assist them  
25 to achieve passing scores on the Massachusetts Comprehensive Assessment System. The Chapter 70 Education  
26 Reform commission shall also seek to determine a distribution formula that is fair and equitable for students,  
27 comparable districts, and taxpayers across the Commonwealth.  
28 The commission shall include the house and senate chairs of the joint committee on education, arts and humanities,  
29 who shall serve as co-chairs, the speaker of the house of representatives or his designee, the president of the senate

30 or his designee, the minority leader of the house of representatives or his designee, the minority leader of the senate  
31 or his designee, the chair of the house committee on ways and means or his designee, the chair of the senate  
32 committee on ways

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34 and means or his designee, the governor or his designee, the secretary of administration and finance or his designee,  
35 the commissioner of education, and one member to be appointed by each of the following organizations: the  
36 Massachusetts Municipal Association, the Massachusetts Business Alliance for Education, the Massachusetts  
37 Taxpayers Foundation, MassINC., the Massachusetts Association of School Committees, the Massachusetts  
38 Association of School Superintendents, the Massachusetts Teachers Association, the Massachusetts Federation of  
39 Teachers, the League of Women Voters of Massachusetts, the Suburban Coalition, the Massachusetts Association  
40 for Vocational Administrators and the Massachusetts Association of Regional Schools. Members shall receive no  
41 compensation for their services but may receive reimbursement for the reasonable expenses incurred in carrying out  
42 their responsibilities as members of the commission. The department of education shall furnish reasonable staff and  
43 other necessary support for the work of the Chapter 70 Education Reform commission.  
44 The Chapter 70 Education Reform commission shall conduct not fewer than four public hearings to receive  
45 testimony from members of the public. The hearings shall be held in locations that provide opportunities for  
46 residents from all geographic regions of the Commonwealth to testify.  
47 It shall not constitute a violation of chapter 268A for a person employed by a school district to serve on said  
48 commission or to participate in commission deliberations that may have a financial impact on the district employing  
49 such person or on the rate at which such person may be compensated. The Chapter 70 Education Reform  
50 commission may establish procedures to ensure that no such person participates in commission deliberations that  
51 may directly affect the school districts employing such persons or that may directly affect the rate at which such  
52 persons are compensated.

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54 The Chapter 70 Education Reform commission's recommendations, together with any proposed legislation, shall be  
55 filed not later than December 31st of the year in which said commission was initiated. Such filing shall be with the  
56 house and senate chairs of the joint committee on education, arts and humanities. Within thirty days after such filing,  
57 the joint committee on education, arts and humanities shall hold no less than two public hearings on the  
58 recommendations. Within ninety days of the close of such hearings, the joint committee on education, arts and  
59 humanities shall issue its own findings and recommendations, together with proposed legislation.