

HOUSE No. 427

The Commonwealth of Massachusetts

PRESENTED BY:

Bradford R. Hill

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 relative to school business officials.

PETITION OF:

NAME:

Bradford R. Hill
Bruce E. Tarr

DISTRICT/ADDRESS:

4th Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 452 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO SCHOOL BUSINESS OFFICIALS.

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

1 By amending Section 59 of Chapter 71 of the General Laws by adding the following:

2 The school committee may also appoint and employ a school business administrator who shall
3 serve as chief fiscal officer of the school district and who shall be responsible for administering the
4 business affairs of the school system in order to provide the best possible educational services with the
5 financial resources which are available.

6 The school committee may enter into an employment contract with a school business
7 administrator for a period of time of up to six years. Said employment contract may contain provisions
8 relating to, among other things, salary, fringe benefits, severance pay, relocation expenses, reimbursement
9 for expenses incurred in the performance of duties or office, liability insurance, leave, due process in the
10 event of dismissal or other alteration of employment status of the school business administrator, and any
11 other terms and conditions of employment.

12 Notwithstanding any of the provisions of Section 59 of Chapter 71 of the General Laws to the
13 contrary, all of the procedural and substantive due process rights, including the right of arbitration to

14 which teachers are entitled under Sections 41 and 42 of Chapter 71 of the General Laws shall be provided
15 by the school committee in the event of dismissal or termination of employment or suspension of a school
16 business administrator who is certified under the provisions of Section 38G of Chapter 71 of the General
17 Laws.

18 The current Section 59 of Chapter 71 of the General Laws reads as follows:

19 The school committee of a town not in a superintendency union or district shall employ a
20 superintendent of schools and fix his compensation. A superintendent employed under this section or
21 section sixty or sixty-three shall manage the system in a fashion consistent with state law and the policy
22 determinations of that school committee. Upon the recommendation of the superintendent, the school
23 committee may also establish and appoint positions of assistant or associate superintendents, who shall
24 report to the superintendent, and the school committee shall fix the compensation paid to such assistant or
25 associate superintendents. The school committee shall approve or disapprove the hiring of said positions.
26 Such approval by the school committee of the recommendation shall not be unreasonably withheld;
27 provided, however, that upon the request of the superintendent the school committee shall provide an
28 explanation of disapproval.