

HOUSE No. 421

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Kelcourse

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 relative to out of district placements.

PETITION OF:

NAME:

James M. Kelcourse

DISTRICT/ADDRESS:

1st Essex

HOUSE No. 421

By Mr. Kelcourse of Amesbury, a petition (accompanied by bill, House, No. 421) of James M. Kelcourse relative to regional school out-of-district placements. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to out of district placements.

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 3 of Chapter 165 of the Acts of 2014 shall be amended by striking
2 Section 7061 and inserting in place thereof the following: -

3 For a reserve to: (i) provide relief to parties involved in a newly formed regional
4 vocational district; provided, that: (a) the member's fiscal year 2015 chapter 70 aid, using
5 estimated enrollment provided to the department of elementary and secondary education, would
6 be greater than what is provided under section 3; (b) the regional district's fiscal year 2015
7 chapter 70 aid, when base chapter 70 aid is allocated, would be greater than what is provided
8 under said section 3; and (c) funds distributed from this item, under clause (i), shall be
9 considered prior year chapter 70 aid for fiscal year 2016; (ii) to mitigate 1-time municipal cost
10 increases associated with the withdrawal of a member from a regional school district; (iii)
11 provide extraordinary relief to school districts whose special education costs exceed 30 per cent
12 of the total district costs and whose tuition and other circuit-breaker eligible costs for placements
13 at an approved private school located within the district exceed both \$1,000,000 and 25 per cent

14 of all tuition and other circuit-breaker eligible costs for placements at approved private schools;
15 (iv) mitigate costs for districts that: (A) experience foundation enrollment growth of greater than
16 400 pupils from fiscal year 2014 to fiscal year 2015; and (B) whose chapter 70 as a percentage of
17 total foundation budget is less than the district's target aid percentage; provided further, that not
18 less than \$350,000 shall be expended for the purposes of clause (iii); provided further, that not
19 less than \$1,000,000 shall be expended for the purposes of clause (iv); and (v) to mitigate costs
20 for school districts whose out of district placement funds exceeds 10 percent of a school
21 district's foundation budget; provided further, that funds distributed from this item, under clauses
22 (ii), (iii) ,(iv), and (v) shall not be considered prior year aid nor shall the funds be used in the
23 calculation of the minimum required local contribution for fiscal year 2015; and provided
24 further, that the department shall make not less than 80 per cent of the funds available for awards
25 on or before October 15, 2014