

HOUSE No. 434

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative to School District Enhancement..

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. subsection (i) section 89 of chapter 71 of the General Laws, as appearing in
2 the 2006 Official Edition, is amended by adding at the end thereof, the following: -The
3 conditions of this subsection shall be suspended in the case that a public school is determined to
4 be underperforming, as defined in this section.

5 SECTION 2. Subsection (nn) of said section 89 of chapter 71, as so appearing, is hereby
6 further amended by inserting after paragraph 5 the following new paragraph:-

7 The state treasurer is further authorized and directed to deduct 5% from a district’s total
8 charter tuition amount, as calculated in the above paragraphs, after a charter school has been in
9 existence for 5 years or more and has been determined to be underperforming, as defined in this
10 section.

11 SECTION 3. said Section 89 of chapter 71, as so appearing, in the General Laws is
12 further amended by inserting after subsection (rr) the following new subsection:- (ss) For the
13 purpose of this section, the word “underperforming” shall refer to any school that, for two

- 14 consecutive years, does not meet Adequate Yearly Progress as established by the Massachusetts
- 15 School and District Accountability System.