

HOUSE No. 506

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

AN ACT ESTABLISHING A CHARTER SCHOOL WORKING GROUP..

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. There is hereby established a charter school working group to study the
2 costs and benefits of charter schools, including the financing of, and the innovations promoted
3 by, charter schools authorized under the provisions of chapter 71, section 89. The working group
4 shall also study the obstacles which have limited the broader utilization of the Horace Mann
5 model of charter schools. The working group shall report its findings and conclusions to the
6 general court and make recommendations regarding any necessary legislative and regulatory
7 changes which are suggested by those findings and conclusions. The first meeting of the working
8 group shall take place within 30 days after the effective date of this act. SECTION 2. The
9 working group shall consist of: six legislators including the House and Senate chairs of the Joint
10 Committee on Education, and two members appointed by the President of the Senate and two
11 members appointed by the Speaker of the House, including one member in each chamber from
12 the minority party; the commissioner of education, or his designee; the secretary of
13 administration and finance, or her designee; and one representative each from the Massachusetts
14 Association of School Committees, the Massachusetts Association of School Superintendents,

15 the Massachusetts Charter School Association, the Massachusetts Teachers Association, the
16 AFT-Massachusetts and the Massachusetts Taxpayers Association. SECTION 3. In carrying out
17 its charge, the working group shall examine, report on, and make recommendations regarding,
18 the following matters: a) the appropriateness of the financing and reimbursement provisions of
19 chapter 71, section 89(nn) and section 89(pp) as a mechanism for the financing of charter
20 schools; including examining the feasibility of designating commonwealth charter school tuition
21 as a separate line item in the state budget, and including examining alternative proposals for
22 financing charter schools, such as limiting the cost to sending districts;b) the extent to which the
23 reimbursement provisions of chapter 71, section 89(pp) are effective at minimizing the adverse
24 financial impact of charter schools on sending school districts while providing sufficient
25 resources for the successful operation of charter schools;c) the extent to, and means by, which
26 the dissemination of successful innovation programs called for in section 89(s) has occurred; d)
27 the obstacles to broader utilization of Horace Mann charters as a vehicle to achieve the
28 objectives articulated in section 89(d);

29 e) the appropriateness of the current application and approval process in ensuring
30 community support and need for a charter in a particular district or region, as well as the extent
31 to which the current process provides adequate notice for affected districts, and including
32 whether to require prior local approval;

33 f) the extent to which charter schools are or should be held to the same or similar rules
34 and public disclosure requirements as district schools, particularly in the areas of enrollment
35 projections, financial reporting and accounting requirements, and the extent to which the state
36 agencies that oversee charter schools are enforcing current law, as well as their capacity for
37 increasing oversight; and,

38 g) the extent to which charter schools enroll special education and limited English
39 proficient students compared with district enrollment, examining allegations of discrimination
40 and inappropriate or inadequate provision of services, as well as the rate of return of special
41 education or LEP students to the district schools.

42 SECTION 4. The working group shall file a report containing its recommendations,
43 including legislation and regulations necessary to carry out its recommendations, with the joint
44 committee on education and the clerks of the house and senate within one year of the effective
45 date of this act, but no later than December 15, 2010.