

HOUSE No. 1079

The Commonwealth of Massachusetts

PRESENTED BY:

Martha M. Walz

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 school district collaboration and regionalization.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Martha M. Walz</i>	<i>8th Suffolk</i>	<i>1/19/2011</i>
<i>Geraldo Alicea</i>	<i>6th Worcester</i>	<i>2/4/2011</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>	<i>2/4/2011</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/25/2011</i>
<i>Jennifer L. Flanagan</i>		<i>2/1/2011</i>

HOUSE No. 1079

By Ms. Walz of Boston, a petition (accompanied by bill, House, No. 1079) of Martha M. Walz and others relative to school district collaboration and regionalization. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to school district collaboration and regionalization.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to improve school district capacity , therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. The commissioner of elementary and secondary education shall, not more
2 than 60 days after the effective date of this act, commence an expedited review of school districts
3 for which collaboration or regionalization plans have been developed as of the date of enactment
4 of this act. The collaboration or regionalization plan for each district or group of districts shall be
5 reviewed to examine the extent to which proposed strategies for increased collaboration or
6 regionalization result in: (1) increased academic and programmatic quality of the school
7 district(s); (2) increased effectiveness of the central office of the school district(s) in supporting
8 student achievement and the improvement of its schools; (3) increased fiscal viability and
9 efficiency of the school district(s); and (4) stronger sustainability of the school district(s) in
10 future years. The purpose of the review shall be to determine whether the collaboration or
11 regionalization plan for the district(s) is sufficient in such areas.

12 The commissioner shall concurrently commence a review of school districts with less
13 than 1,000 students to examine: (1) the academic and programmatic quality of the school district;
14 (2) the capacity of the district, including the effectiveness of the central office of the school
15 district, to support high levels of student achievement; (3) the fiscal viability and efficiency of
16 the school district; and (4) the overall sustainability of the school district in future years. The
17 purpose of the review shall be to identify areas of need, if any, in these four areas and determine
18 whether those identified areas of need could be adequately addressed through greater
19 collaboration with another district, an educational collaborative, a city, town, or other entity, or
20 through the regionalization of such school district.

21 The commissioner shall prioritize for review partial school districts, superintendency
22 unions as defined in section 61 of chapter 71 of the General Laws, and any school district that, in
23 the commissioner’s judgment, warrants immediate review on the basis of exigent concerns
24 related to one or more factors that comprise the review, including academic performance and
25 fiscal viability. The commissioner may also select 2 or more districts for concurrent review if, in
26 the commissioner’s judgment, such concurrent review would promote the purposes of this act.

27 In reviewing the academic and programmatic quality of the school district, the
28 commissioner shall examine multiple indicators, which shall include the following factors: (1)
29 student performance on the Massachusetts Comprehensive Assessment System; (2)
30 accountability status under state performance measures; (3) accountability status under the
31 Elementary and Secondary Education Act, including for the district, individual schools, and
32 subgroups of students; (4) the percentage of teachers licensed in their teaching assignment; (5)
33 attendance and dismissal rates, including increased academic time as evidenced by decreasing
34 the student dismissal rates; (6) student promotion and graduation rates; (7) student discipline,

35 suspension and expulsion rates; (8) the availability and variety of academic classes, including
36 enrichment classes and electives, as applicable; (9) the availability and variety of honors,
37 Advanced Placement, and International Baccalaureate classes, as applicable, and the
38 participation of diverse groups of students in such classes; (10) scheduling flexibility in order to
39 access the available and diverse array of electives and educational options; (11) the availability
40 of extracurricular, arts, and athletic activities for students and the participation of diverse groups
41 of students in such activities; (12) school building capacity and facilities; (13) the quality of
42 school leaders and staff; and (14) possible in-district collaborations between school buildings,
43 including consolidating buildings, programs, school building and central office administration,
44 special education and food service.

45 In reviewing the effectiveness of the central office of the school district to support high
46 levels of student achievement, the commissioner shall examine multiple indicators, which shall
47 include the following factors: (1) the number of staff members in the central office; (2) the
48 number of such staff members whose primary responsibility involves academic and instructional
49 support for schools, faculty, and students; (3) the extent to which the central office uses data and
50 analysis of such data to tailor effective educational improvement strategies for district schools;
51 (4) the overall provision of services by the district to special populations of students, including,
52 but not limited to, low-income students, English Language Learners, students with special health
53 care needs, and students with disabilities; (5) the provision of targeted programs by the district to
54 address identified areas of academic need in one or more schools; (6) the provision of
55 professional development programs and activities to improve teacher quality; and (7) the extent
56 of inter-district collaborations and partnerships with outside organizations focused on school
57 performance and student academic achievement.

58 In reviewing the fiscal viability and efficiency of the school district, the commissioner
59 shall examine multiple indicators, which shall include the following factors: (1) the overall
60 budget of the school district; (2) the percentage of such budget expended on instructional
61 purposes; (3) the percentage of such budget expended on non-instructional or operational
62 purposes; (4) the extent of inter-district collaborations, arrangements with educational
63 collaboratives, or partnerships with cities or towns for the purpose of generating economic
64 efficiencies; and (5) in-district collaboration between school buildings, programs, services and
65 administration.

66 In reviewing the overall sustainability of the school district in future years, the
67 commissioner shall examine multiple indicators, which shall include the following factors: (1)
68 school enrollment data for the district and individual schools, including enrollment projections;
69 (2) population data for the city or town served by the district, including population projections;
70 (3) demographic data for the district and the city or town served by the district, including data
71 related to the number of school-aged children; (4) income data for the city or town served by the
72 district; (5) school building capacity and facilities; and (6) the experience of the district and the
73 city or town served by the district in efficiently and effectively securing budget agreements from
74 year to year.

75 In conducting any review or concurrent review, the commissioner shall provide ample
76 opportunity for a district or districts to present data or evidence that, in the judgment of the
77 district, is relevant to the review. At the request of the district, the commissioner shall make any
78 and all data or evidence being used in the review available to the district or districts under
79 review. At the request of the commissioner, the district or districts under review shall make all
80 existing data or evidence reasonably needed to conduct the review available to the commissioner.

81 SECTION 2. Not later than 60 days after commencing a review, a concurrent review, or
82 an expedited review, the commissioner shall publicly release a report containing detailed
83 findings of the review. The commissioner shall, on the basis of one or more such findings and
84 the model approaches recommended by the commission established by section 72 of chapter 188
85 of the Acts of 2010, recommend options for the district, including but not limited to: (1)
86 collaborate with one or more districts, an educational collaborative, a city, town, or other entity
87 to address one or more areas of need identified in the review, (2) form a regional school district
88 to address one or more areas of need identified in the review, or (3) continue to operate with no
89 changes in its level of collaboration or governance structure.

90 A district or districts shall, within 60 days of receiving recommendations from the
91 commissioner, submit a report to the commissioner that shall identify which, if any, option will
92 be pursued by the district or districts. If a district declines to pursue the commissioner's
93 recommendations, it shall submit a detailed report to the commissioner explaining why his
94 recommendations have been rejected. If a district agrees to pursue one or more of the
95 commissioner's recommendations, said report shall also include specific strategies that will be
96 implemented by the district or districts. If a district pursues regionalization, the commissioner
97 shall grant reasonable requests by the district to submit said report more than 60 days after
98 receiving the recommendations from the commissioner.

99 In the case of a recommendation for increased collaboration, the report shall include, but
100 not be limited to: (1) identification of partners and strategies for engaging those partners in
101 increased collaboration, (2) programs and services that will be affected by increased
102 collaboration, (3) a description of how the aforementioned programs and services will be
103 administered more effectively or efficiently due to increased collaboration, and (4) how

104 increased collaboration will improve the overall capacity, academic performance, and fiscal
105 viability and sustainability of the district or districts.

106 In the case of a recommendation for regionalization, the report shall identify the district
107 or districts plan that includes, but is not limited to: (1) the geographical characteristics of the new
108 district; (2) an inventory of all academic and programmatic offerings in the new district; (3) an
109 inventory of all educational facilities, and the anticipated plan for such facilities; (4) the
110 administrative structure of the new district; (5) a plan for merging the school district
111 central office buildings, staff, and operational systems of the applicable districts into the new
112 district; (6) a plan for commencing collective bargaining negotiations for the new district; (7) a
113 plan for merging debt obligations of the applicable districts into the new district; (8) a proposed
114 budget for the new district; (9) a student transportation plan and budget for the new district; (10)
115 an expenditure plan related to transition costs in establishing the new district; and (11) an
116 assurance that the new district will comply with all applicable federal and state laws.

117 The commissioner shall assess district reports based on the likelihood of their success in
118 addressing the areas of need included in the commissioner's review of the applicable districts,
119 and shall provide written agreement with the report or propose amendments to such report within
120 30 days.

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122 The school committee or committees may modify its plan for increased collaboration or
123 regionalization prior to approving it. In such cases, the committee or committees shall provide
124 the commissioner with a detailed statement explaining why the modifications are necessary for
125 success in addressing the areas of need identified in the commissioner's review and subsequent

126 report. In such cases, the district or districts shall amend its plan according to the school
127 committee or committees' statement.

128 The final plan shall be submitted to the local school committee or committees for
129 approval. If the plan proposes the creation of a regional school district, the towns that would
130 become members of such district shall conduct a vote pursuant to section 15 of chapter 71 of the
131 General Laws.

132 SECTION 3. Within 60 days of approval of the collaboration or regionalization plan as
133 described in section 2, districts shall submit to the commissioner a detailed implementation plan.