

HOUSE No. 3928

The Commonwealth of Massachusetts

INITIATIVE PETITION OF BETH E. ANDERSON AND OTHERS.

OFFICE OF THE SECRETARY.
BOSTON, JANUARY 6, 2016.

Steven T. James
Clerk of the House of Representatives
State House
Boston, Massachusetts 02133

Sir: - I herewith transmit to you, in accordance with the requirements of Article XLVIII of the Amendments to the Constitution, an initiative petition for a law entitled "An Act to Allow Fair Access to Public Charter Schools," signed by ten qualified voters and filed with this department on or before December 2, 2015, together with additional signatures of qualified voters in the number of 70,716, being a sufficient number to comply with the Provisions of said Article.

Sincerely,

WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

AN INITIATIVE PETITION.

Pursuant to Article XLVIII of the Amendments to the Constitution of the Commonwealth, as amended, the undersigned qualified voters of the Commonwealth, ten in number at least, hereby petition for the enactment into law of the following measure:

HOUSE No. 3928

The Commonwealth of Massachusetts

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

An Act to Allow Fair Access to Public Charter Schools.

Be it enacted by the People, and by their authority, as follows:

1 SECTION 1. Subsection (i) of section 89 of chapter 71 of the General Laws, as
2 appearing in the 2014 Official Edition, is hereby amended by inserting after paragraph (4) the
3 following new paragraph:—

4 (5) Notwithstanding the provisions of this subsection (i) relative to the number of
5 charter schools allowed to operate in the commonwealth or in any district, the board may
6 approve up to 12 additional commonwealth charters, commonwealth charter amendments to
7 increase authorized enrollment, or a combination thereof per year; provided that the total
8 enrollment authorized by all such approvals in a single fiscal year shall not exceed 1% of the
9 total statewide public school enrollment for such year as determined by the board; provided
10 further, that in the event that the number of qualified applicants in any year exceeds 12, the board
11 shall give priority among such qualified applicants to those seeking to establish or expand
12 enrollment in commonwealth charter schools in districts where overall student performance on
13 the statewide assessment system approved by the board is in the bottom 25% of all districts in

14 the two years preceding the charter application and where the demonstrated parent demand for
15 additional public school options is greatest; provided further that the board shall apply to all such
16 applicants review and approval standards as rigorous as those applied to all other commonwealth
17 charter applicants; provided further that the recruitment and retention and multilingual outreach
18 provisions of paragraph (3) shall apply to any commonwealth charter school authorized under
19 this paragraph; and provided further that any new commonwealth charter schools authorized by
20 this paragraph shall be subject to annual performance reviews according to standards established
21 by the board.

22 Nothing in this paragraph shall affect the issuance of commonwealth charters under
23 paragraph (3). The percentages of net school spending set forth in paragraphs (2) and (3) shall
24 not apply to or otherwise operate to limit the board's authority to approve commonwealth
25 charters or commonwealth charter amendments under this paragraph; provided, however, that
26 such percentages shall continue to apply to commonwealth charters issued otherwise than under
27 this paragraph.

28 Except as provided in this paragraph, all otherwise applicable provisions of this section
29 shall apply to commonwealth charters or amendments approved under this paragraph.

30 SECTION 2. This act shall become effective January 1, 2017, and shall apply to
31 commonwealth charter and commonwealth charter amendment applications pending as of that
32 date.

FIRST TEN SIGNERS

<u>NAME</u>	<u>RESIDENCE</u>	<u>CITY OR TOWN</u>
Beth E. Anderson	9 Sheridan Road	Swampscott
Jon Clark	56 Cornell Street	Boston
Alexandra H. Barnhares-Buckmire	10 Trafalgar Street	Brockton
Timothy J. Rooke	50 Overlook Drive	Springfield
Kennedy Hilario	78 Carmel Road	Andover
Thabiti Brown	16 Fairmont Street	Cambridge
Christopher Anderson	8 Elderberry Way	Westford
Kristin S. Harrison	41 Edgewater Drive	Framingham
Annmarie O. Little	83 Congreve Street	Boston
Julia G. Bowen	275 Gale Road	Williamstown

CERTIFICATE OF THE ATTORNEY GENERAL.

September 2, 2015.

Honorable William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Room 1705
Boston, Massachusetts 02108

RE: Initiative Petition No. 15-31: An Act to Allow Fair Access to Public
Charter Schools.

Dear Secretary Galvin:

I accordance with the provisions of Article 48 of the Amendments to the Massachusetts Constitution, I have reviewed the above-referenced initiative petition, which was submitted to me on or before the first Wednesday of August of this year.

I hereby certify that this measure is in proper form for submission to the people; that the measure is not, either affirmatively or negatively, substantially the same as any measure which has been qualified for submission or submitted to the people at either of the two preceding biennial state elections; and that it contains only subjects that are related or are mutually dependent and which are not excluded from the initiative process pursuant to Article 48, the Initiative, Part 2, Section 2.

In accordance with Article 48, I enclose a fair, concise summary of the measure.

Sincerely,

MAURA HEALEY,
Attorney General.

Summary of 15-31.

This proposed law would allow the state Board of Elementary and Secondary Education to approve up to 12 new charter schools or enrollment expansions in existing charter schools each year. Approvals under this law could expand statewide charter school enrollment by up to 1% of the total statewide public school enrollment each year. New charters and enrollment expansions approved under this law would be exempt from existing limits on the number of charter schools, the number of students enrolled in them, and the amount of local school districts' spending allocated to them.

If the Board received more than 12 applications in a single year from qualified applicants, then the proposed law would require it to give priority to proposed charter schools or enrollment expansions in districts where student performance on statewide assessments is in the bottom 25% of all districts in the previous two years and where demonstrated parent demand for additional public school options is greatest.

New charter schools and enrollment expansions approved under this proposed law would be subject to the same approval standards as other charter schools, and to recruitment, retention, and multilingual outreach requirements that currently apply to some charter schools. Schools authorized under this law would be subject to annual performance reviews according to standards established by the Board.

The proposed law would take effect on January 1, 2017.