

HOUSE No. 4219**The Commonwealth of Massachusetts**

PRESENTED BY:

John H. Rogers

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 strengthening public education in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>2/12/2016</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>	<i>2/18/2016</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>2/17/2016</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>2/25/2016</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/22/2016</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>2/29/2016</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>2/29/2016</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	<i>2/29/2016</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>2/29/2016</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>7/9/2019</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>2/18/2016</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>2/18/2016</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	<i>2/17/2016</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>2/18/2016</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>2/29/2016</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/18/2016</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>3/1/2016</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>2/26/2016</i>

<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	<i>2/27/2016</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/18/2016</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/29/2016</i>
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>	<i>2/29/2016</i>
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>2/24/2016</i>
<i>Dennis A. Rosa</i>	<i>4th Worcester</i>	<i>3/3/2016</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	<i>2/24/2016</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/29/2016</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>	<i>7/9/2019</i>

HOUSE No. 4219

By Mr. Rogers of Norwood, a petition (subject to Joint Rule 12) of John H. Rogers and others
for legislation to promote educational resource allocation decisions at the local level. Education.

The Commonwealth of Massachusetts

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

An Act strengthening public education in the Commonwealth.

*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. Chapter 69 of the General Laws is hereby amended by adding the following
2 2 sections:-

3 Section 37. The board shall adopt a data collection and reporting system that: (1) collects
4 and reports data regarding funding allocated for English learners, as defined in chapter 71A and
5 low-income students to ensure that spending is targeted to the intended populations, and to
6 provide a data source to the foundation budget review commission about the accuracy and
7 adequacy of the low income and english language learner increments; and (2) allows for greater
8 access to school-level expenditures and data across all districts to increase the understanding of
9 state level policy makes about effective school- level interventions and investments, and which
10 connects that data to student achievement data so more informed decisions can be made about
11 the productivity, efficiency , and effectiveness of state expenditures.

Section 38. (a) There shall be within the executive office of education an advisory board called the stakeholder data advisory committee to promote effective resource allocation decisions at the local level in collaboration with the office of education and the department.

(b) The stakeholder data advisory committee shall assist the department to identify, implement and assess cost-effective ways to achieve the following 3 goals: (1) streamline financial reporting, eliminate duplicate reporting requirements, and improve data quality; (2) strengthen the department's capacity to analyze and report staffing, scheduling and financial data in ways that support strategic resource allocation decisions at the district and school level; and (3) strengthen district capacity to use data to make strategic resource allocation decisions. The advisory committee may recommend the following department actions to achieve these 3 goals, including: working with the Massachusetts teachers retirement system to obtain individual teacher salary information; developing strategies for securing more school-level financial data, including, where appropriate, developing ways to apportion more district expenditures to schools automatically; improving data accuracy by identifying more ways to automate the identification of outlier data on education personnel information management system, hereinafter EPIMS, staffing and end of year financial reports from districts to prompt district review; strengthening training for district staff to improve accuracy and consistency of data reporting with special attention to: the use of clear and consistent definitions, and expected use of reports tab to explain significant changes or outlier data; eliminating duplication of effort at state and local levels by: aligning finance data with staffing EPIMS and enrollment student information management system data collections; and aligning grants management and reporting with end of year financial reporting; identifying potential models, requirements, impacts, and estimated cost for a new financial reporting system; developing more powerful, actionable and publicly-available

information and reports that combine and benchmark staffing, scheduling, and district or school-level funding data to support strategic resource allocation decisions at the local level; expanding research focused on identifying promising practices for efficient and effective district and school resource allocation; collaborating closely with the Massachusetts Association of School Business Officials, Inc., and MASS to develop the on-line and other training and support that the department, education collaboratives, and local district and school staff need to make effective use of the current and new data and research; and take other actions deemed necessary to achieve these and other goals.

(c) The advisory committee shall assist the department in performing a cost-benefit analysis of a range of options for actions deemed necessary to achieve the goals set forth in subsection (b).

(d) The advisory committee shall report its progress to the board and to the co-chairs of the joint committee on education of the general court on at least semi-annually, and make such recommendations for new funding as are necessary for the department to achieve the goals.

SECTION 2. Section 2 of chapter 70 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the definition of “Assumed in-school special education enrollment”, and inserting in place thereof the following definition:-

“Assumed in-school special education enrollment”, 4 per cent of total foundation enrollment in a district not counting vocational or preschool enrollment, plus 5 per cent of vocational enrollment.

SECTION 3. Section 2 of said chapter 70, as so appearing, is hereby amended by striking out the definition of “Assumed tuitioned-out special education enrollment”, and inserting in place thereof the following definition:-

“Assumed tuitioned-out special education enrollment”, 4 times the statewide foundation budget per-pupil amount less the statewide foundation budget per-pupil amount plus out-of-district special education cost rate; provided, that effective for state fiscal year 2017 such value shall become the base rate and shall be increased by the positive difference by a percentage amount equal to the percentage rise in the United States Consumer Price Index for January first of that year over the level of said Index for January first of the previous year.

SECTION 4. Section 2 of said chapter 70, as so appearing, is hereby amended by striking out the definition of “Foundation benefits”, and inserting in place thereof the following definition:-

“Foundation benefits”, the amount allotted within a district’s foundation budget for the purchase of retired employee health insurance, employee benefits and other insurance in any fiscal year. The foundation benefits shall be the sum of the following:

(a) \$4,320 multiplied by the wage adjustment factor multiplied by the sum of the foundation teaching staff, the foundation support staff, the foundation assistants, the foundation principals, the foundation clerical staff, the foundation health care staff, the foundation central office professional staff and the foundation custodial staff; plus

(b) \$460 multiplied by the sum of the foundation teaching staff, the foundation support staff, the foundation assistants, the foundation principals, the foundation clerical staff, the foundation health care staff, the foundation central office professional staff and the foundation custodial staff; plus

(c) \$230 multiplied by the foundation vocational staff; plus

(d) the fiscal year per capita cost of retired employee health insurance; provided that if there is a conflict between the language of this clause and any other general or special law the addition of this benefit shall control.

SECTION 5. Section 2 of said chapter 70, as so appearing, is hereby amended by inserting after the definition of “Professional development allotment” the following definition:-

“Employee health insurance”, the average group insurance commission rate adjusted by any increase in such rate; provided, that the group insurance commission shall annually, on or before June 30, provide the department with data necessary for the determination of such rate or any increase thereof.

SECTION 6. Section 2 of said chapter 70, as so appearing, is hereby amended by inserting, in line 188, after the word, “allotment”, the second time it appears, the following words:- , english language learner allotment.

SECTION 7. Section 2 of said chapter 70, as so appearing, is hereby further amended by inserting after the definition of “District” the following definition:-

“English language learner allotment”, the amount allotted within a district’s foundation budget and increased pursuant to section 3B.

SECTION 8. Section 2 of said chapter 70, as so appearing, is hereby amended by inserting after section 3A, the following section:-

Section 3B. (a) Any school district that has more than 55 per cent of its number of students, including vocational students, who are classified as English learners as defined in chapter 71A shall receive an additional cost reimbursement from the commonwealth for such English learners in the current fiscal year beginning in state fiscal year 2017 of 20 per cent of the total foundation budget for each such student, before the English language learner allotment is added to such budget. For each subsequent fiscal year this reimbursement shall be increased by the positive difference to, if any, between: (i) the number of English learners on October 1 of the prior fiscal year and (ii) the number of English learners students for the current fiscal year as measured by the census of such students on October 1 of that fiscal current year, and shall be in an amount for each such student equal to the amount of reimbursement provided for in Chapter 70 for an English learner for that school district.

(b) A school district eligible for additional cost reimbursement shall receive an advance allotment payment from the commonwealth as calculated by subsection (a), no later than the close of the first monthly accounting period in such fiscal year. Reimbursement to a school district pursuant to this section shall be in addition to any other reimbursement or a grant pursuant to Title III of Public Law 107-110.

SECTION 9. Chapter 70 of the General Laws is hereby amended by striking out section 4 and inserting in place thereof the following section:-

Section 4. (a) There shall be a foundation budget review commission to review, every 3 years, the way foundation budgets are calculated and to make recommendations for potential changes in those calculations as the commission deems appropriate. In conducting such review, the commission shall seek to:

(1) determine the educational programs and services necessary to achieve the commonwealth's educational goals and to prepare students to achieve passing scores on the Massachusetts Comprehensive Assessment System examinations or other designated statewide assessments;

(2) increase the foundation budget increment for districts with high concentrations of low income students by assisting the general court in determining: (i) specific increments based on further review of national literature, practices in other states and model districts within commonwealth and on data and debate; (ii) that increased cost weighting should fall within the range of 50 to 100 per cent; and (iii) multiple concurrent interventions are necessary to effectively close achievement gaps; and provided further, that the commission's recommendations should provide high poverty school districts with enough funding to pursue several turnaround strategies at once; and

(3) ensure that any new definition of economically disadvantaged, necessitated by school districts' shift away from collection of free and reduced school lunch eligibility data, properly and accurately count all economically needful students.

(b) The commission's review shall also include recommendations for the implementation of funding flexibility for one or more of the following best practices: (1) expanded learning time, in the form of a longer day and year, and inclusive, where appropriate, of common planning time

for teachers; (2) wraparound services that improve and maintain the health of the commonwealth's students, including social and emotional health and skills, mental health and oral health; (3) hiring staff at levels that support improved student performance and the development of the whole child; (4) increased or improved professional development rooted in pedagogical research, and focused on instructional improvement, including evidence-based practices such as hiring instructional coaches; (5) purchase of up-to-date curriculum materials and equipment, including instructional technology; and (6) expanding kindergarten, pre-school, and early education options within district.

(c) The review shall also include, but not be limited to, those components of the foundation budget created pursuant to section 3 of chapter 70 and subsequent changes made to the foundation budget by law. In addition, the commission shall seek to determine and recommend measures to promote the adoption of ways in which resources can be most effectively utilized and consider various models of efficient and effective resource allocation. In carrying out the review, the commissioner of elementary and secondary education shall provide to the commission any data and information the commissioner considers relevant to the commission's charge.

(d) The commission shall be comprised of the house and senate chairs of the joint committee on education, who shall serve as co-chairs, the secretary of education, the commissioner of elementary and secondary education, the commissioner of early education and care, the speaker of the house of representatives or a designee, the president of the senate or a designee, the minority leader of the house of representatives or a designee, the minority leader of the senate or a designee, the governor or a designee, the chair of the house committee on ways and means or a designee, the chair of the senate committee on ways and means or a designee and

1 member to be appointed by each of the following organizations: the Massachusetts Municipal Association, Inc., the Massachusetts Business Alliance for Education, Inc., the Massachusetts Association of School Committees, Inc., the Massachusetts Association of School Superintendents, Inc., the Massachusetts Teachers Association, the American Federation of Teachers Massachusetts, the Massachusetts Association of Vocational Administrators, Inc., the Massachusetts Association of Regional Schools, Inc. and the Massachusetts Association of School Business Officials. Members shall not receive compensation for their services but may receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities as members of the commission. The commissioner of elementary and secondary education shall furnish reasonable staff and other support for the work of the commission. Prior to issuing its recommendations, the commission shall conduct not fewer than 4 public hearings across regions of the commonwealth. The commission shall be considered a special commission established by section 2A of chapter 4 and shall be subject to the provisions of said section 2A of chapter 4. It shall not constitute a violation of chapter 268A for state employee or a person employed by a school district to serve on the commission or to participate in commission deliberations that may have a financial impact on the district employing that person, on the commonwealth, or on the rate at which that person may be compensated. The commission may establish procedures to ensure that no such person participates in commission deliberations that may directly affect the school districts employing those persons or that may directly affect the rate at which those persons are compensated.

SECTION 10. The first report pursuant to section 9 of this act shall be made on or before November 1, 2018.