

HOUSE No. 4755

The Commonwealth of Massachusetts



CHARLES D. BAKER
GOVERNOR

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KARYN POLITO
LIEUTENANT GOVERNOR

December 8, 2016

To the Honorable Senate and House of Representatives,

Pursuant to Part the Second, Chapter I, Section I, Article II of the Constitution of the Commonwealth of Massachusetts, I am returning to you unsigned House Bill No. 2319, “An Act Protecting the Rights of Custodial and Other Non-Teaching Employees of School Districts” as it creates an ambiguity that may compete with the objective of the Education Reform Act of 1993.

The intent of this bill may have been to simply reaffirm existing legal requirements. However, some have raised concerns that this proposal amends the school-based managerial authority of public school principals. That authority is at the heart of the Education Reform Act of 1993, which granted enhanced authority over internal school matters to the principals in order to increase their accountability in the preparation of our children to compete in the global economy. The Legislature in enacting those reforms did so while considering the district-wide needs of Massachusetts’ school systems and the collective bargaining rights of school employees over the terms and conditions of their employment.

To preserve without ambiguity the managerial authority extended to principals under the Education Reform Act of 1993, I am returning House Bill No. 2319 unsigned.

Respectfully submitted,

Charles D. Baker,
Governor