

SENATE No. 323

The Commonwealth of Massachusetts

PRESENTED BY:

Kathleen O'Connor Ives

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 cost mitigation for school districts.

PETITION OF:

NAME:

Kathleen O'Connor Ives

DISTRICT/ADDRESS:

First Essex

SENATE No. 323

By Ms. O'Connor Ives, a petition (accompanied by bill, Senate, No. 323) of Kathleen O'Connor Ives for legislation relative to cost mitigation for school districts. Education.

The Commonwealth of Massachusetts

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

An Act relative to cost mitigation for school districts.

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: Section 3 of Chapter 165 of the Acts of 2014 shall be amended by striking
2 the language in line item 7061-0011 and inserting in place thereof the following: -

3 For a reserve to: (i) provide relief to parties involved in a newly formed regional
4 vocational district; provided, that: (a) the member's fiscal year 2015 chapter 70 aid, using
5 estimated enrollment provided to the department of elementary and secondary education, would
6 be greater than what is provided under section 3; (b) the regional district's fiscal year 2015
7 chapter 70 aid, when base chapter 70 aid is allocated, would be greater than what is provided
8 under said section 3; and (c) funds distributed from this item, under clause (i), shall be
9 considered prior year chapter 70 aid for fiscal year 2016; (ii) to mitigate 1-time municipal cost
10 increases associated with the withdrawal of a member from a regional school district; (iii)
11 provide extraordinary relief to school districts whose special education costs exceed 30 per cent
12 of the total district costs and whose tuition and other circuit-breaker eligible costs for placements
13 at an approved private school located within the district exceed both \$1,000,000 and 25 per cent

14 of all tuition and other circuit-breaker eligible costs for placements at approved private schools;
15 (iv) mitigate costs for districts that: (A) experience foundation enrollment growth of greater than
16 400 pupils from fiscal year 2014 to fiscal year 2015; and (B) whose chapter 70 as a percentage of
17 total foundation budget is less than the district's target aid percentage; provided further, that not
18 less than \$350,000 shall be expended for the purposes of clause (iii); provided further, that not
19 less than \$1,000,000 shall be expended for the purposes of clause (iv); and (v) to mitigate costs
20 for school districts (A) that have ranked 20% below the average growth rate of all school districts
21 between Fiscal Year 2010 and Fiscal Year 2014 in chapter 70 aid; (B) have experienced out of
22 district special education placements greater than 20% higher than the average of al school
23 districts between Fiscal Year 2010 and Fiscal Year 2014; and (C) out of district placement funds
24 exceeds 10 percent of a school district's foundation budget; provided further, that funds
25 distributed from this item, under clauses (ii), (iii) ,(iv), and (v) shall not be considered prior year
26 aid nor shall the funds be used in the calculation of the minimum required local contribution for
27 fiscal year 2015; and provided further, that the department shall make not less than 80 per cent of
28 the funds available for awards on or before October 15, 2014