

# HOUSE . . . . . No. 2865

---

## The Commonwealth of Massachusetts

---

PRESENTED BY:

*James J. O'Day*

---

*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 to promote collaboration in Horace Mann and innovation schools.

---

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/20/2017</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/31/2017</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>2/2/2017</i>

# HOUSE . . . . . No. 2865

---

By Mr. O'Day of West Boylston, a petition (accompanied by bill, House, No. 2865) of James J. O'Day, Daniel M. Donahue and John J. Mahoney relative to Horace Mann charter school collective bargaining applicability. Education.

---

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 449 OF 2015-2016.]

## The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Ninetieth General Court  
(2017-2018)  
\_\_\_\_\_

An Act to promote collaboration in Horace Mann and innovation schools.

*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 89 of chapter 71 of the General Laws, as most recently amended by  
2   chapter 199 of the Acts of 2011, is hereby amended in subsection (i), clause (1) by replacing  
3   striking the words “provided, however, notwithstanding subsection (c) the 14 new Horace Mann  
4   charter schools shall not be subject to the requirement of an agreement with the local collective  
5   bargaining unit prior to board approval; provided, further, that after the charter for these 14 new  
6   Horace Mann charter schools have been granted by the board, the schools shall develop a  
7   memorandum of understanding with the school committee and the local union regarding any  
8   waivers to applicable collective bargaining agreements; provided, further, that if an agreement is  
9   not reached on the memorandum of understanding at least 30 days before the scheduled opening

of the school, the charter school shall operate under the terms of its charter until an agreement is reached”

Section 2. Section 92 of Chapter 71, as most recently amended by chapter 68 of the Acts of 2011, is hereby amended by rewriting subsection (l) as follows:-

(l) Upon the completion of the innovation plan in subsection (j), the applicant, a local union and the superintendent shall negotiate waivers or modifications to the applicable collective bargaining agreement necessary for the school to implement the innovation plan.

In the case of a school conversion, upon the conclusion of the negotiations, the innovation plan shall be submitted immediately to the teachers in the school that is proposed for conversion for approval by secret ballot within 30 days. A two-thirds vote of the teachers shall be required to approve the plan. If a two-thirds vote is not achieved, the local union and superintendent may revise the innovation plan as necessary and submit the revised plan to the teachers for a subsequent vote.

Upon the conclusion of the negotiations, the innovation plan shall be submitted immediately to the school committee.