

**SENATE . . . . . No. 298**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael O. Moore***

*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 local approval for charter schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2017</i>
<i>Natalie Higgins</i>	<i>4th Worcester</i>	<i>2/3/2017</i>
<i>Jack Lewis</i>	<i>7th Middlesex</i>	<i>2/15/2017</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>3/27/2017</i>

**SENATE . . . . . No. 298**

By Mr. Moore, a petition (accompanied by bill, Senate, No. 298) of Michael O. Moore, James B. Eldridge, Natalie Higgins and Jack Lewis for legislation relative to local approval for charter schools. Education.

**The Commonwealth of Massachusetts**

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

An Act relative to local approval for charter 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. subsection (a) of section 89 of chapter 71 of the General Laws, as  
2 appearing in the 2014 Official Edition, is hereby further amended by inserting after the definition  
3 of "district" the following definition:-

4 "Local approval", an affirmative action accepting a commonwealth charter school taken  
5 by a majority vote of a locally elected school committee for each school district from which a  
6 commonwealth charter school is expected to enroll students, or, in school districts in which the  
7 school committee is an appointed body, an affirmative action accepting a commonwealth charter  
8 school which shall be approved by the city council and school committee's appointing  
9 authority.";

10 SECTION 2. Section 65 of said chapter 71 is hereby amended by striking the whole  
11 section and inserting in place thereof the following section:-

12           “SECTION 65. said section 89 of said chapter 71 is hereby further amended by striking  
13 out the last paragraph and inserting in place thereof the following 3 paragraphs:-

14           Applications to establish a commonwealth charter school shall be submitted to the board  
15 annually by November 15. The board shall review the applications and grant new commonwealth  
16 charters in February of the following year. Applications to establish a Horace Mann charter  
17 school may be submitted to the board and granted by the board at any time.

18           Notwithstanding any general or special law to the contrary, every commonwealth charter  
19 school application shall be subject to the local approval of every school district expected to  
20 enroll students. Approval of a commonwealth charter school application that has not received  
21 local approval shall require an affirmative vote of a majority of the members of the board. If the  
22 board approves an application it shall notify the school districts that expect to enroll students of  
23 the approval.

24           Approval of an application by the board without local approval shall be funded by the  
25 commonwealth; provided, however, that in a school district in which a commonwealth charter  
26 school application is approved by the board without local approval, the school district shall not  
27 be eligible for district impact mitigation funding under subsection (gg) for the approved  
28 commonwealth charter school and the total number of students enrolled in the approved  
29 commonwealth charter school shall not be included in the school district’s foundation budget as  
30 calculated under chapter 70.”;

31           SECTION 3. The last two paragraphs of paragraph (1) of subsection (i) of section 89 of  
32 chapter 71 of the General Laws, as inserted by section 65, shall apply to commonwealth charter  
33 schools approved after January 1, 2018 that do not have students currently enrolled.