

**HOUSE . . . . . No. 544**

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**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>1/11/2019</i>

**HOUSE . . . . . No. 544**

By Mr. O'Day of West Boylston, a petition (accompanied by bill, House, No. 544) of James J. O'Day for legislation to promote collaboration in Horace Mann and innovation schools. Education.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

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 appearing in the 2016  
2 Official Edition, is hereby amended in subsection (i), clause (1) by striking the words “provided,  
3 however, notwithstanding subsection (c) the 14 new Horace Mann charter schools shall not be  
4 subject to the requirement of an agreement with the local collective bargaining unit prior to  
5 board approval; provided, further, that after the charter for these 14 new Horace Mann charter  
6 schools have been granted by the board, the schools shall develop a memorandum of  
7 understanding with the school committee and the local union regarding any waivers to applicable  
8 collective bargaining agreements; provided, further, that if an agreement is not reached on the  
9 memorandum of understanding at least 30 days before the scheduled opening of the school, the  
10 charter school shall operate under the terms of its charter until an agreement is reached”

11 SECTION 2. Section 92 of Chapter 71 of the General Laws, is hereby amended by  
12 striking out subsection (l), as appearing in the 2016 Official Edition, and inserting in place  
13 thereof the following subsection:-

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

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

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