

SENATE No. 2593

The Commonwealth of Massachusetts

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

SENATE, March 12, 2020.

The committee on Education, to whom was referred the petitions (accompanied by bill, Senate, No. 247) of Joanne M. Comerford, Tami L. Gouveia, Jack Patrick Lewis, Denise Provost and other members of the General Court for legislation to prohibit the use of Native American mascots by public schools in the Commonwealth; and (accompanied by bill, House, No. 443) of Nika C. Elugardo, Tami L. Gouveia and others relative to prohibiting the use of Native American mascots by public schools in the Commonwealth, report the accompanying Order (Senate, No. 2593).

For the committee,
Jason M. Lewis

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An Act prohibiting the use of Native American mascots by public schools in the Commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 71 of the General Laws is hereby amended by inserting after section 97 the
2 following new section:-

3 Section 98. (a) The board of elementary and secondary education shall promulgate
4 regulations to ensure that no public school uses an athletic team name, mascot, or logo which
5 denigrates any racial, ethnic, gender, or religious group. The board shall establish a date by
6 which any school in violation of said regulations shall choose a new mascot, logo, or team name.

7 (b) Notwithstanding this section, a public school may continue to use uniforms or other
8 materials bearing their prohibited athletic team name, mascot, or logo that were purchased before
9 a date prescribed by the board if all of the following requirements are met:

10 (1) The school selects a new school or athletic team name, mascot, or logo;

11 (2) The school refrains from purchasing or acquiring, for the purpose of distribution or
12 sale to pupils or school employees, any uniform that includes or bears their prohibited team
13 name, mascot or logo;

14 (3) The school refrains from purchasing or acquiring, for the purpose of distribution or
15 sale to pupils or school employees, any yearbook, newspaper, program, or other similar material
16 that includes or bears the prohibited school or athletic team name, mascot, or nickname in its
17 logo or cover title;

18 (4) The school refrains from purchasing or constructing a marquee, sign, or other new or
19 replacement fixture that includes or bears the prohibited school or athletic team name, mascot, or
20 nickname. This paragraph applies to facilities that bear the prohibited school or athletic team
21 name, mascot, or nickname, in which case the school shall remove the prohibited name no later
22 than the next time the associated part of the facility is replaced in the normal course of
23 maintenance.