

HOUSE No. 4350

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to educational collaboratives.

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 20 of Chapter 268A, as appearing in the 2018 Official Edition, is
2 hereby amended by inserting at the end thereof the following:

3 This section shall not prohibit an employee of a regional public educational agency such
4 as an educational collaborative as authorized under Section 4E of Chapter 40 of the General
5 Laws, or an educational collaborative' member school districts, from having a direct or indirect
6 financial interest in a contract or agreement made by the educational collaborative to provide
7 educational and related services to such collaborative, or the member school districts of the
8 same, provided that the employee provides a written disclosure of these contracts to both
9 agencies with whom the employee is contracting.

10 The proposed arrangement must be approved by the employee's appointing authority
11 before the employee provides educational services.

12 For purposes of this section, educational services shall mean any service related to the
13 education of students, youth, and families or to the professional development and training of

14 educators, administrators, and paraprofessionals, and community-based personnel working on
15 behalf of public education that is provided by a public agency of a single or multiple
16 municipalities.

17 This section shall not prohibit:

18 (a) a municipal employee of an educational collaborative established pursuant to Section
19 4E of Chapter 40 of the General Laws, from having a direct or indirect financial interest

20 (i) in a contract or agreement made by the educational collaborative to provide
21 educational, professional development, and/or related services to such educational collaborative,
22 provided that the employee files with the educational collaborative a written disclosure of the
23 contract or agreement and the head of the educational collaborative approves, or

24 (ii) in a contract or agreement made by a member school district of an educational
25 collaborative to provide educational, professional development, and/or related services to the
26 member school district, provided that the employee files with the educational collaborative and
27 the member school district a written disclosure of the contract or agreement and the head of the
28 educational collaborative and the appointing authority at the member school district approve; or

29 (b) a municipal employee of a member school district of an educational collaborative
30 from having a direct or indirect financial interest in a contract or agreement made by the
31 educational collaborative to provide educational, professional development, and/or related
32 services to the educational collaborative, provided that the employee files with the member
33 school district and the educational collaborative a written disclosure of the contract or agreement
34 and the appointing authority of the member school district and the head of the educational
35 collaborative approve; and provided further that, for each such contract or agreement referenced

36 above, there has been public notice of the contract or agreement, or the contract or agreement
37 was created by means of an open competitive process.

38 For purposes of this section, related services shall be those services defined by 603
39 CMRsect.28.02(18)