

The Commonwealth of Massachusetts

PRESENTED BY:

Steven Ultrino

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 the net school spending cap.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Steven Ultrino	33rd Middlesex	1/18/2023
Jason M. Lewis	Fifth Middlesex	2/2/2023

By Representative Ultrino of Malden, a petition (accompanied by bill, House, No. 598) of Steven Ultrino and Jason M. Lewis relative to the net school spending cap. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION SEE HOUSE, NO. 710 OF 2021-2022.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court (2023-2024)

An Act relative to the net school spending cap.

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. Paragraph (3) of subsection (i) of section 89 of chapter 71 of the General

2 Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out the third

3 paragraph and inserting in place thereof the following paragraph:-

If a district is no longer in the lowest 10 per cent, the net school spending cap shall be 9 per cent, unless the district net school spending was above 9 per cent in the year prior to moving out of the lowest 10 per cent in which case the net school spending cap shall remain at the actual spending level plus enrollment previously approved by the board; provided, that for the purposes of a regional charter school, enrollment previously approved by the board shall mean the actual enrollment of students from a district as a portion of the total enrollment previously approved by the board for the regional charter school. The department shall determine and make available tothe public a list of the school districts in said lowest 10 per cent.

12 The department shall not approve any additional seats for charter schools that originate 13 from a sending district that moved out of the lowest 10 per cent if the net school spending cap of 14 the sending district was above 9 per cent at the time that the sending school district moved out of 15 the lowest 10 per cent, provided that any district costs related to seats previously approved in 16 contradiction to this paragraph shall be borne by the department.

17 SECTION 2. The department of elementary and secondary education shall provide the 18 total tuition amount owed by the sending district calculated pursuant to section 89 of chapter 71 19 of the General Laws for each enrolled charter school student from a district that is no longer in 20 the lowest 10 per cent pursuant to said section 89 of said chapter 71 who was permitted to enroll 21 notwithstanding the net school spending cap. The department of elementary and secondary 22 education shall not require a charter school or the district to reimburse the department for said 23 tuition amount. The state treasurer shall not deduct the tuition amount from the district's state 24 school aid, as defined in section 2 of chapter 70 of the General Laws.

25 SECTION 3. Nothing in this act shall be construed to require a charter school to unenroll
26 any student currently in attendance on or before August 1, 2018.

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