

SENATE No. 347

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

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 modernizing the board of elementary and secondary education.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/14/2023</i>

SENATE No. 347

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 347) of Rebecca L. Rausch and James B. Eldridge for legislation to modernize the board of elementary and secondary education. Education.

The Commonwealth of Massachusetts

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

An Act modernizing the board of elementary and secondary education.

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. Chapter 15 of the General Laws, as appearing in the 2020 Official Edition,
2 is hereby amended by striking out section 1E and inserting in place thereof the following
3 section:-

4 Section 1E. (a) As used in this chapter, the following words shall have the following
5 meanings unless the context clearly requires otherwise:

6 “Board”, board of elementary and secondary education.

7 “Commissioner”, commissioner of elementary and secondary education.

8 “Council”, student advisory council to the board.

9 “Secretary”, secretary of education.

10 (b) There is hereby established a board of elementary and secondary education for the
11 purpose of providing oversight over the decisions, actions, and inactions of the commissioner
12 and consisting of the following members: the secretary or their designee; the chair of the student
13 advisory council established under this section; the president of the Massachusetts Teachers
14 Association or their designee; the president of the American Federation of Teachers –
15 Massachusetts or their designee; the president of the Boston Teachers Union or their designee;
16 the president of the Massachusetts association of school superintendents or their designee; the
17 president of the Massachusetts association of vocational administrators or their designee; the
18 president of the Massachusetts school nurse organization or their designee; the executive director
19 of MassEquality or their designee; 4 members appointed by the attorney general, 1 of whom
20 shall be a school committee member from a town in the commonwealth, 1 of whom shall be a
21 representative of a labor organization from a list of 3 nominees provided by the Massachusetts
22 AFL-CIO, 1 of whom shall be a school counselor, and 1 of whom shall be affiliated with a public
23 institution of higher education located within the commonwealth who shall not be a member of
24 the board of higher education; and 4 members appointed by the state auditor, 1 of whom shall be
25 a school committee member from a city in the commonwealth, 1 of whom shall be a school
26 social worker, 1 of whom shall be a parent of a student in a public elementary or secondary
27 school who may be selected in consultation with the Massachusetts parent teacher association,
28 and 1 of whom shall be an early education and care provider. Diversity shall be prioritized in
29 said appointments, including racial, gender, sexual orientation, economic, and regional
30 diversification.

31 (c) At the first meeting of the board in every even-numbered year, or as otherwise
32 required, the board shall elect from its membership a chair who shall serve until a new chair is

33 selected. The chair shall be elected by majority vote. Members of the board who are employed
34 on a full-time basis by the commonwealth shall be ineligible to serve as chair.

35 (d) The board shall meet no fewer than 10 times annually at the call of the chair.

36 (e) Appointed board members shall serve for 5-year terms, and no person shall be
37 appointed to serve more than 2 full terms. Prior service on the board for a term of less than 3
38 years shall not be counted as a full term. Any member who is absent from any 4 regularly
39 scheduled monthly meetings in any calendar year shall be deemed to have vacated their seat.
40 Vacancies shall be filled consistent with the requirements of section 10 of chapter 30. The board
41 chair shall notify the speaker of the house or the president of the senate, as appropriate, of any
42 vacancy.

43 (f) Board members shall be reimbursed for their necessary expenses incurred in the
44 performance of their duties. Board members shall not be compensated for their service.

45 (g) No board member employed by the commonwealth shall be found to be in violation
46 of section 6 of chapter 268A for performance of their duties as a board member; provided,
47 however, that any financial interest relevant to any board action is disclosed to the board and
48 recorded in the minutes prior to action taken.

49 (h) (1) There is hereby established a student advisory council to the board, consisting of
50 four elected representatives from each student regional council established under the provisions
51 of this section, at least one of whom shall be a student in a vocational secondary school.

52 (2) The council members shall elect a chairperson each year at the meeting immediately
53 prior to the first day of June. The council chair shall be elected by majority vote and serve for a
54 term of one year.

55 (3) The council shall meet at least quarterly and otherwise at the call of the chair or a
56 majority of the council members and shall consider such matters as the council deems
57 appropriate for the chair to place before the board.

58 (i) There are hereby established not less than 5 nor more than 15 student regional
59 councils, designated by geography and whose membership shall be limited to elected student
60 representatives from the secondary schools of the commonwealth who have been residents of the
61 commonwealth for at least six months prior to their election. Said student regional councils shall
62 consist of not less than twenty nor more than forty-five student representatives.

63 (ii) No person shall be eligible to be elected to a student regional council unless at the
64 time of their election is enrolled as a student in a secondary school within the commonwealth. If
65 at any time during their term of office a member of a student regional council ceases to be so
66 enrolled, their membership shall be terminated and their position shall be deemed vacant. A
67 vacancy on the student advisory council prior to the expiration of a term shall be filled for the
68 remainder of the term in the same manner as elections to full terms. A vacancy on a student
69 regional council shall be filled by a majority vote of the entire membership of said regional
70 council. The terms of the elected members of the student advisory council and of the student
71 regional council shall be not more than three years, but no member shall be prevented from
72 running for election for three successive terms. Members of student regional councils shall serve

73 without compensation except that they shall be reimbursed for necessary expenses incurred in
74 traveling to and from meetings.

75 (iii) Each student regional council shall meet from time to time with the student advisory
76 council to advise said council regarding business that it deems appropriate to be considered by
77 said advisory council.