

SENATE No. 854

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

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 establishing a special commission to study racial segregation in housing and public schools.

PETITION OF:

NAME:

Brendan P. Crighton

DISTRICT/ADDRESS:

Third Essex

SENATE No. 854

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 854) of Brendan P. Crighton for legislation to establish a special commission to study racial segregation in housing and public schools. Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 870 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act establishing a special commission to study racial segregation in housing and public 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. (a) Notwithstanding any general or special law to the contrary, there is
2 hereby established a special commission on racial segregation in housing and public schools, the
3 purpose of which shall be to make policy recommendations to: (i) combat the causes of housing
4 segregation and increase racial integration in cities and towns; (ii) eliminate or significantly
5 reduce interdistrict and intradistrict racial segregation, including at the school and classroom
6 level; and (iv) to promote, as part of school integration plans, the development of racially
7 inclusive school climates, including through: (A) culturally and racially responsive pedagogy and
8 curriculum; (B) approaches to creating a safe and supportive school environments that do not
9 rely on school discipline practices that have a disproportionate negative impact on students of
10 color; and (C) access to racially diverse school staff, teachers and school leaders.

11 (b) The commission shall investigate the following for purposes of: (1) determining the
12 extent to which the following contribute to housing and school segregation; and (2) making
13 policy recommendations relevant to the following that would help eliminate or significantly
14 reduce racial segregation in housing and public schools:

15 (A) existing state statute and regulations;

16 (B) state programs that financially support prospective tenants and prospective
17 homeowners;

18 (C) state programs that finance or govern the development of affordable housing;

19 (D) discriminatory practices based on race in the banking industry, including
20 underwriting practices and standards used to determine credit worthiness and interest rates for
21 mortgages;

22 (E) discriminatory practices in the real estate industry, including the practices of real
23 estate agents, property managers, and landlords, based on the race of prospective tenants or the
24 participation of said tenants in a state or federal housing voucher program;

25 (F) violations and enforcement of the Fair Housing Act based on race;

26 (G) exclusionary zoning ordinances and bylaws;

27 (H) inadequate transportation infrastructure or inadequate access to affordable, reliable,
28 and efficient public transportation;

29 (I) violations and enforcement of Title VI of the Civil Rights Act of 1964;

30 (J) Chapter 70 of the General Laws;

31 (K) Chapter 70B of the General Laws;

32 (L) the dissolution of historical policies and practices in the commonwealth that had led
33 to substantial increases in school integration;

34 (M) public magnet schools or regional school districts;

35 (N) school district practices for assigning students to schools;

36 (O) interdistrict and intradistrict transfer and public school choice policies;

37 (P) the use of admissions practices for determining student attendance in selective public
38 schools;

39 (Q) school district practices for determining student participation in different levels of
40 coursework, such as ability grouping or tracking;

41 (R) the Metropolitan Council for Educational Opportunity (METCO) program; and

42 (S) any other topics that it deems relevant to housing and school segregation.

43 (c) The commission shall convene its first meeting within 30 days of the passage of this
44 act and shall submit its report and recommendations not later than 1 year after the passage of this
45 act.

46 (d) A copy of the report and recommendations shall be submitted to the joint committee
47 on housing, the joint committee on education, and the joint committee on transportation.

48 (e) Prior to issuing its recommendations, the commission shall conduct not fewer than 4
49 public hearings across regions of the Commonwealth, which shall take place in communities of
50 color disproportionately impacted by racial segregation in housing and schools.

51 (f) The commission shall consist of: the house and senate chairs of the joint committee on
52 housing and joint committee on education, who shall serve as the four co-chairs; the house and
53 senate chairs of the joint committee on transportation; the secretary of housing and economic
54 development; the commissioner of the department of housing and community development; the
55 secretary of education; the commissioner of the department of elementary and secondary
56 education; the commissioner of the department of early education and care; the secretary of
57 transportation; the general manager of the Massachusetts Bay Transportation Authority; the
58 commissioner of banks; the attorney general or a designee; the executive director of
59 MassHousing; the president of the senate or a designee; the speaker of the house of
60 representatives or a designee; the minority leader of the house of representatives or a designee;
61 the minority leader of the senate or a designee; the governor or a designee; 1 persons with
62 relevant subject matter expertise appointed by the Massachusetts Black and Latino Legislative
63 Caucus; 2 persons appointed by the commission on the status of African Americans; 2 persons
64 appointed by the commission on the status of Latinos and Latinas; 1 person appointed by the
65 Asian American commission; 1 person appointed by the Massachusetts commission on Indian
66 affairs; 1 person with relevant subject matter expertise appointed by the president of the senate; 1
67 person with relevant subject matter expertise appointed by the speaker of the house of
68 representatives; 1 person with relevant subject matter expertise appointed by the governor; and 2
69 members of the student advisory council.

70 (1) Members shall not receive compensation for their services but may receive
71 reimbursement for the reasonable expenses incurred in carrying out their responsibilities as
72 members of the commission.

73 (2) The commissioner of the department of housing and community development, the
74 secretary of housing and economic development, the secretary of transportation, the general
75 manager of the Massachusetts Bay Transportation Authority, the secretary of education, the
76 commissioner of the department of early education and care, the commissioner of the department
77 of elementary and secondary education, the commissioner of banks, the attorney general and the
78 executive director of MassHousing shall furnish reasonable staff and other support for the work
79 of the commission.