

HOUSE No. 4297

The Commonwealth of Massachusetts

PRESENTED BY:

Paul McMurtry

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 Lowell Mason Act to mandate a percentage of Chapter 70 funds for Arts Education Programs.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------|--------------------------------|-------------------|
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> | <i>2/20/2025</i> |
| <i>John J. Marsi</i> | <i>6th Worcester</i> | <i>9/8/2025</i> |
| <i>John J. Cronin</i> | <i>Worcester and Middlesex</i> | <i>9/15/2025</i> |
| <i>Margaret R. Scarsdale</i> | <i>1st Middlesex</i> | <i>9/15/2025</i> |
| <i>Tara T. Hong</i> | <i>18th Middlesex</i> | <i>9/17/2025</i> |
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> | <i>11/13/2025</i> |
| <i>Amy Mah Sangiolo</i> | <i>11th Middlesex</i> | <i>11/18/2025</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>12/3/2025</i> |

HOUSE No. 4297

By Representative McMurtry of Dedham, a petition (subject to Joint Rule 12) of Paul McMurtry relative to arts education programs. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to the Lowell Mason Act to mandate a percentage of Chapter 70 funds for Arts Education Programs.

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. The General Laws are hereby amended by inserting after Chapter 70 the
2 following new chapter:-

3 Chapter 70C "Lowell Mason Arts Education Equity Act."

4 Section 1: The purpose of this Act is to ensure that all public-school students in
5 Massachusetts have access to high-quality arts education by mandating an additional percentage
6 of Chapter 70 Funding be allocated exclusively for those arts disciplines delineated in the MA
7 Arts Curriculum Framework: dance, media arts, music, theatre, and visual arts.

8 Section 2: Definitions. As used in this chapter, the following words shall, unless the
9 context clearly requires otherwise, have the following meanings:

10 (a) "Arts Education Programs" refers to standards-based instructional programs in the
11 visual and performing arts. The Arts are core-curricular subjects as defined by the 1993

12 Education Reform Act. They are also part of the Massachusetts suggested high-school course
13 sequence in MassCore. All Pre-K—12 public-school arts curricula and courses should be aligned
14 to the 2019 MA Arts Curriculum Framework.

15 (b) "Chapter 70 Funds" refers to the state aid provided to public school districts under the
16 provisions of M.G. L. ch.. 70 ("Chapter 70").

17 (c) "Foundation Budget" refers to the minimum spending level required to provide an
18 adequate education for all students, as defined under Chapter 70.

19 Section 3: Allocation of Chapter 70 Funding

20 (a) Notwithstanding any general or special law to the contrary, beginning in fiscal year
21 2026, each public and charter school district shall be allocated an additional 1% of its total
22 Chapter 70 Funding towards new Arts Education Programs.

23 (b) The additional 1% allocation shall be calculated based on the district's total Chapter
24 70 Funds and its required local contribution combined to achieve foundation-level funding.

25 (c) Chapter 70 Funds allocated under this section shall be used exclusively for the
26 following purposes:

27 1. At the State Level:

28 a. Three full-time staff members at the Massachusetts Department of Elementary and
29 Secondary Education for Instruction, Finance, and Accountability, with at least one position to
30 be an additional full-time arts content specialist (in addition to and under the supervision of the
31 current one full-time position)

32 2. At the School District Level:

33 a. 80% for salaries of newly hired certified visual and performing arts educators in dance,
34 media arts, music, theatre/drama, and visual arts.

35 b. The remaining 20% may be spent on any or all of the following items:

36 i. Professional development for arts educators including the development of a high
37 quality and culturally responsive district-wide arts curriculum aligned with the Current 2019
38 Massachusetts Arts Curriculum Framework;

39 ii. Purchase of supplies, high quality instructional materials (HQIM), and equipment
40 necessary for arts instruction (e.g., kilns, musical instruments, auditorium sound systems, dance
41 mirrors, paint, musical scores, textbooks, arts-related software, etc.);

42 iii. Support for extracurricular and co-curricular programs in the arts including but not
43 limited to artist residencies, out-of-school-time programs and other non-standards-based arts-
44 related programs, including transportation to and from cultural events.

45 iv. Up to 1 percent of funds received may be used for a local educational agency's
46 administrative expenses to implement this chapter annually.

47 c. These additional arts-focused Chapter 70 Funds may not be allocated to support any
48 current arts faculty, current arts programs, or non-arts programs.

49 Section 4: Compliance and Reporting

50 (a) Each school district shall include in its annual budget report a detailed accounting of
51 the allocation and expenditure of Chapter 70 Funds designated for Arts Education Programs.

52 (b) Each school district shall certify that such Chapter 70 Funds received will be used to
53 supplement and not supplant funding for Arts Education received in the prior fiscal year. These
54 additional Chapter 70 Funds may not be used to replace “sunsetting” or declining federal funding
55 amounts that currently fund any arts educator nor can a job be cut one year to be replaced by
56 Chapter 70 Funds the following year.

57 (c) The Department of Elementary and Secondary Education (DESE) shall monitor
58 compliance with the provisions of this Act and shall require districts to submit annual reports
59 detailing how the mandated Chapter 70 Funds were used to broaden and increase Arts Education
60 Programs. The reports must be posted each school year on the DESE website. The full-time
61 DESE staff in Section 4.(3) (c) (1) above will be responsible for this compliance and reporting.

62 (d) The Department may, for good cause shown, provide a one-year waiver from the
63 requirements pursuant to Section 4 of subdivision (c 2 a) upon written request from the local
64 educational agency. Such temporary waivers might be granted if there is a shortage of certified,
65 licensed arts educators, and funding could support artist residencies or other substantial
66 substitutions, provided this does not conflict with district/teacher contracts, in order to provide
67 additional arts instruction to students.

68 (e) If a district fails to comply with any requirements of this Act, the DESE shall take
69 corrective action, which may include but is not limited to withholding a portion of the district's
70 Chapter 70 Funds until compliance is achieved.

71 Section 5: Chapter 70 Funds Source

72 (a) The percentage being required for school districts to spend on Arts Education
73 Programs shall be in addition to their prior state funding requirements.

74 (b) Funds for this Act shall come from the Fair Share Funding, Massachusetts Lottery-
75 Gaming receipts, or Student Opportunity Act Funding.

76 Section 7: Implementation and Support

77 (a) The DESE shall provide technical assistance to school districts in implementing this
78 Act, including guidance on the budgeting processes to implement sequential Arts Education
79 taught by certified arts educators.

80 (b) The DESE shall establish a Grant Program to support Arts Education and partnerships
81 between school districts and local arts organizations. Evaluation metrics shall be included in the
82 Grant Program and reported each year on the DESE website.

83 Section 8: Effective Date

84 This Act shall take effect on July 1st following its passage. Nothing in this Act prohibits
85 the Legislature from appropriating funding for the Arts Education Programs in excess of any
86 minimum annual appropriation stated herein.