

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Natalie M. Blais

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 to provide a sustainable future for rural schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>1/17/2025</i>

HOUSE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3567 OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act to provide a sustainable future for rural 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. Section 2 of chapter 70 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting after the definition “Required net school
3 spending” the following definition:-

4 “Rural school district”, a school district with both of the following: (i) a student density
5 of not more than 35 students per square mile and (ii) a per capita income of less than the average
6 annual estimated, state-wide per capita income.

7 SECTION 2. Chapter 71 of the General Laws is hereby amended is hereby amended by
8 adding the following 2 sections:-

9 Section 100. (a) There is hereby established and set upon the books of the commonwealth
10 a separate fund known as the Rural Schools Aid Fund. The fund shall be credited with: (i)

11 appropriations or other money authorized or transferred by the general court and specifically
12 designated to be credited to the fund; (ii) funds from public and private sources, including, but
13 not limited to gifts, grants and donations; and (iii) any interest earned on such money. Annually,
14 not later than the first day of December, the comptroller shall transfer sixty million dollars from
15 the General Fund to the fund. Amounts credited shall not be subject to appropriation and shall be
16 expended by the department of elementary and secondary education to support the long-term
17 fiscal health of rural school districts to be administered by the department in accordance with this
18 section.

19 (b) A qualified school eligible for funding are towns and regional school districts,
20 excluding vocational schools, independent agricultural, technical schools and charter schools;
21 provided, that a school district shall be eligible for rural school aid if a school district has a
22 student density of not more than 35 students per square mile and an average annual per capita
23 income of not more than the average annual per capita income for the commonwealth for the
24 same period; provided further, that rural school aid shall be allocated equitably in the following
25 priority order: (i) school districts serving less than 11 students per square mile; (ii) school
26 districts serving not more than 21 students per square mile; and (iii) school districts serving not
27 more than 35 students per square mile;

28 (c) Annually, not later than the first day of December, the department shall submit a
29 report to the house and senate committees on ways and means detailing: (i) its recommendations
30 for additional adjustments to the rural school aid calculation for the upcoming fiscal year to
31 improve the accuracy and equity of the student density component and the per capita income
32 component; and (ii) the calculation and planned distribution of funds to school districts; and

33 provided further, that funds distributed from this section shall not be considered chapter 70 aid
34 for the calculation of the minimum required local contribution for the upcoming fiscal year.

35 (d) Every 5 years, the department shall determine the adequacy of funding for the
36 purposes of this section and recommend to the general court any necessary adjustment.

37 Section 101. (a) There is hereby established and set upon the books of the commonwealth
38 a separate fund known as the Declining Enrollment Fund. The fund shall be credited with: (i)
39 appropriations or other money authorized or transferred by the general court and specifically
40 designated to be credited to the fund; (ii) funds from public and private sources, including, but
41 not limited to gifts, grants and donations; and (iii) any interest earned on such money. Amounts
42 credited shall not be subject to appropriation and shall be expended by the department to support
43 the long-term fiscal health of school districts with declining student enrollment to be
44 administered by the department in accordance with this section.

45 (b) A qualified school eligible for funding are towns and regional school districts,
46 excluding vocational schools, independent agricultural, technical schools and charter schools;
47 provided, that a school district shall be eligible for declining enrollment aid if it has a decline in
48 student enrollment of at least 35 per cent over the 20 years prior to the school district's
49 application for funds; provided further, that declining enrollment aid shall be allocated equitably
50 on a per-pupil basis with priority given to school districts that have experienced the greatest
51 percentage decline in student enrollment.

52 (c) Annually, not later than the first day of February, any district receiving funds under
53 this item shall submit a plan to the department outlining the district's plans to use such funds.

54 (d) Annually, not later than the first day of December, the department shall submit a
55 report to the house and senate committees on ways and means detailing the calculation and
56 planned distribution of funds to school districts; provided, that, funds distributed from this
57 section shall not be considered chapter 70 aid for the calculation of the minimum required local
58 contribution for the upcoming fiscal year.

59 (e) Every 5 years, the department shall determine the adequacy of funding for the
60 purposes of this section and recommend to the general court any necessary adjustment.

61 SECTION 3. Section 19 of chapter 15A of the General Laws, as appearing in the 2022
62 Official Edition, is hereby amended by inserting after the figure “71”, in line 83, the following
63 words:- “; provided, however that paraprofessionals seeking to obtain licensure as special
64 educators shall have priority for such grants.”

65 SECTION 4. The definition of “Instructional costs”, in subsection (a) of said section 5A
66 of said chapter 71B of the General Laws is hereby amended by adding the following sentence:-
67 Instructional costs shall include partial costs of salaries for specialized staff when a full-time
68 equivalent staff person is not needed but a full-time salary is necessary to procure a qualified
69 professional.

70 SECTION 5. Subsection (c) of section 5A of chapter 71B of the General Laws, as
71 appearing in the 2022 Official Edition, is hereby amended by striking out the fourth sentence and
72 inserting in place thereof the following sentence:- The costs of programs shall be reimbursed at
73 100 percent of all the instructional and transportation costs that exceed the approved costs
74 threshold; provided, that such reimbursement shall be paid in the year in which the costs are
75 incurred.

76 SECTION 6. Said chapter 71B of the General Laws is hereby further amended by adding
77 the following section:-

78

79 Section 17. (a) There shall be within the department a program to support the
80 development of specialized teachers with targeted funding for local educator preparation
81 programs for special education.

82

83 (b) The department shall facilitate the funding and implementation of the program so that
84 school districts can coordinate with educational collaboratives and other providers to build “grow
85 your own” programs and provide paid time off, or child care stipends, to paraprofessionals
86 studying to become licensed special education teachers.

87

88 (c) The program shall provide similar support to teachers currently licensed in other
89 subjects to become special education teachers.

90

91 (d) The department shall develop special education instructor assessments that can be
92 used as an alternative to Massachusetts Tests for Educator Licensure (MTEL) or develop
93 licensure criteria that will supersede passing the MTEL.

94 SECTION 7. (a) Notwithstanding any general or special law to the contrary, the
95 department of elementary and secondary education shall conduct a review of special education
96 regulations of the department as they pertain to the needs of rural school districts.

97 (b) The department shall request public comment and discussions with special education
98 advocates, school administrators, parents, and experts to explore reform of regulations under 603
99 CMR 28.00.

100 (c) The department shall publish a web page that serves as a one-stop resource to allow
101 the public to obtain information and provide comments on individual rules and guidelines under
102 review as well as the department's regulatory review program generally.

103 SECTION 8. (a) There is hereby established, pursuant to section 2A of chapter 4 of the
104 General Laws, a special education financing legislative commission to review the
105 commonwealth's system for financing special education and make recommendations for a more
106 equitable system that provides adequate funding to local school districts to meet the costs of
107 providing high quality education to students with disabilities.

108 (b) The commission's review shall evaluate the commonwealth's current special
109 education financing structure and make recommendations to achieve the following goals:

110 (1) special education funds shall be sufficient to allow all schools to provide a high
111 quality education in the least restrictive environment that meets the unique needs of each eligible
112 student;

113 (2) special education funds provided to school districts shall recognize the variation in the
114 resources that are required to provide students with different disabilities a high quality education;

115 (3) districts with more students receiving special education services shall equitably
116 receive more state special education assistance funding than districts with fewer students
117 receiving special education services;

118 (4) districts with less local resources shall equitably receive more state special education
119 assistance funding than districts with more local resources;

120 (5) special education funds shall be relatively predictable and stable to enable school
121 districts to budget effectively and implement multi-year plans;

122 (6) the special education funding system shall promote the efficient use of funds without
123 incentivizing the under or misdiagnosis of students with disabilities;

124 (7) the special education funding system shall promote flexibility and innovation in
125 providing high quality education;

126 (8) the special education funding system shall limit local financial responsibility for
127 providing education to students with extraordinary needs; and

128 (9) the special education funding system shall provide sufficient funds to meet the costs
129 of transportation of special education students.

130 (c) In carrying out the review, the commissioner of elementary and secondary education
131 shall provide to the commission any data and information relevant to the commission's charge.
132 The commissioner of elementary and secondary education shall furnish reasonable staff and
133 other support for the work of the commission.

134 (d) Prior to issuing its recommendations, the commission shall conduct not fewer than 4
135 public hearings across regions of the commonwealth.

136 (e) The members of the commission shall include: the house and senate chairs of the joint
137 committee on education, who shall serve as co-chairs; the governor or a designee; the secretary
138 of education; the commissioner of elementary and secondary education; the commissioner of
139 early education and care; the director of the Massachusetts office on disability; the speaker of the
140 house of representatives or a designee; the president of the senate or a designee; the minority
141 leader of the house of representatives or a designee; the minority leader of the senate or a
142 designee; the chair of the house committee on ways and means or a designee; the chair of the
143 senate committee on ways and means or a designee; the house and senate chairs of the joint
144 committee on children, families and persons with disabilities and 1 member to be appointed by
145 each of the following organizations: the Massachusetts Municipal Association, Inc., the
146 Massachusetts Business Alliance for Education, Inc., the Massachusetts Association of School
147 Committees, Inc., the Massachusetts Association of School Superintendents, Inc., the
148 Massachusetts Teachers Association, the American Federation of Teachers Massachusetts, the
149 Massachusetts Association of Vocational Administrators, Inc., the Massachusetts Association of
150 Regional Schools, Inc., Massachusetts Advocates for Children, Federation for Children with
151 Special Needs, ARC of Mass, and the Parent Professional Advocacy League of Massachusetts.
152 Members shall not receive compensation for their services but may receive reimbursement for
153 the reasonable expenses incurred in carrying out their responsibilities as members of the
154 commission.

155 (f) It shall not constitute a violation of chapter 268A of the General Laws for a person
156 employed by a school district to serve on the commission or to participate in commission
157 deliberations that may have a financial impact on the district employing that person or on the rate
158 at which that person may be compensated. The commission may establish procedures to ensure

159 that no such person participates in commission deliberations that may directly affect the school
160 districts employing those persons or that may directly affect the rate at which those persons are
161 compensated.

162 (g) The commission shall file its report with the clerks of the house of representatives and
163 the senate on or before June 30, 2026. A copy of the report and recommendations shall be made
164 publicly available on the website of the department of elementary and secondary education and
165 submitted to the joint committee on education, the joint committee on children, families and
166 persons with disabilities, and the house and senate committees on ways and means.

167 SECTION 9. Chapter 71 of the General Laws is hereby amended by inserting after
168 section 7C the following 2 sections:-

169 Section 7D. (a) To provide for the reimbursement of the part of the cost of transportation
170 not reimbursable under section 7A, the state treasurer shall annually, on or before November
171 twentieth, pay to a rural school district the sums required for full reimbursement of extraordinary
172 transportation costs incurred directly by a rural school district as a result of the transportation
173 between school and home of any pupil.

174 (b) Rural school districts may establish a Rural School Transportation Reimbursement
175 Account. Reimbursements made by the commonwealth pursuant to this section may be deposited
176 into the account.

177 (c) Regional school districts that receive reimbursement pursuant to section 16C shall not
178 be eligible for school transportation reimbursement pursuant to this section.

179 Section 7E. (a) There is hereby established and set upon the books of the commonwealth
180 a separate fund known as the Non-Resident Pupil Transportation Fund. The fund shall be
181 credited with: (i) appropriations or other money authorized or transferred by the general court
182 and specifically designated to be credited to the fund; (ii) funds from public and private sources,
183 including, but not limited to gifts, grants and donations; and (iii) any interest earned on such
184 money. Amounts credited shall not be subject to appropriation and shall be expended by the
185 department of elementary and secondary education to reimburse schools for the costs associated
186 with the transportation of pupils who attend schools in school districts that are not located within
187 the municipality that the pupil resides in to be administered by the department of elementary and
188 secondary education in accordance with this section.

189 (b) A qualified school district eligible for funding shall include any school district that
190 enrolls pupils in its schools who reside outside of the municipality where the school is located.

191 (c) Annually, not later than the first day of December, the department of elementary and
192 secondary education shall submit a report to the house and senate committees on ways and
193 means detailing the calculation and planned distribution of funds to school districts; provided,
194 that, funds distributed from this section shall not be considered chapter 70 aid for the calculation
195 of the minimum required local contribution for the upcoming fiscal year.

196 (d) Every 5 years, the department of elementary and secondary education shall determine
197 the adequacy of funding for the purposes of this section and recommend to the general court any
198 necessary adjustment.

199 SECTION 10. Chapter 15 of the General Laws is hereby amended by adding the
200 following section:-

201 Section 67. (a) There shall be within the department of elementary and secondary
202 education an office of shared services, which shall be under the supervision and management of
203 the director of shared services. The director shall be appointed by the commissioner.

204 (b) The office of shared services shall oversee the formation of regional school districts
205 and superintendent unions in the commonwealth. The director of shared services shall assist
206 school districts that are considering forming or are in the process of forming regional school
207 districts and superintendent unions with the research, development and execution of shared
208 services projects and shared services agreements.

209 SECTION 11. Section 10 of chapter 70B, as so appearing, is hereby amended by adding
210 the following subsection:-

211 (d) Notwithstanding the first paragraph of this section, the grant percentage for approved
212 school facilities projects in regional school districts shall be at least ninety percent.

213 SECTION 12. Said chapter 70B of the General Laws is hereby further amended by
214 adding the following section:-

215 Section 22. (a) Upon the closure of a school as a result of a school district regionalization
216 effort, the authority shall relieve any debt that was accrued as a result of the establishment and
217 maintenance of the school's facilities that is owed to the authority by the municipality wherein
218 the school is located.

219 (b) Upon the closure of a school as a result of a school district regionalization effort, the
220 authority, in collaboration with the executive office of economic development, shall offer
221 assistance to the municipality wherein the school is located for the development of a plan for

222 demolition or use of the school building for other purposes, including any technical assistance
223 for school building reuse and the retrofitting of school buildings for other purposes.

224 SECTION 13. Section 16D of said chapter 71 of the General Laws, is hereby amended by
225 striking out subsection (g) and inserting in place thereof the following subsection:-

226 (g) A regional school district shall receive state aid for the transitional costs associated
227 with the establishment of the regional school district. A regional school district shall be entitled
228 to aid under this subsection for the first 3 years of its operation. The state treasurer shall, upon
229 certification by the commissioner, annually, on or before the twentieth of November, pay to each
230 regional school district in its first 3 years of operation two-hundred dollars per pupil enrolled by
231 the regional school district.

232 SECTION 14. Said section 16D of said chapter 71, as so appearing, is hereby further
233 amended by adding the following subsection:-

234 (h) A regional school district shall receive state aid to cover the salaries of temporary
235 school district employees, including, but limited to, an assistant superintendent, assistant
236 business manager, assistant information technology director and assistant pupil services director.
237 A regional school district shall receive aid under this subsection for the first 2 years of its
238 operation. The state treasurer shall, upon certification by the commissioner, annually, on or
239 before the twentieth day of November, pay to each regional school district in its first 2 years of
240 operation a sum to be determined by the commissioner.

241 SECTION 15. Said chapter 71 is hereby further amended by inserting after section 16I
242 the following 3 sections:-

243 Section 16J. (a) There is hereby established and set upon the books of the commonwealth
244 a separate fund known as the School District Regionalization Grant Fund. The fund shall be
245 credited with: (i) appropriations or other money authorized or transferred by the general court
246 and specifically designated to be credited to the fund; (ii) funds from public and private sources,
247 including, but not limited to gifts, grants and donations; and (iii) any interest earned on such
248 money. Amounts credited shall not be subject to appropriation and shall be expended by the
249 department to fund a grant program for the study, planning and implementation of school district
250 regionalization efforts to be administered by the department in accordance with this section; and
251 provided further, that grant funds awarded pursuant to this section shall be distributed evenly
252 over a 3 year period.

253 (b) A qualified school eligible for funding are towns and regional school districts,
254 excluding vocational schools, independent agricultural, technical schools and charter schools;
255 provided, that a school district shall be eligible for a school district regionalization grant if it is
256 considering forming, is in the process of forming or has formed within the past 5 years a regional
257 school district or regionalizing services; provided, that, that school district regionalization grants
258 shall be allocated equitably in the following priority order: (i) school districts with significant
259 enrollment decline as defined by the department of elementary and secondary education; (ii)
260 school districts where existing school space is underutilized; and (iii) school districts where the
261 regionalization proposal will produce significant expansion of available academic resources and
262 supports as a result of cost savings.

263 (c) Annually, not later than the first day of February, any district receiving funds under
264 this item shall submit a report to the department outlining the progress the district has made in
265 studying, planning or implementing regionalization or regionalization services.

266 (d) Annually, not later than the first day of December, the department shall submit a
267 report to the house and senate committees on ways and means detailing the calculation and
268 planned distribution of funds to school districts; provided, that, funds distributed from this
269 section shall not be considered chapter 70 aid for the calculation of the minimum required local
270 contribution for the upcoming fiscal year.

271 (e) Every 5 years, the department shall determine the adequacy of funding for the
272 purposes of this section and recommend to the general court any necessary adjustment.

273 (f) A grant awarded to a school district pursuant to this section shall not exceed one
274 million five-hundred thousand dollars over a 3 year period.

275 Section 16K. (a) There is hereby established and set upon the books of the
276 commonwealth a separate fund known as the Regional School District Foundational Aid Fund.
277 The fund shall be credited with: (i) appropriations or other money authorized or transferred by
278 the general court and specifically designated to be credited to the fund; (ii) funds from public and
279 private sources, including, but not limited to gifts, grants and donations; and (iii) any interest
280 earned on such money. Amounts credited shall not be subject to appropriation and shall be
281 expended by the department to fund a grant program for regional school districts that experience
282 a drop in foundational aid as a result of regionalization to be administered by the department in
283 accordance with this section.

284 (b) A qualified school eligible for funding are regional school districts, excluding
285 vocational schools, independent agricultural, technical schools and charter schools; provided,
286 that any regional school district within its first 5 years of operation that has received less
287 foundational aid than any of its member school districts received in the 5 years preceding

288 regionalization shall be entitled to a grant equal to the difference in foundational funding
289 between the member school district prior to regionalization and the foundational funding
290 received by the regional school district.

291 (c) Annually, not later than the first day of December, the department shall submit a
292 report to the house and senate committees on ways and means detailing the calculation and
293 planned distribution of funds to school districts; provided, that, funds distributed from this
294 section shall not be considered chapter 70 aid for the calculation of the minimum required local
295 contribution for the upcoming fiscal year.

296 (d) Every 5 years, the department shall determine the adequacy of funding for the
297 purposes of this section and recommend to the general court any necessary adjustment.

298 Section 16L. (a) There is hereby established and set upon the books of the
299 commonwealth a separate fund known as the Superintendent Union Formation Grant Fund. The
300 fund shall be credited with: (i) appropriations or other money authorized or transferred by the
301 general court and specifically designated to be credited to the fund; (ii) funds from public and
302 private sources, including, but not limited to gifts, grants and donations; and (iii) any interest
303 earned on such money. Amounts credited shall not be subject to appropriation and shall be
304 expended by the department to fund a grant program for the development of superintendent
305 unions to be administered by the department in accordance with this section.

306 (b) A qualified school eligible for funding are school districts, excluding vocational
307 schools, independent agricultural, technical schools and charter schools; provided, that a school
308 district shall be eligible for a superintendent union formation grant if (i) school district
309 regionalization is not desired by the school district community or is not practicable for any

310 reason and (ii) the school district is considering forming, is in the process of forming or has
311 formed within the past 5 years a superintendent union pursuant to section 61.

312 (c) Annually, not later than the first day of February, any district receiving funds under
313 this item shall submit a report to the department outlining progress the district has made in
314 studying, planning or implementing a superintendent union.

315 (d) Annually, not later than the first day of December, the department shall submit a
316 report to the house and senate committees on ways and means detailing the calculation and
317 planned distribution of funds to school districts; provided, that, funds distributed from this
318 section shall not be considered chapter 70 aid for the calculation of the minimum required local
319 contribution for the upcoming fiscal year.

320 (e) Every 5 years, the department shall determine the adequacy of funding for the
321 purposes of this section and recommend to the general court any necessary adjustment.

322 (f) A grant awarded pursuant to this section shall not exceed two-hundred and fifty
323 thousand dollars annually.

324 SECTION 16. Chapter 70 of the General Laws is hereby amended by inserting after
325 section 10 the following section:-

326 Section 10A. (a) The department and the department of children and families shall jointly
327 apply for reimbursement from the United States Department of Education, pursuant to any and
328 all applicable federal laws, including, but not limited to the Every Student Succeeds Act, 20 USC
329 § 6301, for the costs incurred by a school district for transportation of a child in foster care
330 between the foster home and the child's school of origin, if placement in that school has been

331 determined to be in the child’s best interests. The school district shall certify its costs for such
332 transportation on a form designated by the department for this purpose and complete the form in
333 accordance with the department’s instructions. The department shall transmit any reimbursement
334 amounts received from the United States Department of Education to the school district.

335 (b) To the extent that the United States Department of Education does not reimburse the
336 commonwealth in full for the certified costs for such school transportation of a child in foster
337 care, the department shall reimburse the school district for the balance of the certified costs.

338 SECTION 17. Section 1E of chapter 15 of the General Laws, as so appearing, is hereby
339 amended by inserting after the fourth sentence the following sentence:- Not less than three
340 members of said board shall reside in the counties of Berkshire, Franklin, Hampden and
341 Hampshire.

342