

SENATE No. 443

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:

Rebecca L. Rausch

DISTRICT/ADDRESS:

Norfolk, Worcester and Middlesex

SENATE No. 443

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 443) of Rebecca L. Rausch for legislation to modernize the board of elementary and secondary education. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 347 OF 2023-2024.]

The Commonwealth of Massachusetts

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

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 Chapter 15 of the General Laws, as appearing in the 2022 Official Edition, is hereby
2 amended by striking out section 1E and inserting in place thereof the following section:-

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

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

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

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

8 “Secretary”, secretary of education.

9 (b) There is hereby established a board of elementary and secondary education for the
10 purpose of providing oversight over the decisions, actions, and inactions of the commissioner
11 and consisting of the following members: the secretary or their designee; the chair of the student
12 advisory council established under this section; 4 members appointed by the attorney general, 1
13 of whom shall be a school committee member from a town in the commonwealth, 1 of whom
14 shall be a representative of a labor organization from a list of 3 nominees provided by the
15 Massachusetts AFL-CIO, 1 of whom shall be a school counselor, and 1 of whom shall be
16 affiliated with a public institution of higher education located within the commonwealth who
17 shall not be a member of the board of higher education; 2 members appointed by the senate
18 president, 1 of whom shall be a school committee member from a city in the commonwealth and
19 1 of whom shall be a school social worker; 2 members appointed by the speaker of the house of
20 representatives, 1 of whom shall be a parent of a student in a public elementary or secondary
21 school who may be selected in consultation with the Massachusetts parent teacher association
22 and 1 of whom shall be an early education and care provider; the president of the American
23 Federation of Teachers – Massachusetts or their designee; the president of the Massachusetts
24 association of school superintendents or their designee; the president of the Massachusetts
25 association of vocational administrators or their designee; the president of the Massachusetts
26 school nurse organization or their designee; and the executive director of MassEquality or their
27 designee. Diversity shall be prioritized in making appointments under this section, including
28 racial, gender, sexual orientation, economic, and regional diversification.

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

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

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

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

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

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

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

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

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

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

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

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

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