HOUSE DOCKET, NO. 1453 FILED ON: 1/16/2013

HOUSE . . . . . No. 409

The Commonwealth of Massachusetts

PRESENTED BY:

Kenneth I. Gordon and Michael Barrett

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 state aid reimbursement on account of attendance in the public schools by certain students living on federal military reservations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kenneth I. Gordon	*21st Middlesex*
Michael Barrett	*Third Middlesex*
David T. Vieira	*3rd Barnstable*
Danielle W. Gregoire	*4th Middlesex*
Kate Hogan	*3rd Middlesex*
Brian R. Mannal	*2nd Barnstable*
Bruce E. Tarr	*First Essex and Middlesex*
Louis L. Kafka	*8th Norfolk*
Randy Hunt	*5th Barnstable*

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HOUSE . . . . . No. 409

By Representative Gordon of Bedford and Senator Barrett, a joint petition (accompanied by bill, House, No. 409) of Kenneth I. Gordon, Michael Barrett and others for legislation to provide funding for towns that educate the children of military families who live on military facilities. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to provide state aid reimbursement on account of attendance in the public schools by certain students living on federal military reservations.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. As used is this act, the following terms shall, unless the context clearly requires otherwise, the following meanings:

“Federal Military Reservation" shall mean the Massachusetts Military Reservation, Hanscom Air Force Base, the Natick Soldiers System Center, and all federal lands appurtenant thereto.

SECTION 2. Notwithstanding section 2 of chapter 70 of the General Laws, the Commonwealth shall pay through the mechanisms of target aid as phased in over time, in addition to the target aid calculation, one hundred percent of the state required net school spending, associated with children who are dependents of military or other federal personnel and who reside on a Federal Military Reservation in the Commonwealth and who attend the public schools in any district, net of federal impact aid pursuant to 20 USC § 7701, and state aid pursuant to chapter 70 of the General Laws such amount hereafter referred to as "reimbursement aid".

Reimbursement aid shall be calculated and paid to eligible municipalities as follows:

(a) By taking the district's required net school spending on a per pupil basis multiplied by the number of such students identified in the district’s impact aid grant submission from the prior year less the total amount of Federal impact aid received by the district on account of such

18 students in the prior year, and the per pupil amount of state chapter 70 aid for these same
19 students.

20 (b) For a student residing on a Federal Military Reservation and attending an out of
21 district special education school, reimbursement aid shall be calculated as the total tuition cost
22 paid by the municipality less the sum of (i) any federal impact aid received and (ii) any state
23 circuit breaker reimbursement received and the per pupil amount of state aid received pursuant to
24 chapter 70 of the General Laws, for that student.

25 (c) For a student residing on a Federal Military Reservation who attends a vocational-
26 technical school, reimbursement aid shall be calculated as the total tuition or per pupil
27 assessment cost charged to the municipality less any federal impact aid received for that student
28 and the calculated per pupil amount of state aid pursuant to chapter 70 of the General Laws, for
29 that student .

30 SECTION 3. This act shall apply to the calculation of target aid for the fiscal year
31 commencing July 1, 2013 and all subsequent years.

32 SECTION 4. Notwithstanding any general or special law, rule or regulation to the
33 contrary, reimbursement aid shall not be available with respect to, and this act shall not apply to,
34 children (i) who attend schools maintained or operated by a municipality on a Federal Military
35 Reservation pursuant to an arrangement to provide for the elementary or secondary education of
36 dependents of members of the armed forces or civilian employees of the department of defense
37 residing on a Federal Military reservation pursuant to 10 USC § 2164(a), and (ii) who are
38 eligible beneficiaries of federal aid pursuant to 10 USC § 2164(a).

39 SECTION 5. Notwithstanding any general or special law, rule or regulation to the
40 contrary, this act shall not be construed to create a right to attendance in the public schools of a
41 district if such right does not otherwise exist.