

**HOUSE . . . . . No. 433**

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By Mr. Frost of Auburn, petition of Paul K. Frost relative to establishing a commission (including members of the General Court) to study, review and recommend changes to the education funding formula laws of the Commonwealth. Education.

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**The Commonwealth of Massachusetts**

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In the Year Two Thousand and Seven.

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AN ACT COMMISSIONING A STUDY AND REVIEW, AND RECOMMENDING CHANGE, TO CHAPTER 70, THE EDUCATION FUNDING FORMULA AND LAW.

*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 4 of Chapter 70 of the General Laws is hereby amended
- 2 by striking out the entire section and inserting in place thereof the
- 3 following new section 4:—
- 4 In 2005, and every four years thereafter, there will hereby be
- 5 established a Chapter 70 Education Reform commission to study and
- 6 review the current manner in which the Commonwealth funds public
- 7 school education, including, but not limited to, a study and review of
- 8 the following:— the way foundation budgets are calculated; whether
- 9 such calculations may be simplified; whether such calculations pro-
- 10 vide an adequate and equitable education to all the children of the
- 11 Commonwealth; whether there are alternative, dependable sources
- 12 to fund public education other than the property tax; and whether the
- 13 usage of average income could replace property tax in the education
- 14 funding formula, or whichever resulting amount was greater. Said
- 15 Chapter 70 Education Reform commission will make both specific
- 16 and general recommendations to the general court regarding such
- 17 changes in the formula and education funding laws as may be appro-
- 18 priate, as well as recommendations to ensure that state and local
- 19 spending, resources, and high educational goals and standards are
- 20 linked to provide an adequate and equitable education for all chil-
- 21 dren in the Commonwealth, and at the same time, such recommen-
- 22 dations should consider both short and long term strategies for the

23 continued economic health of the Commonwealth: thus, the commis-  
24 sion's recommendations may take into account a multi-year phase-in  
25 of such recommendations.

26 The Chapter 70 Education Reform commission shall also examine  
27 the assumed percentage for special education costs included in such  
28 formula and shall make recommendations regarding changes in such  
29 percentage or other mechanisms to finance special education costs  
30 including, but not limited to:— reimbursement programs or phased-  
31 in; standards-based funding programs that increase the state contri-  
32 bution to such costs over a fixed period of years; and funding of the  
33 special education “Circuit Breaker”, the special education “Stop-  
34 Loss Pool”, to provide insurance for school districts for extraordi-  
35 narily high individual student's special needs requirements, and the  
36 Zero (0) Interest Loan legislation as set forth in the Acts of 2000,  
37 c159, Sec. 171.

38 In conducting such review, said Chapter 70 Education Reform  
39 commission shall seek to determine the educational standards, pro-  
40 grams, resources, and services needed to provide all students an ade-  
41 quate education and to assist them to achieve passing scores on the  
42 Massachusetts Comprehensive Assessment System. The Chapter 70  
43 Education Reform commission shall also seek to determine a distrib-  
44 ution formula that is fair and equitable for students, comparable dis-  
45 tricts, and taxpayers across the Commonwealth.

46 The commission shall include the house and senate chairs of the  
47 joint committee on education, arts and humanities, who shall serve  
48 as co-chairs, the speaker of the house of representatives or his  
49 designee, the president of the senate or his designee, the minority  
50 leader of the house of representatives or his designee, the minority  
51 leader of the senate or his designee, the chair of the house committee  
52 on ways and means or his designee, the chair of the senate com-  
53 mittee on ways and means or his designee, the governor or his  
54 designee, the secretary of administration and finance or his designee,  
55 the commissioner of education, and one member to be appointed by  
56 each of the following organizations: the Massachusetts Municipal  
57 Association, the Massachusetts Business Alliance for Education, the  
58 Massachusetts Taxpayers Foundation, MassINC., the Massachusetts  
59 Association of School Committees, the Massachusetts Association  
60 of School Superintendents, the Massachusetts Teachers Association,  
61 the Massachusetts Federation of Teachers, the League of Women

62 Voters of Massachusetts, the Suburban Coalition, the Massachusetts  
63 Association for Vocational Administrators and the Massachusetts  
64 Association of Regional Schools. Members shall receive no compen-  
65 sation for their services but may receive reimbursement for the rea-  
66 sonable expenses incurred in carrying out their responsibilities as  
67 members of the commission. The department of education shall fur-  
68 nish reasonable staff and other necessary support for the work of the  
69 Chapter 70 Education Reform commission.

70 The Chapter 70 Education Reform commission shall conduct not  
71 fewer than four public hearings to receive testimony from members  
72 of the public. The hearings shall be held in locations that provide  
73 opportunities for residents from all geographic regions of the Com-  
74 monwealth to testify.

75 It shall not constitute a violation of chapter 268A for a person  
76 employed by a school district to serve on said commission or to par-  
77 ticipate in commission deliberations that may have a financial  
78 impact on the district employing such person or on the rate at which  
79 such person may be compensated. The Chapter 70 Education  
80 Reform commission may establish procedures to ensure that no such  
81 person participates in commission deliberations that may directly  
82 affect the school districts employing such persons or that may  
83 directly affect the rate at which such persons are compensated.

84 The Chapter 70 Education Reform commission's recommenda-  
85 tions, together with any proposed legislation, shall be filed not later  
86 than December 31st of the year in which said commission was initi-  
87 ated. Such filing shall be with the house and senate chairs of the  
88 joint committee on education, arts and humanities. Within thirty  
89 days after such filing, the joint committee on education, arts and  
90 humanities shall hold no less than two public hearings on the recom-  
91 mendations. Within ninety days of the close of such hearings, the  
92 joint committee on education, arts and humanities shall issue its own  
93 findings and recommendations, together with proposed legislation.