

HOUSE No. 452

By Mr. Hill of Ipswich, petition of Bradford Hill and others relative to the employment of school business officials in public school districts. Education.

The Commonwealth of Massachusetts

PETITION OF:

Bradford Hill
Bruce E. Tarr

Carl M. Sciortino, Jr.
Edward M. Augustus, Jr.

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO SCHOOL BUSINESS OFFICIALS.

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

1 By amending Section 59 of Chapter 71 of the General Laws by
2 adding the following:—

3 The school committee may also appoint and employ a school
4 business administrator who shall serve as chief fiscal officer of the
5 school district and who shall be responsible for administering the
6 business affairs of the school system in order to provide the best
7 possible educational services with the financial resources which are
8 available.

9 The school committee may enter into an employment contract
10 with a school business administrator for a period of time of up to six
11 years. Said employment contract may contain provisions relating to,
12 among other things, salary, fringe benefits, severance pay, relocation
13 expenses, reimbursement for expenses incurred in the performance
14 of duties or office, liability insurance, leave, due process in the event
15 of dismissal or other alteration of employment status of the school
16 business administrator, and any other terms and conditions of
17 employment.

18 Notwithstanding any of the provisions of Section 59 of Chapter
19 71 of the General Laws to the contrary, all of the procedural and
20 substantive due process rights, including the right of arbitration to
21 which teachers are entitled under Sections 41 and 42 of Chapter 71

22 of the General Laws shall be provided by the school committee in
23 the event of dismissal or termination of employment or suspension
24 of a school business administrator who is certified under the provi-
25 sions of Section 38G of Chapter 71 of the General Laws.

26 The current Section 59 of Chapter 71 of the General Laws reads
27 as follows:—

28 The school committee of a town not in a superintendency union
29 or district shall employ a superintendent of schools and fix his com-
30 pensation. A superintendent employed under this Section or Section
31 sixty or sixty-three shall manage the system in a fashion consistent
32 with state law and the policy determinations of that school com-
33 mittee. Upon the recommendation of the superintendent, the school
34 committee may also establish and appoint positions of assistant or
35 associate superintendents, who shall report to the superintendent,
36 and the school committee shall fix the compensation paid to such
37 assistant or associate superintendents. The school committee shall
38 approve or disapprove the hiring of said positions. Such approval by
39 the school committee of the recommendation shall not be unreason-
40 ably withheld; provided, however, that upon the request of the super-
41 intendent the school committee shall provide an explanation of
42 disapproval.