

**HOUSE . . . . . No. 01079**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Martha M. Walz*

*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 passage of the accompanying bill:

An Act relative to school district collaboration and regionalization.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Martha M. Walz</i>	<i>8th Suffolk</i>
<i>Geraldo Alicea</i>	<i>6th Worcester</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>

# HOUSE . . . . . No. 01079

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By Ms. Marty Walz of Boston, petition (accompanied by bill, House, No. 01079) of Jennifer Flanagan and others relative to school district collaboration and regionalization.. Joint Committee on Education.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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An Act relative to school district collaboration and regionalization.

*Whereas*, the deferred operation of this act would tend to defeat its purpose, which is forthwith to improve school district capacity , therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

□

*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. The commissioner of elementary and secondary education shall, not more than 60
- 2 days after the effective date of this act, commence an expedited review of school districts for
- 3 which collaboration or regionalization plans have been developed as of the date of enactment of
- 4 this act. The collaboration or regionalization plan for each district or group of districts shall be
- 5 reviewed to examine the extent to which proposed strategies for increased collaboration or
- 6 regionalization result in: (1) increased academic and programmatic quality of the school
- 7 district(s); (2) increased effectiveness of the central office of the school district(s) in supporting

8 student achievement and the improvement of its schools; (3) increased fiscal viability and  
9 efficiency of the school district(s); and (4) stronger sustainability of the school district(s) in  
10 future years. The purpose of the review shall be to determine whether the collaboration or  
11 regionalization plan for the district(s) is sufficient in such areas.

12 The commissioner shall concurrently commence a review of school districts with less than 1,000  
13 students to examine: (1) the academic and programmatic quality of the school district; (2) the  
14 capacity of the district, including the effectiveness of the central office of the school district, to  
15 support high levels of student achievement; (3) the fiscal viability and efficiency of the school  
16 district; and (4) the overall sustainability of the school district in future years. The purpose of the  
17 review shall be to identify areas of need, if any, in these four areas and determine whether those  
18 identified areas of need could be adequately addressed through greater collaboration with another  
19 district, an educational collaborative, a city, town, or other entity, or through the regionalization  
20 of such school district.

21 The commissioner shall prioritize for review partial school districts, superintendency unions as  
22 defined in section 61 of chapter 71 of the General Laws, and any school district that, in the  
23 commissioner's judgment, warrants immediate review on the basis of exigent concerns related to  
24 one or more factors that comprise the review, including academic performance and fiscal  
25 viability. The commissioner may also select 2 or more districts for concurrent review if, in the  
26 commissioner's judgment, such concurrent review would promote the purposes of this act.

27 In reviewing the academic and programmatic quality of the school district, the commissioner  
28 shall examine multiple indicators, which shall include the following factors: (1) student  
29 performance on the Massachusetts Comprehensive Assessment System; (2) accountability status

30 under state performance measures; (3) accountability status under the Elementary and Secondary  
31 Education Act, including for the district, individual schools, and subgroups of students; (4) the  
32 percentage of teachers licensed in their teaching assignment; (5) attendance and dismissal rates,  
33 including increased academic time as evidenced by decreasing the student dismissal rates; (6)  
34 student promotion and graduation rates; (7) student discipline, suspension and expulsion rates;  
35 (8) the availability and variety of academic classes, including enrichment classes and electives,  
36 as applicable; (9) the availability and variety of honors, Advanced Placement, and International  
37 Baccalaureate classes, as applicable, and the participation of diverse groups of students in such  
38 classes; (10) scheduling flexibility in order to access the available and diverse array of electives  
39 and educational options; (11) the availability of extracurricular, arts, and athletic activities for  
40 students and the participation of diverse groups of students in such activities; (12) school  
41 building capacity and facilities; (13) the quality of school leaders and staff; and (14) possible in-  
42 district collaborations between school buildings, including consolidating buildings, programs,  
43 school building and central office administration, special education and food service.

44 In reviewing the effectiveness of the central office of the school district to support high levels of  
45 student achievement, the commissioner shall examine multiple indicators, which shall include  
46 the following factors: (1) the number of staff members in the central office; (2) the number of  
47 such staff members whose primary responsibility involves academic and instructional support for  
48 schools, faculty, and students; (3) the extent to which the central office uses data and analysis of  
49 such data to tailor effective educational improvement strategies for district schools; (4) the  
50 overall provision of services by the district to special populations of students, including, but not  
51 limited to, low-income students, English Language Learners, students with special health care  
52 needs, and students with disabilities; (5) the provision of targeted programs by the district to

53 address identified areas of academic need in one or more schools; (6) the provision of  
54 professional development programs and activities to improve teacher quality; and (7) the extent  
55 of inter-district collaborations and partnerships with outside organizations focused on school  
56 performance and student academic achievement.

57 In reviewing the fiscal viability and efficiency of the school district, the commissioner shall  
58 examine multiple indicators, which shall include the following factors: (1) the overall budget of  
59 the school district; (2) the percentage of such budget expended on instructional purposes; (3) the  
60 percentage of such budget expended on non-instructional or operational purposes; (4) the extent  
61 of inter-district collaborations, arrangements with educational collaboratives, or partnerships  
62 with cities or towns for the purpose of generating economic efficiencies; and (5) in-district  
63 collaboration between school buildings, programs, services and administration.

64 In reviewing the overall sustainability of the school district in future years, the commissioner  
65 shall examine multiple indicators, which shall include the following factors: (1) school  
66 enrollment data for the district and individual schools, including enrollment projections; (2)  
67 population data for the city or town served by the district, including population projections; (3)  
68 demographic data for the district and the city or town served by the district, including data  
69 related to the number of school-aged children; (4) income data for the city or town served by the  
70 district; (5) school building capacity and facilities; and (6) the experience of the district and the  
71 city or town served by the district in efficiently and effectively securing budget agreements from  
72 year to year.

73 In conducting any review or concurrent review, the commissioner shall provide ample  
74 opportunity for a district or districts to present data or evidence that, in the judgment of the

75 district, is relevant to the review. At the request of the district, the commissioner shall make any  
76 and all data or evidence being used in the review available to the district or districts under  
77 review. At the request of the commissioner, the district or districts under review shall make all  
78 existing data or evidence reasonably needed to conduct the review available to the commissioner.

79 SECTION 2. Not later than 60 days after commencing a review, a concurrent review, or an  
80 expedited review, the commissioner shall publicly release a report containing detailed findings of  
81 the review. The commissioner shall, on the basis of one or more such findings and the model  
82 approaches recommended by the commission established by section 72 of chapter 188 of the  
83 Acts of 2010, recommend options for the district, including but not limited to: (1) collaborate  
84 with one or more districts, an educational collaborative, a city, town, or other entity to address  
85 one or more areas of need identified in the review, (2) form a regional school district to address  
86 one or more areas of need identified in the review, or (3) continue to operate with no changes in  
87 its level of collaboration or governance structure.

88 A district or districts shall, within 60 days of receiving recommendations from the commissioner,  
89 submit a report to the commissioner that shall identify which, if any, option will be pursued by  
90 the district or districts. If a district declines to pursue the commissioner's recommendations, it  
91 shall submit a detailed report to the commissioner explaining why his recommendations have  
92 been rejected. If a district agrees to pursue one or more of the commissioner's recommendations,  
93 said report shall also include specific strategies that will be implemented by the district or  
94 districts. If a district pursues regionalization, the commissioner shall grant reasonable requests by  
95 the district to submit said report more than 60 days after receiving the recommendations from the  
96 commissioner.

97 In the case of a recommendation for increased collaboration, the report shall include, but not be  
98 limited to: (1) identification of partners and strategies for engaging those partners in increased  
99 collaboration, (2) programs and services that will be affected by increased collaboration, (3) a  
100 description of how the aforementioned programs and services will be administered more  
101 effectively or efficiently due to increased collaboration, and (4) how increased collaboration will  
102 improve the overall capacity, academic performance, and fiscal viability and sustainability of the  
103 district or districts.

104 In the case of a recommendation for regionalization, the report shall identify the district or  
105 districts plan that includes, but is not limited to: (1) the geographical characteristics of the new  
106 district; (2) an inventory of all academic and programmatic offerings in the new district; (3) an  
107 inventory of all educational facilities, and the anticipated plan for such facilities; (4) the  
108 administrative structure of the new district; (5) a plan for merging the school district central  
109 office buildings, staff, and operational systems of the applicable districts into the new district; (6)  
110 a plan for commencing collective bargaining negotiations for the new district; (7) a plan for  
111 merging debt obligations of the applicable districts into the new district; (8) a proposed budget  
112 for the new district; (9) a student transportation plan and budget for the new district; (10) an  
113 expenditure plan related to transition costs in establishing the new district; and (11) an assurance  
114 that the new district will comply with all applicable federal and state laws.

115 The commissioner shall assess district reports based on the likelihood of their success in  
116 addressing the areas of need included in the commissioner's review of the applicable districts,  
117 and shall provide written agreement with the report or propose amendments to such report within  
118 30 days.

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120 The school committee or committees may modify its plan for increased collaboration or  
121 regionalization prior to approving it. In such cases, the committee or committees shall provide  
122 the commissioner with a detailed statement explaining why the modifications are necessary for  
123 success in addressing the areas of need identified in the commissioner's review and subsequent  
124 report. In such cases, the district or districts shall amend its plan according to the school  
125 committee or committees' statement.

126 The final plan shall be submitted to the local school committee or committees for approval. If the  
127 plan proposes the creation of a regional school district, the towns that would become members of  
128 such district shall conduct a vote pursuant to section 15 of chapter 71 of the General Laws.

129 SECTION 3. Within 60 days of approval of the collaboration or regionalization plan as described  
130 in section 2, districts shall submit to the commissioner a detailed implementation plan.