

**HOUSE . . . . . No. 353**

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The Commonwealth of Massachusetts

PRESENTED BY:

*James J. Dwyer*

*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 relative to school transportation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>

**HOUSE . . . . . No. 353**

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By Mr. Dwyer of Woburn, a petition (accompanied by bill, House, No. 353) of James J. Dwyer and others relative to school transportation. Education.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 377 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to school transportation.

*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 68 of chapter 71 of the General Laws is hereby amended by striking the section  
2 in its entirety and inserting in place thereof the following section:

3 Section 68. Every town shall provide and maintain a sufficient number of schoolhouses,  
4 properly furnished and conveniently situated for the accommodation of all children therein  
5 entitled to attend the public schools. In determining eligibility for transportation, the school  
6 committee shall consider including limits on the basis of attendance zones, zip codes or other  
7 geographic subdivisions of the district. Nothing contained in the preceding sentence shall be  
8 construed to limit the obligation of regional school districts to provide transportation for all  
9 school children in grades kindergarten through twelve, pursuant to the provisions in section  
10 sixteen C of this chapter. No school committee shall be compelled to furnish transportation on a

11 private way. In the case of transportation provided to students that is not required by this section  
12 or by any other general or special law, a school committee may assess fees to the transported  
13 student up to an amount sufficient to cover the costs incurred by the district; provided, however,  
14 that no student eligible for free or reduced lunch, under the federal school lunch program, shall  
15 be required to pay the fee; and provided further, that a school committee may choose to exempt  
16 families at other income levels as it may determine. The school committee, unless the town  
17 otherwise directs, shall have general charge and superintendence of the schoolhouses, shall keep  
18 them in good order, and shall, at the expense of the town, procure a suitable place for the  
19 schools, if there is no schoolhouse, and provide fuel and all other things necessary for the  
20 comfort of the pupils. Each school shall comply with the requirements regarding pesticide  
21 applications as set forth in sections 6C to 6I, inclusive, of chapter 132B. Whenever a town shall  
22 undertake to provide a schoolhouse, the town shall appoint at least one member of the school  
23 committee, or its designee, to serve on the agency, board or committee to which the planning and  
24 construction or other acquisition of such schoolhouse is delegated.