

**HOUSE . . . . . No. 409**

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

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

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The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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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:*

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

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

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

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

15 (a) By taking the district's required net school spending on a per pupil basis multiplied by  
16 the number of such students identified in the district's impact aid grant submission from the prior  
17 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.