

HOUSE No. 4326

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day

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 providing for the city of Worcester school committee election.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/5/2022</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/5/2022</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/6/2022</i>

HOUSE No. 4326

By Mr. O'Day of West Boylston, a petition (accompanied by bill, House, No. 4326) of James J. O'Day, David Henry Argosky LeBoeuf and Daniel M. Donahue (with the approval of the mayor and city council) relative to school committee elections in the city of Worcester. Election Laws. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act providing for the city of Worcester school committee election.

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 charter of the city of Worcester is amended as set forth herein to
2 provide that all biennial local municipal elections for the city of Worcester school committee
3 shall be conducted under a district and at-large system, hereinafter referred to as the hybrid
4 system.

5 SECTION 2. Under the hybrid system, the city of Worcester shall be divided into 6
6 school committee districts, of which at least 2 shall be majority-minority single member districts
7 where Hispanic/Latino/a and Black residents together comprise a majority of the citizen voting
8 age population. The hybrid system shall have two at-large seats elected by plurality voting. The
9 district boundaries shall be drawn in consultation with an independent expert retained by the city
10 pursuant to Paragraph R contained within the terms of the October 26, 2021 consent decree in
11 the United States District Court of Massachusetts matter of Worcester Interfaith, Inc. et. al. v.
12 City of Worcester et. al., Case No. 4:21-cv-40015-TSH.

13 SECTION 3. The Worcester Home Rule Charter, adopted by the voters in 1985, effective
14 January 1, 1987 (“Worcester Home Rule Charter”) is amended by deleting Section 4-1(a) in its
15 entirety and inserting in place thereof the following: -

16 (a) Composition: - The school committee shall consist of the mayor, who shall chair the
17 committee, six district members and two members elected at-large.

18 SECTION 4. The Worcester Home Rule Charter is further amended by deleting Section
19 4-1(c) in its entirety and inserting in place thereof the following: -

20 (c) Eligibility: -

21 (1) Any voter shall be eligible to hold the office of at-large school committee member
22 provided, however, that the person shall have resided within the city for one year immediately
23 prior to the election.

24 (2) Any voter shall be eligible to hold the office of a district school committee member
25 provided, however, that the person shall have resided within the district for one year immediately
26 prior to the election.

27 (3) For the 2023 school committee election only, if the school committee district
28 boundaries have not been finalized by September 1, 2022, then the date by which a person must
29 have been a resident of the district shall be sixty days following finalization of the school
30 committee district boundaries.

31 (4) In the event that a district school committee member re-locates their residence to a
32 different district within the city during their term of office, such school committee member will

33 be permitted to serve the remainder of their two-year term but will not be eligible for reelection
34 in the same district.

35 SECTION 5. The Worcester Home Rule Charter is further amended by deleting the text
36 of Section 4-6 in its entirety and inserting in place thereof the following: -

37 (a) At-large school committee member: -

38 If a vacancy shall occur amongst the two at-large members of the school committee, said
39 vacancy shall be filled in the same manner as provided in section 2-10(a) for the filling of
40 vacancies in the office of councilor-at-large, from among the candidates for election to the office
41 of at-large school committee members at the preceding regular municipal election.

42 (b) District school committee member: -

43 If a vacancy shall occur in the office of district school committee member it shall be
44 filled in the same manner as provided in section 4-6(a) for the office of at-large school
45 committee member, except that the list shall be of the candidates for the office of district school
46 committee member in the district in which the vacancy occurs, provided, however, if there be no
47 candidate on such list who remains eligible and willing to serve, the vacancy shall be filled at a
48 special election called by the city council to be held within ninety days after the city council is
49 notified by the board of election commissioners that the vacancy cannot be filled as aforesaid.

50 SECTION 6. The Worcester Home Rule Charter is further amended by deleting Section
51 7-4(b) in its entirety and inserting in place thereof the following: -

52 (b) Signature requirements:

53 The number of certified signatures of votes to appear on the petition accompanying the
54 statement of a candidate for election to the office of councilor-at-large or school committee
55 member-at-large shall be not less than three hundred. The number of certified signatures of
56 voters from the district from which nomination is sought, required to appear on the petition
57 accompanying the statement of a candidate for election to the office of district councilor or
58 district school committee member, shall be not less than one hundred.

59 SECTION 7. The Worcester Home Rule Charter is further amended by deleting Section
60 7-6(a) in its entirety and inserting in place thereof the following: -

61 (a) Number, requirements: -

62 (1) The board of election commissioners shall divide the city into five districts for the
63 purpose of electing district councilors under Article 2 of this charter. Each such district shall be
64 compact and shall contain, as nearly as may be, an equal number of inhabitants, shall be
65 composed of

66 contiguous existing precincts, and shall be drawn with a view toward preserving the
67 integrity of existing neighborhoods.

68 (2) The board of election commissioners shall divide the city into six districts for the
69 purpose of electing district school committee members under Article 4 of this charter, of which
70 at least 2 shall be majority-minority single member districts where Hispanic/Latino/a and Black
71 residents together comprise a majority of the citizen voting age population. Each such district
72 shall be compact and shall contain, as nearly as may be, an equal number of inhabitants, shall be
73 composed of contiguous existing precincts, and shall be drawn with a view toward preserving the
74 integrity of existing neighborhoods.

75 SECTION 8. The changes to the city of Worcester’s school committee electoral system
76 as set forth in this act shall take effect for the city’s municipal elections in November of 2023.

77 SECTION 9. This act shall take effect upon its passage.