

# SENATE . . . . . No. 2110

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Senate, April 17, 2014 -- Text of the Senate amendment (Senator Humason) to the House Bill relative to the withdrawal of the town of Worthington from the Gateway Regional School District (House, No. 3815)

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## The Commonwealth of Massachusetts

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**In the Year Two Thousand Fourteen**

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1           SECTION 1. Notwithstanding chapter 71 of the General Laws or any other general or  
2 special law or agreement to the contrary, the town of Worthington may unilaterally withdraw as  
3 a member of the Gateway Regional School District, hereinafter referred to as the district;  
4 provided, however, that the commissioner of elementary and secondary education approves the  
5 town's plans for the education of its children and the district's plans for the education of its  
6 children. The town and the district shall submit the plans to the commissioner within 60 days of  
7 the effective date of this act. The commissioner shall issue the decisions within 60 days of  
8 submission of the plans and, in the case of disapproval, shall set forth the reasons for  
9 disapproval.

10           SECTION 2. Notwithstanding any general or special law to the contrary, upon  
11 withdrawal pursuant to section 1, the town of Worthington shall:

12           (1) pay to the district operating and capital costs under section IX of the Agreement  
13 Among the Towns Huntington, Middlefield, Montgomery, Russell, Worthington, Chester and  
14 Blandford, Massachusetts with respect to the Formation of a Regional School District,  
15 hereinafter referred to as the agreement; and

16           (2) be obligated to pay any repayment amounts due to the Massachusetts School Building  
17 Authority under section IX(E) of the agreement, unless or until the amounts have been repaid for  
18 all of the buildings or the Massachusetts School Building Authority no longer requires  
19 repayment for the buildings.

20           SECTION 3. The effective date of the town's withdrawal from the district shall be  
21 determined under 603 CMR 41.03(2)(a).

22           SECTION 4. Upon written notification from the district that the town of Worthington is  
23 withdrawing from the district, the department of elementary and secondary education shall  
24 convene a reorganization needs conference as provided in 603 CMR 41.02 to initiate a long  
25 range education plan to determine: (i) the impacts of the withdrawal; (ii) the impacts of the

26 withdrawal on current and future enrollment in the district; (iii) an inventory of all educational  
27 facilities under the jurisdiction of the remaining communities in the district; (iv) plans for the  
28 reimbursement of the commonwealth's capital expenditures for facilities located in the town of  
29 Worthington; (v) the requirements for continued assessments to the town of Worthington for  
30 district facilities previously paid by the town of Worthington; (vi) the administrative structure of  
31 the new district; (vii) the long-term fiscal impacts of the withdrawal of the town of Worthington,  
32 including detailed analyses of transportation, special education, vocational education and  
33 personnel costs; and (viii) fiscal recommendations to hold harmless the remaining communities.  
34 The long range education plan shall include consideration of compliance with state and federal  
35 law and the potential for enhancing learning opportunities and student performance for all  
36 students in the remaining communities in the district. The reorganization needs conference and  
37 long range education planning process shall include participation by all remaining communities  
38 in the district, including select boards, finance boards, school committees, school administrators  
39 and residents of the communities. Upon completion of the reorganization needs conference and  
40 the long range education plan, the department shall file a report of its findings with the senators  
41 and representatives of the general court that represent the members of the district and the  
42 remaining communities of the district, including recommendations for enhanced funding options  
43 for the remaining communities to maintain access to quality education for grades K-12.