

SENATE No. 2348

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

SENATE, September 19, 2019

The committee on Education, to whom was referred the petitions (accompanied by bill, Senate, No. 236) of Harriette L. Chandler, Diana DiZoglio, James B. Eldridge, Joanne M. Comerford and other members of the General Court for legislation to establish a commission on regional school district foundation budgets; (accompanied by bill, Senate, No. 238) of Sonia Chang-Diaz, Aaron Vega, Mary S. Keefe, Jason M. Lewis and other members of the General Court for legislation to provide rightful opportunities and meaningful investment for successful and equitable education; (accompanied by bill, Senate, No. 242) of Sonia Chang-Diaz and José F. Tosado for legislation to accelerate student success through expanded learning time; (accompanied by bill, Senate, No. 243) of Sonia Chang-Diaz, Jason M. Lewis, James B. Eldridge, Michael J. Barrett and others for legislation to prioritize violence prevention and social emotional health in school support staff hiring; (accompanied by bill, Senate, No. 248) of Joanne M. Comerford, Natalie M. Blais and Mindy Domb for legislation to evaluate providing additional educational assistance to school districts with low or declining enrollment; (accompanied by bill, Senate, No. 251) of Cynthia Stone Creem for legislation relative to circuit breaker reimbursement; (accompanied by bill, Senate, No. 252) of Cynthia Stone Creem for legislation relative to special education transportation costs; (accompanied by bill, Senate, No. 273) of Diana DiZoglio, Patrick M. O'Connor, Dean A. Tran, James M. Kelcourse and other members of the General Court for legislation relative to unfunded mandates on public schools; (accompanied by bill, Senate, No. 274) of Diana DiZoglio, Josh S. Cutler, Patrick M. O'Connor, Michael D. Brady and others for legislation relative transportation reimbursement to out of district schools for special needs students; (accompanied by bill, Senate, No. 282) of Ryan C. Fattman, Joseph D. McKenna, Michael J. Soter and Brian W. Murray for legislation to establish funds to provide for increases in English language learners in school districts; (accompanied by bill, Senate, No. 292) of Anne M. Gobi, Julian Cyr and Donald F. Humason, Jr. for legislation relative to school funding; (accompanied by bill, Senate, No. 308) of Jason M. Lewis for legislation relative to equity in education funding; (accompanied by bill, Senate, No. 310) of Jason M. Lewis and Michael O.

Moore for legislation to increase the Commonwealth's share of the education foundation budget; (accompanied by bill, Senate, No. 316) of Patrick M. O'Connor for legislation to reduce paperwork within the Department of Elementary and Secondary Education; (accompanied by bill, Senate, No. 334) of Bruce E. Tarr for legislation relative to Learning Innovation for Tomorrow (LIFT) to fund the foundation budget review commission; (accompanied by bill, Senate, No. 335) of Bruce E. Tarr and David Allen Robertson for legislation relative to the foundation budget review commission; (accompanied by bill, Senate, No. 341) of Bruce E. Tarr, Josh S. Cutler, Diana DiZoglio, Dean A. Tran and other members of the General Court for legislation to create an Educational Unfunded Mandate Task Force; (accompanied by bill, Senate, No. 2185) (subject to Joint Rule 12) of Adam G. Hinds, Donald F. Humason, Jr., Smitty Pignatelli, Susannah M. Whipps and other members of the General Court for legislation to ensure fair funding for rural schools; (accompanied by bill, Senate, No. 2266) (subject to Joint Rule 12) of Nick Collins, Edward J. Kennedy and David Henry Argosky LeBoeuf for legislation to invest in the Commonwealth's schools; So much of the recommendations of the Department of the State Treasurer (House, No. 27) as relates to investing in the Commonwealth's schools (House, No. 41); A message from His Excellency the Governor recommending legislation relative to promoting equity and excellence in education (House, No. 70); (accompanied by bill, House, No. 409) of Natalie M. Blais, Joanne M. Comerford and others that the Department of Elementary and Secondary Education be authorized to conduct a feasibility study of an adjustment to the formula for aid to be allocated to school districts with low or declining enrollment as a component of the foundation budget process; (accompanied by bill, House, No. 420) of Daniel Cahill that the Department of Elementary and Secondary Education be authorized to oversee a school counselors pilot program in certain municipalities; (accompanied by bill, House, No. 423) of Claire D. Cronin, Gerard J. Cassidy and others for legislation to establish a gateway low income student trust fund for certain school districts impacted by the change in the low-income enrollment measurement in the foundation budget; (accompanied by bill, House, No. 436) of Michelle M. DuBois and others for legislation to establish an unfunded student reserve fund to be expended, without further appropriation, by the Department of Elementary and Secondary Education; (accompanied by bill, House, No. 449) of Kimberly N. Ferguson and others relative to special education in the foundation budget; (accompanied by bill, House, No. 451) of Ann-Margaret Ferrante and others relative to School Building Authority assistance grants; (accompanied by bill, House, No. 466) of Colleen M. Garry and David Allen Robertson for legislation to establish parity in funding for regional vocational school districts and traditional public school districts; (accompanied by bill, House, No. 476) of Patricia A. Haddad and others relative to special education funding; (accompanied by bill, House, No. 485) of Bradford Hill and others relative to implementing the recommendations of the foundation budget review commission; (accompanied by bill, House, No. 486) of Bradford Hill and others relative to the foundation funding of special education; (accompanied by bill, House, No. 488) of Bradford Hill and others relative to increasing education funding; (accompanied by bill, House, No. 494) of Steven S. Howitt for legislation to increase reimbursements for certain special education programs; (accompanied by bill, House, No. 497) of Bradley H. Jones, Jr. and

others for legislation to make changes to the school funding formula and to implement certain recommendations of the foundation budget review commission; (accompanied by bill, House, No. 500) of Bradley H. Jones, Jr. and others for legislation to permanently establish the Foundation Budget Review Commission; (accompanied by bill, House, No. 501) of Bradley H. Jones, Jr. and others for an investigation by a task force (including members of the General Court) relative to the state mandates placed on public schools and districts; (accompanied by bill, House, No. 502) of Bradley H. Jones, Jr. and others relative to the establishment of an advisory board to promote the improved use of school-level data for effective resource allocation decisions at the local level; (accompanied by bill, House, No. 510) of Hannah Kane and others for legislation to establish a task force (including members of the General Court) to review existing state mandates placed on public schools and districts; (accompanied by bill, House, No. 512) of James M. Kelcourse, Bradford Hill and Angelo L. D'Emilia relative to the calculation of the special education reimbursement funding program; (accompanied by bill, House, No. 513) of James M. Kelcourse and Timothy R. Whelan relative to special education transportation funding reform; (accompanied by bill, House, No. 535) of David K. Muradian, Jr. and others relative to special education funding; (accompanied by bill, House, No. 562) of John H. Rogers and Thomas M. Stanley for legislation to promote educational resource allocation decisions at the local level; (accompanied by bill, House, No. 563) of John H. Rogers and others relative to the special education reimbursement program; (accompanied by bill, House, No. 576) of Paul F. Tucker and others relative to updating the education foundation budget; (accompanied by bill, House, No. 577) of Chynah Tyler and others relative to promoting trauma informed support in schools; (accompanied by bill, House, No. 578) of Chynah Tyler and others for legislation to establish an education finance reform data advisory commission; (accompanied by bill, House, No. 579) of Chynah Tyler and others for legislation to direct the Department of Elementary and Secondary Education to establish a grant program to minimize the achievement and opportunity gaps; (accompanied by bill, House, No. 580) of Chynah Tyler and others for legislation to establish parent engagement and supports grants within the Department of Elementary and Secondary Education; (accompanied by bill, House, No. 586) of Aaron Vega, Mary S. Keefe and others relative to funding for public schools and the foundation budget review commission; (accompanied by bill, House, No. 3759) of John H. Rogers and Jason M. Lewis relative to the targeted local contribution of the foundation budget under the chapter 70 funding formula, so called; and (accompanied by bill, House, No. 3944) (subject to Joint Rule 12) of Josh S. Cutler relative to the minimum amount of school aid available to municipalities,- reports the accompanying bill (Senate, No. 2348).

For the committee,
Jason M. Lewis

SENATE No. 2348

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to educational opportunity for students.

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. Chapter 10 of the General Laws is hereby amended by inserting after
2 section 35LLL the following section:-

3 Section 35MMM. (a) There shall be a Twenty-First Century Education Trust Fund, which
4 shall be administered by the commissioner of elementary and secondary education, in
5 consultation with the Twenty-First Century Education Advisory Council. The fund shall be
6 credited with: (i) any appropriations, bond proceeds or other monies authorized or transferred by
7 the general court and specifically designated to be credited to the fund; (ii) any funds from public
8 and private sources such as gifts, grants and donations; and (iii) any interest earned on such
9 monies. Revenues deposited in the fund that are unexpended at the end of a fiscal year shall not
10 revert to the General Fund and shall be available for expenditure in the following fiscal year. No
11 expenditure made from the fund shall cause the fund to become deficient at any point.

12 SECTION 2. Chapter 15 of the General Laws is hereby amended by inserting after
13 section 1 the following section:- Section 1¼. The definitions in section 2 of chapter 70 shall
14 apply to this chapter.

15 SECTION 3. Chapter 69 of the General Laws is hereby amended by inserting after
16 section 1 the following section:- Section 1¼. The definitions in section 2 of chapter 70 shall
17 apply to this chapter.

18 SECTION 4. Said chapter 69 is hereby further amended by inserting, after section 1Q,
19 the following 2 sections:

20 Section 1R. (a) The commissioner shall establish statewide targets for addressing
21 persistent disparities in achievement among student subgroups in the aggregate and within
22 subcategories, including, but not limited to, subject matter and grade level. The targets shall
23 include annual benchmarks on the progress expected to be achieved in the aggregate and by
24 subcategory.

25 (b) Each district shall establish targets for addressing persistent disparities in achievement
26 among student subgroups consistent with the state targets. Each district shall develop a 3 year
27 plan to meet the targets. In developing the plan, the district shall consider input from parents and
28 other relevant community stakeholders.

29 (c) The 3-year plan shall be submitted in a form and manner prescribed by the
30 department and shall include but not be limited to:

31 (i) a description of how funds received pursuant to chapter 70 will be allocated among
32 schools in the district, by foundation category, to be used in support of the plan; provided,
33 however, that the description shall include an explanation of the relationship between the
34 allocation of the funds and the educational needs of English learners and low-income students;

35 (ii) a description of the evidence-based programs, supports and interventions that the
36 school district will implement to address persistent disparities in achievement among student
37 subgroups, including, but not limited to: (a) expanded learning time in the form of a longer

38 school day or school year; (b) increased opportunity for common planning time for teachers; (c)
39 wraparound services to support students' social-emotional and physical health; (d) hiring school
40 personnel to best support improved student performance; (e) increased or improved professional
41 development; (f) purchase of curriculum materials and equipment, provided that such materials
42 are aligned with the statewide curriculum frameworks; and (g) expanding early education and
43 pre-kindergarten programming within the district, including those provided in partnership with
44 community-based organizations;

45 (iii) identification of outcome metrics used by the district to measure success in
46 addressing persistent disparities in achievement among student subgroups; provided, however,
47 that the department shall develop standard metrics that may be incorporated in district plans and
48 may include: (a) results from the statewide student assessment; (b) results from the English
49 proficiency assessment administered to English learners; (c) grade level completion and
50 attendance data; (d) participation in advanced coursework; and (e) other indicators of district and
51 school climate, diversity and performance; and

52 (iv) a description of how the district will effectuate and measure increased parent
53 engagement.

54 (d) Each district shall submit its plan to the department not later than April 1, 2020 and
55 every 3 years thereafter. Upon receipt of a district plan, the commissioner shall review the plan
56 to ensure that it sets forth clear and achievable goals and measurable standards for student
57 improvement that comply with the requirements of this section; provided, that the district shall
58 amend any plan deemed not in compliance. Following the submission of a 3 year plan, each
59 district shall annually, not later than April 1, submit to the department: (a) relevant data, pursuant
60 to its plan, to assess success in addressing persistent disparities in achievement among student

61 subgroups; and (b) amendments to the plan that reflect changes deemed necessary to improve
62 district performance in meeting plan goals. Each plan shall be made publicly available on the
63 department's website and the website of the submitting district.

64 (e) Annually, not later than December 31, the commissioner shall submit a report to the
65 clerks of the house of representatives and the senate and the house and senate chairs of the joint
66 committee on education on the progress made in addressing persistent disparities in achievement
67 among student subgroups in the aggregate and within subcategories on a statewide basis;
68 provided, that district and school level data shall be made available on the department's website
69 along with the report.

70 (f) The department may authorize school districts to combine the reporting required in
71 this section with the reporting required from school districts pursuant to section 1I.

72 Section 1S. (a) The secretary, in consultation with the data advisory commission
73 established in section 17 of chapter 70 and in conjunction with each public school district, the
74 department of elementary and secondary education, the department of higher education and other
75 relevant state agencies, shall collect and make publicly available data on student preparedness for
76 workforce and post-graduate success by school district and high school. The data shall provide
77 information on the success of students in completing coursework, matriculating to post-
78 secondary education or training coursework, completing post-secondary coursework or training,
79 and entering the workforce. The data collected and made publicly available shall include, but
80 not be limited to:

81 (i) student access to high quality instruction and coursework, including, but not limited
82 to, the number of students: (A) enrolled in a MassCore curriculum; and (B) enrolled in advanced
83 placement coursework;

84 (ii) student participation rates in college and career readiness programming; and
85 (iii) postsecondary application and acceptance rates.

86 (b) The secretary shall report annually by December 31 on student preparedness for
87 workforce and post-graduate success by school district and high school, including factors that
88 limit access to any programs indicated in this section, to house and senate chairs of the joint
89 committee on education and the house and senate chairs of the joint committee on labor and
90 workforce development.

91 (c) The department may authorize school districts to combine the reporting required in
92 this section with the reporting required from school districts pursuant to section 11.

93 SECTION 5. Chapter 70 of the General Laws is hereby amended by striking out sections
94 2 and 3, as appearing in the 2018 Official Edition, and inserting in place thereof the following 2
95 sections:-

96 Section 2. (a) As used in this chapter and in chapters 15, 69 and 71, the following words
97 shall have the following meanings unless the context clearly requires otherwise.

98 “Assumed in-school special education enrollment”, 4 per cent of the total foundation
99 enrollment in a district, not including vocational or preschool enrollment, plus 5 per cent of
100 vocational school enrollment.

101 “Assumed tuitioned-out special education enrollment”, 1 per cent of the total foundation
102 enrollment in a district, not including vocational or preschool enrollment.

103 “Base aid”, in a fiscal year, the amount of chapter 70 school aid provided to the district in
104 the prior fiscal year.

105 “Board”, the board of elementary and secondary education.

106 “Chapter 70 school aid”, for each district, the greater of: (i) foundation aid; or (ii) the sum
107 of base aid and minimum aid; provided, however, that no nonoperating district shall receive
108 chapter 70 school aid in an amount greater than its foundation budget.

109 “Combined effort yield”, the sum of: (i) a municipality’s equalized property valuation
110 multiplied by the uniform property percentage; and (ii) its municipal income multiplied by the
111 uniform income percentage.

112 “Commissioner”, the commissioner of elementary and secondary education.

113 “Department”, the department of elementary and secondary education.

114 “District” or ”School district”, the school department of a city or town, a regional school
115 district, an independent vocational school or a vocational school or agricultural school operated
116 by a county.

117 “Effort reduction percentage”, the percentage of excess effort to be reduced in a given
118 fiscal year, as specified annually in the general appropriation act, and applied to each
119 municipality with excess effort in the calculation of the required local contribution.

120 “English learner”, as defined in section 2 of chapter 71A.

121 “Equalized property valuation”, the most recent equalized property valuation for a
122 municipality as determined by the department of revenue pursuant to sections 9, 10 and 10C of
123 chapter 58.

124 “Excess effort”, a municipality’s preliminary local contribution minus its target local
125 contribution; provided, however, that “excess effort” shall not be less than 0.

126 “Foundation aid”, for each district, the difference between the district’s foundation
127 budget and the required local contribution.

128 “Foundation allotments”, the sum of the foundation category costs for each district;
129 provided, however , that the sum in each foundation category shall be the product of enrollment
130 in each foundation enrollment category that is eligible for the respective foundation category and
131 the per-pupil rate assigned to each foundation category; provided further, that in each year, the
132 per-pupil rate for each foundation category, except employee benefits and fixed charges, shall
133 not be less than the prior year’s foundation per-pupil rate adjusted by the foundation inflation
134 index; and provided further, that in each year, the rate for employee benefits and fixed charges
135 shall not be less than the prior year’s rate adjusted by the foundation employee benefits inflation
136 rate.

137 “Foundation budget”, the sum of the foundation allotments for the following foundation
138 categories: (i) administration; (ii) instructional leadership; (iii) classroom and specialist teachers;
139 (iv) other teaching services; (v) professional development; (vi) instructional materials, equipment
140 and technology; (vii) guidance and psychological services; (viii) pupil services; (ix) operations
141 and maintenance; (x) employee benefits and fixed charges; and (xi) special education tuition.

142 “Foundation employee benefits inflation rate”, the average annual rate of growth for the
143 employer share of the average premium of all group insurance commission plans over the 3 prior
144 fiscal years as calculated by the group insurance commission.

145 “Foundation enrollment”, in a fiscal year, the number of students on October 1 for whom
146 the district is financially responsible, including students attending programs outside of the
147 district for whom the district is required to pay tuition; provided, however, that each student shall
148 be assigned to 1 of the following categories: (i) preschool; (ii) kindergarten, half-time; (iii)
149 kindergarten, full-time; (iv) elementary school; (v) junior high school or middle school; (vi) high
150 school; or (vii) vocational school.

151 “Foundation increments”, the additional resources provided for the education of students
152 designated as English learners or low-income; provided, however, that the increments shall be
153 constituted by the product of a district’s foundation enrollment deemed eligible for such
154 increments and the amounts assigned for each foundation category; provided further, that for
155 low-income students, the amount of the foundation increment shall be determined by the low-
156 income group into which each district is assigned; provided further, that districts shall be
157 assigned low-income groups based on the share of low income students in the district; and
158 provided further, that the share of low-income students in the district shall be the quotient of: (i)
159 the number of low-income students as calculated under this section; and (ii) the foundation
160 enrollment.

161 “Foundation inflation index”, the lesser of: (i) the ratio of the value of the implicit price
162 deflator for state and local government purchases in the third quarter of the prior fiscal year to its
163 value in the third quarter of the fiscal year 2 years prior, and (ii) 1.045.

164 “General revenue sharing aid”, the amount of assistance from the commonwealth to a city
165 or town in a fiscal year from: (i) payments in lieu of taxes for state-owned land; and (ii) amounts
166 appropriated through items 1233-2400 and 1233-2350 in the annual general appropriation act.

167 “Low income”, a designation for those students whose family’s income is not more than
168 185 per cent of the federal poverty guidelines used to determine financial eligibility for certain
169 federal programs; provided, however, that if a consistent and accurate method for determining
170 the income eligibility of all students is not available for all districts, the department shall develop
171 a method to estimate the share of low income students in each district; and provided further that
172 the department shall submit a report to the clerks of the house of representatives and the senate,
173 the house and senate chairs of the joint committee on education and the chairs of the house and

174 senate committees on ways and means on any estimation method not later than November 1 prior
175 to the implementation of any new estimation method in the following fiscal year.

176 “Minimum aid”, the greater of: (a) a district’s minimum aid adjustment; and (b) a
177 district’s foundation enrollment multiplied by a per-pupil dollar amount specified annually in the
178 general appropriations act, but which shall not be less than \$30, which shall be the minimum aid
179 increment above base aid.

180 “Minimum aid adjustment”, in each fiscal year, the sum of (a) chapter 70 aid for each
181 district as described in section 3 of this chapter; provided however, that the base and incremental
182 rates used in the calculation shall be those set forth in section 3 of chapter 41 of the acts of 2019;
183 and (b) a district’s foundation enrollment multiplied by \$30.

184 “Municipal income”, the most recent aggregate personal income for a municipality as
185 determined by the department of revenue.

186 “Municipal revenue growth factor”, the change in local general revenues calculated by
187 subtracting 1 from the quotient calculated by dividing the sum of: (i) the maximum levy for the
188 fiscal year estimated by multiplying the levy limit of the prior fiscal year by a factor equal to
189 102.5 per cent plus the average of the percentage increases in the levy limit due to new growth
190 adjustments over the last 3 available years as certified by the department of revenue or as
191 otherwise estimated by the division of local services in the department of revenue where it
192 appears that a municipality may not be entitled to increase its minimum levy limit by 2.5 per
193 cent; provided, however, that if the highest percentage during such 3-year period exceeds the
194 average of the other 2 years' percentages by more than 2 percentage points, then the lowest 3 of
195 the last 4 years shall be used for such calculation; (ii) the amount of general revenue-sharing aid
196 for the fiscal year; and (iii) other budgeted recurring receipts, not including user fees or other

197 charges determined by the division of local services to be associated with the provision of
198 specific municipal services for the prior fiscal year, by the sum of: (A) the actual levy limit for
199 the prior fiscal year; (B) the amount of general revenue-sharing aid received for the prior fiscal
200 year; and (C) other recurring receipts, not including user fees or other charges determined by the
201 division of local services to be associated with the provision of specific municipal services
202 budgeted by the municipality for the fiscal year preceding the prior fiscal year, if any; provided
203 further, that for the purposes of this calculation, the levy limit shall exclude any amounts
204 generated by overrides applicable to any year after the fiscal year ending June 30, 1993; provided
205 further, that in the absence of an actual levy limit for the prior fiscal year, the actual levy limit
206 for the prior fiscal year shall be estimated by multiplying the actual levy limit of the fiscal year
207 preceding the prior fiscal year by a factor equal to 102.5 per cent plus the average of the
208 percentage increases in the levy limit due to new growth as specified above; provided further,
209 that such factor shall not be greater than the factor determined by subtracting 1 from the quotient
210 calculated by dividing total state school aid for the current fiscal year by total state school aid for
211 the prior fiscal year; and provided further, that in making any calculations required by this
212 definition, the division of local services may substitute more current information or such other
213 information as would produce a more accurate estimate of the change in a municipality's general
214 local revenues and the department shall use such growth factor to calculate preliminary
215 contribution, minimum contribution and any other factor that directly or indirectly uses the
216 municipal growth factor.

217 "Net school spending", the total amount spent for the support of public education,
218 including tuition payments for children residing in the district who attend a school in another
219 district, for children attending a charter school or other approved facility, determined without

220 regard to whether such amounts are regularly charged to school or nonschool accounts by the
221 municipality for accounting purposes; provided, however, that net school spending shall not
222 include any spending for school construction, long-term debt service, school meals,
223 transportation of students to and from their homes or adult and community learning programs;
224 provided further, that net school spending shall also not include expenditures from grants, other
225 state aid programs, tuition revenue or revenue from activities, admissions and other charges or
226 any other revenue attributable to public education; provided further, that such revenue shall be
227 made available to the school district that generated the revenue in addition to any financial
228 resources made available by municipalities or from state assistance; provided further, that the
229 department, in consultation with the department of revenue, shall promulgate regulations to
230 ensure a uniform method of determining which municipal expenditures are appropriated for the
231 support of public education and which revenues are attributable to public education in
232 accordance with this chapter; and provided further, that the regulations shall include provisions
233 for resolving disputes that may arise between municipal and school officials.

234 “Preliminary local contribution”, the product of (i) a municipality’s required local
235 contribution for the prior fiscal year; and (ii) the sum of the municipality’s municipal revenue
236 growth factor and 1.

237 “Required local contribution”, a municipality’s preliminary local contribution; provided,
238 however, that if the preliminary local contribution is greater than the target local contribution,
239 then the preliminary local contribution shall be reduced by the product of its excess effort and the
240 effort reduction percentage; provided further, that if the preliminary local contribution as a
241 percentage of the foundation budget is between 2.5 and 7.5 percentage points below the target
242 local share, then the preliminary local contribution shall be increased by 1 per cent; provided

243 further, that if the preliminary local contribution as a percentage of the foundation budget is more
244 than 7.5 percentage points below the target local share, then the preliminary local contribution
245 shall be increased by 2 per cent; provided further, that in a municipality with a combined effort
246 yield equal to or greater than 175 per cent of its foundation budget, the required local
247 contribution shall not be less than 82.5 percent of the municipality's foundation budget; and
248 provided further, that the commissioner shall allocate each municipality's required local
249 contribution among the districts to which the municipality belongs and such allocation shall be in
250 proportion to each district's share of the municipality's foundation budget.

251 "Required net school spending", the sum of a district's chapter 70 school aid and its
252 required local contribution.

253 "Target local contribution", the lesser of: (i) a municipality's combined effort yield; or
254 (ii) 82.5 per cent of its total foundation budget.

255 "Target local share", the percentage of each municipality's foundation budget represented
256 by its target local contribution.

257 "Uniform income percentage" and "uniform property percentage", factors calculated
258 annually by the commissioner so that: (i) the total state equalized property valuation multiplied
259 by the uniform property percentage is equal to the total statewide municipal income multiplied
260 by the uniform income percentage; and (ii) the total state target local contribution is equal to a
261 per cent of the total state foundation budget specified annually in the general appropriations act
262 which shall not exceed 59 per cent.

263 "Wage adjustment factor", an adjusted difference between the average annual wage for
264 all jobs in the labor market area in which a municipality is located and the average annual wage
265 in the commonwealth; provided, however, that average annual wage figures shall be published

266 annually by the division of employment and training; provided further, that the wage adjustment
267 factor shall be the sum of: (i) 1; and (ii) a fraction, the numerator of which shall be the product
268 of: (a) $\frac{1}{3}$ and the difference resulting from subtracting the average annual wage in the
269 commonwealth from the average annual wage of the community; and (b) the denominator of
270 which shall be the average annual wage in the commonwealth; provided further, that the average
271 annual wage of the community shall be the sum of: (i) 0.8 multiplied by the average annual wage
272 for all jobs in the labor market area in which the municipality is located; and (ii) 0.2 multiplied
273 by the average annual wage of the municipality; and provided further, that the “wage adjustment
274 factor” shall not be less than 1.

275 (b) The board shall promulgate regulations as needed to implement this section. The
276 board shall submit any regulations to the house and senate committees on ways and means and
277 the house and senate chairs of the joint committee on education not less than 60 days before
278 adoption. The joint committee on education shall review and comment on these regulations
279 during that time period.

280 Section 3. (a) There shall be a foundation budget for the school district in each
281 municipality, for each regional school district, for each independent vocational school and for
282 each vocational school and agricultural school operated by a county.

283 The foundation budget shall be calculated based on each district’s foundation enrollment
284 for the prior fiscal year. Foundation budgets shall be based on the per pupil amounts in table 1
285 and the foundation increment amounts in table 2; provided, however, that the special education
286 in-school and special education tuitioned-out enrollments shall be assumed enrollments.
287 Beginning in fiscal year 2021 and in each year thereafter, the employee benefits and fixed
288 charges allotments shall be adjusted by the foundation employee benefits inflation index and all

289 other foundation allotments and foundation increments shall be adjusted by the foundation
 290 inflation index.

291 Each district’s wage adjustment factor shall be applied to all of the foundation budget
 292 allotments except the allotments for instructional materials, equipment, and technology;
 293 employee benefits and fixed charges; and special education tuition.

294 *Table 1: Base Foundation Budget Amounts*

	Administration	Instructional Leadership	Classroom & Specialist Teachers	Other Teaching Services	Professional Development	Instructional Equipment & Technology	Guidance & Psychological	Pupil Services	Operations & Maintenance	Employee Benefits/Fixed Charges	Special Ed Tuition	Total, all categories
Pre-School	195.97	353.93	1,622.88	416.22	64.18	234.89	188.97	46.96	450.66	745.55	0.00	4,320.21
Kindergarten (half)	195.97	353.93	1,622.88	416.22	64.18	234.89	188.97	46.96	450.66	745.55	0.00	4,320.21
Kindergarten (full)	391.93	707.86	3,245.76	832.47	128.42	469.78	377.95	93.97	901.30	1,491.09	0.00	8,640.53
Elementary	391.93	707.86	3,245.72	832.47	128.44	469.78	377.95	140.93	901.30	1,491.09	0.00	8,687.47
Junior/Middle	391.93	707.86	2,856.25	599.25	139.24	469.78	377.95	230.21	977.13	1,610.72	0.00	8,360.32
High School	391.93	707.86	4,200.34	498.88	135.01	751.65	394.09	530.85	947.43	1,422.01	0.00	9,980.05
Vocational	391.93	707.86	7,140.62	498.88	223.21	1,315.37	394.09	530.85	1,773.15	1,789.60	0.00	14,765.56
Special Ed in-school	2,704.98	0.00	8,925.75	8,333.85	430.57	375.82	0.00	0.00	3,021.59	3,392.84	0.00	27,185.40
Special Ed tuitioned-out	3,390.47	0.00	0.00	51.80	0.00	0.00	0.00	0.00	0.00	0.00	32,190.68	35,632.95

295

296 For each student identified as being low income or an English learner, the increments in the
 297 following table shall be added to each foundation budget allotment.

298 *Table 2: Incremental Foundation Budget Amounts*

299

	Administration	Instructional Leadership	Classroom & Specialist Teachers	Other Teaching Services	Professional Development	Instructional Equipment & Technology	Guidance & Psychological	Pupil Services	Operations & Maintenance	Employee Benefits/Fixed Charges	Special Ed Tuition	Total, all categories
EL PK-5	100.50	175.87	1,231.05	175.87	50.24	125.61	75.37	25.13	301.48	276.36	0.00	2,537.49
EL 6-8	107.79	188.62	1,320.30	188.62	53.89	134.72	80.84	26.95	323.34	296.39	0.00	2,721.46
EL High School	129.34	226.35	1,584.36	226.35	64.66	161.66	97.00	32.34	388.01	355.67	0.00	3,265.74
0-5.99% Low-income	47.77	226.34	2,209.55	0.00	107.20	16.43	89.47	464.92	0.00	357.41	0.00	3,519.10
6-11.99% Low-income	50.76	240.49	2,347.65	0.00	113.90	17.46	95.06	493.98	0.00	379.75	0.00	3,739.05
12-17.99% Low-income	53.74	254.64	2,485.75	0.00	120.60	18.49	100.66	523.04	0.00	402.09	0.00	3,958.99

18-23.99% Low- income	56.73	268.78	2,623.85	0.00	127.30	19.51	106.25	552.09	0.00	424.43	0.00	4,178.94
24-29.99% Low- income	59.71	282.93	2,761.94	0.00	134.00	20.54	111.84	581.15	0.00	446.77	0.00	4,398.88
30-35.99% Low- income	66.88	316.88	3,093.38	0.00	150.07	23.01	125.26	650.89	0.00	500.38	0.00	4,926.75
36-41.99% Low- income	74.05	350.83	3,424.81	0.00	166.15	25.47	138.68	720.63	0.00	553.99	0.00	5,454.61
42-47.99% Low- income	81.21	384.78	3,756.24	0.00	182.23	27.94	152.10	790.36	0.00	607.60	0.00	5,982.48
48-53.99% Low- income	88.38	418.74	4,087.68	0.00	198.31	30.40	165.52	860.10	0.00	661.21	0.00	6,510.34
54-69.99% Low- income	95.54	452.69	4,419.11	0.00	214.39	32.87	178.94	929.84	0.00	714.83	0.00	7,038.21
70-79.99% Low- income	107.49	509.27	4,971.50	0.00	241.19	36.97	201.31	1,046.07	0.00	804.18	0.00	7,917.98
80%+ Low- income	119.43	565.86	5,523.89	0.00	267.99	41.08	223.68	1,162.30	0.00	893.53	0.00	8,797.76

300

301 (b) The board shall promulgate regulations as needed to implement this section. The
302 board shall submit any regulations to the house and senate committees on ways and means and
303 the house and senate chairs of the joint committee on education not less than 60 days before
304 adoption. The joint committee on education shall review and comment on these regulations
305 during that time period.

306 SECTION 6. Section 3A of said chapter 70, as so appearing, is hereby amended by
307 striking out the last sentence.

308 SECTION 7. Section 4 of said chapter 70, as so appearing, is hereby amended by
309 striking out the first sentence and inserting in place thereof the following sentence:-

310 Upon action of the general court, there shall be a foundation budget review commission
311 to review the way foundation budgets are calculated and to make recommendations for potential
312 changes in those calculations as the commission deems appropriate; provided, however, that the
313 commission shall be established not less than every 10 years.

314 SECTION 8. Section 5 of said chapter 70 is hereby repealed.

315 SECTION 9. Said chapter 70, as so appearing, is hereby further amended by striking out
316 section 6 and inserting in place thereof the following section:

317 Section 6. In addition to the amounts appropriated for long-term debt service, school
318 meals, adult education, student transportation, and tuition revenue, each municipality in the
319 commonwealth shall annually appropriate for the support of public schools in the municipality in
320 an amount not less than the net school spending requirement. Each municipality shall also
321 appropriate not less than its minimum required local contribution for each regional school district
322 to which the municipality belongs.

323 The commissioner shall estimate and report such amounts to each municipality and
324 regional school district as early as possible, but not later than March 1 for the following fiscal
325 year, and shall revise such estimates within thirty days following the enactment of the general
326 appropriations act.

327 Notwithstanding the terms of any regional school district agreements to the contrary, no
328 regional school district shall be required to submit a budget to its members before receiving the
329 commissioner's initial estimate. Each regional school district budget shall provide for not less
330 than the net school spending requirement. The district may choose to spend additional amounts;
331 such decisions shall be made and such amounts charged to members according to the district's
332 regional agreement.

333 SECTION 10. Section 7 of said chapter 70 is hereby repealed.

334 SECTION 11. Said chapter 70 is hereby further amended by striking out sections 9 and
335 10, as appearing in the 2018 Official Edition, and inserting in place thereof the following 2
336 sections:-

337 Section 9. The commissioner shall require each school district to report district and
338 school level data, in a form and manner prescribed by the commissioner, on expenditures and
339 staffing for each foundation budget category. The reports shall provide actual spending for each
340 foundation budget category. Said reports shall be made publicly available on the department
341 website.

342 Section 10. Subject to appropriation, each municipality, regional school district,
343 independent vocational school, and county operating an agricultural school or vocational school
344 shall receive chapter 70 school aid as provided in this chapter. Tuition payments required
345 pursuant to section 89 of chapter 71 and section 12B of chapter 76 shall be deducted from said
346 aid.

347 SECTION 12. Section 12 of said chapter 70 is hereby repealed.

348 SECTION 13. Said chapter 70 is hereby further amended by striking out section 13, as
349 appearing in the 2018 Official Edition, and inserting in place thereof the following section:-

350 Section 13. If in a fiscal year the amount appropriated for chapter 70 school aid is less
351 than the amount prescribed in sections 2 and 3, priority shall be given to funding foundation aid.

352 SECTION 14. Said chapter 70 is hereby further amended by adding the following 2
353 sections:-

354 Section 16. (a) There shall be a Twenty-First Century Education Program to address
355 persistent disparities in achievement among student subgroups, to improve educational
356 opportunities for all students, to share best practices for improving classroom learning and to
357 support efficiencies within and across school districts. The commissioner may expend funds
358 from the Twenty-First Century Education Trust Fund established in section 35MMM of chapter
359 10 for this program.

360 (b) There shall be a Twenty-First Century Education Advisory Council. Said advisory
361 council shall consist of the following: 4 members to be appointed by the governor; 1 member to
362 be appointed by the president of the senate; and 1 member to be appointed by the speaker of the
363 house of representatives. The members of the advisory council shall have diverse expertise with
364 demonstrated success in 1 or more of the following areas: (i) addressing disparities in
365 achievement among student subgroups; (ii) serving as educator or administrator in a school with
366 a high percentage of low-income students; (iii) improving educational outcomes through
367 implementation of nontraditional programming in classrooms; (iv) replicating effective,
368 evidence-based practices for ensuring student academic success; or (v) evaluating the success of
369 educational approaches designed to address disparities in achievement among student
370 populations.

371 (c) The commissioner shall consult with the Twenty-First Century Education Advisory
372 Council on implementation of the Twenty-First Century Education Program consistent with this
373 section.

374 The advisory council shall, from time to time, make recommendations to the
375 commissioner on the improvement of the design, oversight or implementation of the program.

376 The advisory council may receive and consider reports and input from expert individuals,
377 educators, school administrators, parents, community-based organizations, voluntary education
378 organizations, and other relevant public and private organizations recognized as having expertise
379 consistent with this section.

380 (d) There shall be a competitive grant program, to be developed and administered by the
381 commissioner and supported by the monies in the Twenty-First Education Trust Fund, for all
382 public schools and school districts. All applications shall include: (i) an evaluation plan,

383 including identification of the researcher or organization responsible for ongoing evaluation; (ii)
384 a statement of the expected impact; (iii) a preliminary estimate of the cost of the intervention;
385 (iv) identification of a comparison group for the purpose of assessing effectiveness; and (v) a
386 mechanism for determining how the proposal may be effectively replicated. In approving grant
387 applications, the commissioner may give preference to applications that include: (a) evidence-
388 based educational approaches to address persistent disparities in student achievement that
389 improve student outcomes; provided, that preference shall be given to such applications that are
390 submitted by schools or districts with a high percentage of low-income students and English
391 learners, which may include schools or districts implementing turnaround plans; and (b)
392 approaches to increase efficiencies and educational program quality within and across school
393 districts; provided, that preference shall be given to such applications that are submitted by
394 schools or districts in rural areas of the commonwealth with low or declining enrollment.

395 The commissioner may provide funds and other resources to districts as needed to ensure
396 that every public school and school district has the opportunity to apply for grants; provided, that
397 the commissioner may provide funds and other resources to assist in the development of grant
398 applications for public schools implementing turnaround plans.

399 (e) Public schools and school districts awarded funds pursuant to this section shall work
400 with the commissioner to: (i) analyze the effectiveness of their initiatives; and (ii) participate in
401 the replication of effective evidence-based practices for public schools.

402 (f) A public school or school district that is awarded funds pursuant to this section may
403 submit a written request for a waiver of 1 or more provisions of the education regulations of the
404 commonwealth, to permit the school or school district to initiate programs, schedules or services
405 that shall improve student learning. The commissioner may grant such a regulatory waiver,

406 provided that the commissioner: (1) determines the waiver is necessary to support the proposed
407 initiative, and (2) notifies the board of elementary and secondary education prior to acting on any
408 such waiver request.

409 (g) Monies in the fund may be used to support the replication of effective practices and
410 the dissemination of best practices generated through the competitive grant program and
411 turnaround efforts that have been proven to address persistent disparities in achievement among
412 student subgroups.

413 (h) Annually, not later than December 1, the commissioner shall submit a report detailing
414 expenditures from the trust fund to the clerks of the house of representatives and the senate, the
415 chairs of the house and senate committees on ways and means and the house and senate chairs of
416 the joint committee on education.

417 Section 17. (a) The commissioner shall convene a data advisory commission to promote
418 the improved use of state, district and school-level data to inform effective resource allocations
419 at the district and school levels.

420 The data advisory commission shall assist the department in identifying, analyzing, and
421 making recommendations on high-impact, cost-effective data strategies for assessing student
422 needs and addressing persistent disparities in achievement including, but not limited to:

423 (i) establishing a data collection and reporting system to: (A) track funding allocated for
424 low-income students and students identified as English learners pursuant to chapter 71A and
425 ensure spending is targeted to the intended populations; and (B) allow for access to school-level
426 expenditures and data across all districts to inform the public and policy-makers of high impact,
427 cost-effective school-level interventions and investments;

428 (ii) strengthening the department's capacity to analyze and report staffing, scheduling and
429 financial data in ways that support strategic resource allocation decisions at the district and
430 school levels, including a review of national best practice models that ensure greater financial
431 transparency;

432 (iii) strengthening district capacity to use state, district and school-level data to inform
433 strategic resource allocation and implementation decisions; and

434 (iv) streamlining data reporting, eliminating duplicative reporting requirements and
435 improving data quality.

436 The data advisory commission shall include: the commissioner of elementary and
437 secondary education, who shall serve as chair; the secretary of education, or a designee; 1
438 member to be appointed by each of the following organizations, all of whom shall have
439 demonstrated knowledge, experience and interest in data collection and analysis for the purpose
440 of improving student performance: the Massachusetts Association of School Committees, Inc.;
441 the Massachusetts Association of School Superintendents, Inc.; the Massachusetts School
442 Administrators Association, Incorporated; the Massachusetts Association of School Business
443 Officials, Inc.; the Massachusetts Association of Vocational Administrators, Inc.; the
444 Massachusetts Association of Regional Schools, Inc.; and the Massachusetts Business Alliance
445 for Education, Inc.; and 4 members to be appointed by the commissioner, 1 of whom shall be a
446 teacher in a district of not less than 15,000 students who has had experience in an
447 underperforming or chronically underperforming school that has utilized data to successfully
448 improve student performance, 1 of whom shall be a parent of a student currently enrolled at a
449 kindergarten, elementary school, middle school or junior high school or high school in the

450 commonwealth; and 2 of whom have professional experience and knowledge in the area of data
451 collection, quality and usage in establishing education policy and improving student outcomes.

452 (b) The data advisory commission shall report annually, not later than December 1, on its
453 progress to the board of elementary and secondary education; provided, further, that the report
454 shall be made publicly available.

455 SECTION 15. Chapter 70B of the General Laws is hereby amended by striking out
456 section 7, as appearing in the 2018 Official Edition, and inserting in place thereof the following
457 section:-

458 Section 7. There shall be a limit on the estimated amount of grants approved by the
459 authority during a fiscal year. For fiscal year 2020, the limit shall be \$750,000,000. For each
460 fiscal year thereafter, the limit shall be the limit for the previous fiscal year plus the lower of: (i)
461 the rate of growth in the dedicated sales tax revenue amount as defined in subsection (a) of
462 section 35BB of chapter 10; or (ii) 4.5 per cent.

463 SECTION 16. Chapter 71 of the General Laws is hereby amended by inserting after
464 section 1 the following section:-

465 Section 1¼ . The definitions in section 2 of chapter 70 shall apply to this chapter.

466 SECTION 17. Section 5A of Chapter 71B of the General Laws, as appearing in the 2018
467 Official Edition, is hereby amended by striking out subsections (a) to (c), inclusive, and inserting
468 in place thereof the following 3 subsections:-

469 (a) There shall be, subject to appropriation, a special education reimbursement program.
470 The program shall reimburse municipalities for the eligible instructional costs and for the cost of
471 required out-of-district transportation associated with implementing individual education plans
472 of students receiving special education services pursuant to this chapter. The reimbursements

473 shall be in addition to amounts distributed pursuant to chapter 70 and shall not be included in the
474 calculation of base aid, as defined in said chapter 70, for any subsequent fiscal year. Charter
475 schools shall receive reimbursements under this section in the same manner as districts. The
476 department shall promulgate regulations to define, consistent with this section, the costs
477 associated with implementing individual education plans for pupils that shall be eligible for
478 reimbursement under the program.

479 (b) For the purposes of this section, the following words shall have the following
480 meanings:

481 “Approved costs threshold”, \$45,793 in fiscal year 2020 and adjusted by the foundation
482 inflation index in each subsequent year.

483 “Instructional costs”, only those costs directly attributable to providing the special
484 education services on the student's individual education plan, such as salary of educational
485 personnel, salary of related services personnel, costs for specialized books, materials or
486 equipment, tuition costs, if the student is receiving services from other than the local public
487 school, consultant costs if directly attributable to the student's instructional program and
488 instructional costs of extended day or year services if such services are a part of the individual
489 education plan; provided, however, that such costs shall be prorated as appropriate to reflect
490 group activities or costs for part-time services; provided further, that “instructional costs” shall
491 not include transportation costs, administrative or overhead costs, the costs of adapting
492 classrooms or materials that are used by more than 1 student, the costs of fringe benefits of
493 personnel employed by the school district or the costs associated with evaluation, development
494 of the individual education plan or service coordination for the student with disabilities; and
495 provided further, that “instructional costs” for the purposes of this reimbursement program shall

496 not include the salary of personnel providing educational services when such services are not
497 specially designed instruction for the student with disabilities.

498 (c) Instructional and transportation costs eligible for reimbursement under the program
499 shall be reported by a school district to the department in a form and manner as prescribed by the
500 commissioner. For each such school district, the department shall review the report and approve
501 those per pupil instructional and transportation costs that are eligible for reimbursement pursuant
502 to the program not less than 30 days after the date of submission. Based upon the approved costs,
503 the department shall calculate the reimbursement due to a municipality. The costs of programs
504 shall be reimbursed at 75 per cent of all the instructional and transportation costs that exceed the
505 approved costs threshold.

506 Notwithstanding the preceding paragraph, the reimbursement rate for students who have
507 no father, mother or guardian living in the commonwealth, and for any school age child placed in
508 a school district other than a home town by, or under the auspices of, the department of
509 transitional assistance or the department of children and families shall be 100 per cent of all
510 instructional and transportation costs that exceed the approved costs threshold.

511 SECTION 18. Section 5A of said chapter 71B, as so appearing, is hereby further
512 amended by adding the following subsection:-

513 (h) If in a fiscal year the amount appropriated pursuant to this section is less than the amount
514 prescribed in subsection (c), then priority shall be given to instructional costs.

515 SECTION 19. Section 14 of said chapter 71B is hereby repealed.

516 SECTION 20. (a) The division of local services and the department of elementary and
517 secondary education shall jointly conduct a study and report on the equity, predictability and
518 accuracy of the method of determining each municipality's ability to contribute toward education

519 funding and the calculation of each municipality's required local contribution as defined in
520 section 2 of chapter 70 of the General Laws; provided, that the division and the department shall
521 solicit public comment.

522 (b) Not later than December 1, 2020, the division and the department shall file a report
523 with the clerks of the house of representatives and the senate, the house and senate chairs of the
524 joint committee on education and the chairs of the house and senate committees on ways and
525 means. The report shall include, but not be limited to: (i) a summary of target aid share and local
526 contribution changes first instituted in chapter 139 of the acts of 2006 and their impact on the
527 equity, predictability and accuracy of the method of determining required local contribution and
528 target local share; (ii) a survey of changes in municipal required local contribution as a share of
529 the foundation budget from fiscal year 2006 to fiscal year 2020, inclusive, for districts of
530 different target share levels, including a review of the number of communities with a maximum
531 local contribution of 82.5 per cent of the foundation budget; (iii) an assessment of the impact of
532 enrollment demographics, including districts with flat or declining enrollment, on the distribution
533 of chapter 70 school aid and the relationship between target local share and the chapter 70 school
534 aid share of the foundation budget; (iv) an analysis of the accuracy in the calculation of
535 municipal combined effort yield and the municipal revenue growth factor in determining a
536 municipality's ability to contribute; (v) an analysis of the impact of statewide increases to the
537 foundation budget on target local share and required local contribution ; and (vi) an assessment
538 of the impact of the 82.5 per cent maximum local contribution of foundation on the equity of
539 required local contributions and the distribution of chapter 70 school aid.

540 (c) The report shall make recommendations to refine or revise the method of determining
541 required local contribution, the maximum required local contribution as a percentage of the

542 foundation budget, and the target state share of statewide foundation budget and other elements
543 of the chapter 70 school aid formula to improve equity, predictability and accuracy.

544 SECTION 21. (a) There shall be a special commission to study and make
545 recommendations concerning the long-term fiscal health of rural school districts that are facing
546 or may face declining student enrollment.

547 The commission shall consist of: 1 member who shall be appointed by the president of
548 the senate, who shall serve as co-chair; 1 member who shall be appointed by the minority leader
549 of the senate; 1 member who shall be appointed by the speaker of the house of representatives,
550 who shall serve as co-chair; 1 member who shall be appointed by the minority leader of the
551 house of representatives; the deputy commissioner of the division of local services within the
552 department of revenue, or a designee; and 4 additional members appointed by the governor, 1 of
553 whom shall be a representative of the Massachusetts Association of Regional Schools, Inc., 1 of
554 whom shall be a representative of the Massachusetts Association of School Committees, Inc., 1
555 of whom shall be a representative of the Massachusetts Association of School Business Officials,
556 Inc., and 1 of whom shall be a representative of the Massachusetts Association of School
557 Superintendents, Inc. A majority of the commission's members shall be residents of areas served
558 by rural school districts. Members shall not receive compensation for their services, but may
559 receive reimbursement for reasonable expenses incurred in carrying out their responsibilities as
560 members of the commission. The commissioner of elementary and secondary education shall
561 furnish reasonable staff and other support for the work of the commission.

562 (b) The commission shall study and report on: (i) long-term economic, demographic, and
563 student enrollment trends and projections in rural communities; (ii) long-term fiscal trends in
564 rural school districts experiencing declining enrollment; (iii) an analysis of the fiscal health of

565 regional school districts and the impact of regionalization on each contributing municipality,
566 especially in low-income and middle-income areas, including funding impacts on each
567 contributing municipality; and (iv) recommendations for: (A) reorganizing schools and school
568 districts; (B) consolidating administrative, transportation and governance functions; (C)
569 expanding the use of technology to deliver instruction and enable operating efficiencies; and (D)
570 encouraging ways to reduce costs and improve educational outcomes. The commission, in
571 formulating its recommendations, shall take into account the best policies and practices in other
572 states. The commission shall hold not less than 5 public meetings and may hold hearings and
573 other forums as it considers necessary.

574 (c) The commission shall file its report and recommendations with the clerks of the
575 senate and the house of representatives who shall forward the report and recommendations to the
576 house and senate chairs of the joint committee on education not later than December 1, 2020.

577 SECTION 22. Notwithstanding section 2 of chapter 70, the department shall submit a
578 report to the house and senate chairs of the joint committee on education and the chairs of the
579 house and senate committees on ways and means on a method for estimating the number of low-
580 income students, consistent with the definition in section 2 of chapter 70 of the General Laws,
581 not later than November 1, 2020 for use in fiscal year 2022; provided, that the report may also
582 assess the impact of the method for estimating the number of low-income students on the
583 organization of districts into low-income groups; and provided further, that in fiscal year 2021,
584 the number of low-income students in each district shall be the greater of: (i) the current direct
585 certification count implemented by the department; or (ii) the share of the low-income students
586 based on such measure used in the fiscal year 2016 general appropriations act applied to current
587 projected enrollment for the district.

588 SECTION 23. Notwithstanding any general or special law to the contrary, appropriations
589 for reimbursements to certain cities, towns and regional school districts of charter school tuition
590 and the per pupil capital needs component included in the charter school tuition amount for
591 commonwealth charter schools, as calculated under subsections (ff) and (gg) of section 89 of
592 chapter 71 of the General Laws shall be made in accordance with the following funding
593 schedule: not less than 75 percent of all eligible costs in fiscal year 2021; not less than 90 per
594 cent of all eligible costs in fiscal year 2022; and not less than 100 per cent of all eligible costs in
595 fiscal year 2023.

596 SECTION 24. Notwithstanding any general or special law to the contrary, required out of
597 district transportation costs associated with implementing individual education plans of students
598 receiving special education services shall be eligible for reimbursement under section 5A of
599 chapter 71B of the General Laws in accordance with the following schedule: 25 per cent of all
600 required out-of-district transportation costs eligible for reimbursement in fiscal year 2021; 50 per
601 cent of all required out-of-district transportation costs eligible for reimbursement in fiscal year
602 2022; 75 per cent of all required out-of-district transportation costs eligible for reimbursement in
603 fiscal year 2023; and 100 per cent of all required out-of-district transportation costs eligible for
604 reimbursement in fiscal year 2024.

605 SECTION 25. The first annual report submitted pursuant to subsection (b) of section 1S
606 of chapter 69 of the General Laws shall assess the availability of the information identified in
607 said section 1S and set forth a plan to enable the collection and dissemination of the information
608 by district and school.

609 SECTION 26. Notwithstanding any general or special laws to the contrary, the
610 foundation and increment amounts set forth in section 5 of this act shall be fully incorporated in

611 the general appropriations act no later than fiscal year 2027, subject to appropriation; provided
612 that in each year prior to full incorporation, the general appropriation act shall increase
613 foundation and increment amounts over the prior year in an equitable and consistent manner.