DATE: MARCH 27, 2018

TO: DR. LIZ ZIELINSKI, SUPERINTENDENT OF SCHOOLS
    KING PHILIP REGIONAL SCHOOL COMMITTEE

FROM: LARRY AZER, DIRECTOR OF FINANCE & OPERATIONS

RE: PENDING STATE LEGISLATION

Attached are two pieces of pending state legislation that are of particular interest to our district. The finance sub-committee reviewed them on March 2nd and recommended that the full school committee be made aware of them.

S.2325 An Act Modernizing the Foundation Budget for the 21st Century
        (incorporates elements of S.217 and S.223)

H.311 An Act Establishing a Special Commission Relative to Reimbursement of School Busing Costs
SENATE . . . . . . . . . . . . . No. 2325

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

SENATE, Friday, March 9, 2018

The committee on Education, to whom was referred the petitions (accompanied by resolve, Senate, No. 217) of Harriette L. Chandler, Anne M. Gobi, Carmine L. Gentile, Richard J. Ross and others for legislation to establish a commission on regional school district foundation budgets; (accompanied by bill, Senate, No. 223) of Sonia Chang-Diaz, Jack Lewis, Jason M. Lewis, Marjorie C. Decker and other members of the General Court for legislation to modernize the foundation budget for the 21st century; (accompanied by bill, Senate, No. 224) of Cynthia S. Creem for legislation relative to special education transportation costs; (accompanied by bill, Senate, No. 225) of Cynthia S. Creem for legislation relative to circuit breaker reimbursement; (accompanied by bill, Senate, No. 235) of Sal N. DiDomenico, Mayor Martin J. Walsh, Edward F. Coppinger, Daniel Cullinane and other members of the General Court for legislation relating to special education funding; (accompanied by bill, Senate, No. 241) of Sal N. DiDomenico and James B. Eldridge for legislation relative to charter school funding; (accompanied by bill, Senate, No. 268) of Patricia D. Jehlen, James B. Eldridge, Kenneth I. Gordon and Mary S. Keefe for legislation to include transitory student enrollment in the calculation of aide under Chapter 70; (accompanied by bill, Senate, No. 284) of Jason M. Lewis, Chris Walsh, Jennifer E. Benson, Barbara A. L'Italien and other members of the General Court for legislation to implement the recommendations of the Chapter 70 foundation budget review commission; (accompanied by bill, House, No. 252) of Kimberly N. Ferguson, James M. Kelcourse and others relative to school foundation budgets; (accompanied by bill, House, No. 264) of Patricia A. Haddad and others relative to special education funding; (accompanied by bill, House, No. 269) of Bradford R. Hill, David K. Muradian, Jr., and Kathleen O'Connor Ives relative to the foundation funding of special education; (accompanied by bill, House, No. 282) of James M. Kelcourse, Bradford R. Hill and Kathleen O'Connor Ives relative to the calculation of the special education reimbursement funding program; (accompanied by bill, House, No. 283) of James M. Kelcourse, Bradford R. Hill and Kathleen O'Connor Ives relative to special education transportation funding reform; (accompanied by bill, House, No. 299) of David K. Muradian, Jr., and others relative to special
education funding; (accompanied by bill, House, No. 312) of John H. Rogers, Thomas M. Stanley and Michael S. Day for legislation to promote educational resource allocation decisions at the local level; (accompanied by bill, House, No. 313) of John H. Rogers and others relative to expanding the special education reimbursement program to include transportation costs; (accompanied by bill, House, No. 2040) of Bradford R. Hill relative to implementing the recommendations of the foundation budget review commission; (accompanied by bill, House, No. 2063) of Frank I. Smizik and others relative to the calculation of special education reimbursement amounts; and (accompanied by bill, House, No. 2841) of Claire D. Cronin and others relative to the Foundation Budget Review Commission, reports the accompanying bill (Senate, No. 2325).

For the committee,
Sonia Chang-Diaz
The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act modernizing the foundation budget for the 21st century.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 29 of the General Laws, as appearing in the 2014 Official Edition, is amended by inserting after section 5B the following section:-

Section 5B½. (a) Notwithstanding the provisions of any general or special law to the contrary, as used in this section the following terms shall have the following meanings:

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

“Foundation Benefits”, the amount allotted within a district's foundation budget for employee benefits and fixed charges; provided, however, that the allotment shall be equal to the sum of: (i) the employee health insurance rate multiplied by the number of active employees for whom the district provides health insurance; and (ii) the retired employee health insurance rate multiplied by the number of the district’s retired employees.
“Employee health insurance rate”, the employer share of the average group insurance commission premium for the plans for the 3 previous fiscal years; provided, however, that the group insurance commission shall annually, not later than June 30, provide the department with data necessary for the determination of the rate or an increase of it.

“English learner enrollment”, the number of students identified as English learners pursuant to chapter 71A, including students enrolled in vocational and technical schools.

“English learner increment”, the additional amount allotted within a district’s foundation budget for additional services for English learners, including those enrolled in vocational and technical schools; provided, however, that the value of the increment for fiscal year 2019 shall be $2,355.58 multiplied by the number of English learners in the district and shall be adjusted annually thereafter by the foundation inflation index.

“Low-income enrollment”, the number of children attending school in a district regardless of residence or tuition-paying status, with a family income not more than 185 per cent of the federal poverty level; provided, however, that a “low-income child” or “low-income student” shall mean a child who meets these eligibility standards; and provided further, that in determining the total number of low-income students, the department shall use the preceding year's actual number of low-income elementary, junior high or middle school, high school and vocational students and ½ of the preceding year's actual number of low-income kindergarten and preschool students.

“Low-income increment”, the additional amount allotted within a district’s foundation budget for each student with a family income not more than 185 per cent of the federal poverty level; provided, however, that the department shall rank each district and divide the districts into
deciles; provided further, that each district shall be assigned a low-income decile based on its low income percentage which shall be calculated as its number of low-income students divided by the total foundation enrollment; provided further, that each decile shall be assigned a low-income increment where the increment for the lowest percentage decile shall be fifty per cent of the statewide per pupil amount for students with a family income more than 185 per cent of the federal poverty level and the increment for the highest percentage decile shall be one hundred percent of the statewide per pupil amount for students with a family income more than 185 per cent of the federal poverty level.

“Retired employee health insurance rate”, the average group insurance commission premium for all retiree plans for the 3 previous fiscal years; provided, however, that the group insurance commission shall annually, not later than June 30, provide the department with data necessary for the determination of such rate or any increase of it.

“Tuitioned-out special education rate”, four times the statewide foundation budget per pupil amount minus the statewide foundation budget per pupil amount for the prior fiscal year.

(b) Annually, not later than January 15, the secretary of administration and finance shall meet with the senate and house committees on ways and means to jointly determine an implementation schedule to fulfill the recommendations filed on November 2, 2015 by the foundation budget review commission established in section 4 of chapter 70. The implementation schedule shall establish a foundation budget as defined in section 2 of said chapter 70 incorporating the categories, as defined in paragraph (a), of tuitioned-out special education rate, assumed in-school special education enrollment, low-income increment, low-income enrollment, foundation benefits, employee health insurance rate, retired employee health
insurance rate and English language learner increment; provided, however, that in the first year of the term of office of a governor who has not served in the preceding year, the parties shall determine an implementation schedule not later than January 31 of that year. In determining the implementation schedule, the secretary of administration and finance and the senate and house committees on ways and means shall hold a public hearing and receive testimony from the commissioner of elementary and secondary education and other interested parties. The schedule may be amended by agreement of the senate and house committees on ways and means in any fiscal year to reflect changes in enrollment, inflation, student populations or other factors that may affect the remaining costs in the schedule. The implementation schedule shall be included in a joint resolution and placed before the members of the general court for their consideration annually, along with any proposed legislation necessary to execute and implement the schedule, not later than February 15. The implementation schedule shall be subject to appropriation. Upon completion of the implementation schedule, a joint resolution shall be placed before the members of the general court affirming that the recommendations of the commission have been fulfilled; provided, however, that the determination of an annual implementation schedule shall no longer be required upon the adoption of the resolution.

SECTION 2. Said chapter 70 is hereby further amended by inserting after section 4 the following section:-

Section 4A. (a) The department, in consultation with the executive office of education, shall convene a data advisory committee to promote the improved use of school-level data to inform effective resource allocation decisions at the local level. The data advisory committee shall include, but not be limited to, a representative from the following organizations: the Massachusetts Association of School Committees, Inc.; the Massachusetts Association of School
Superintendents, Inc.; the Massachusetts Association of School Business Officials, Inc.; the Massachusetts Association of Vocational Administrators, Inc.; and the Massachusetts Association of Regional Schools, Inc. The data advisory committee shall assist the department to identify, advise and analyze cost-effective ways to achieve the following goals including, but not limited to:

(i) streamlining financial reporting, eliminating duplicate reporting requirements and improving data quality;

(ii) strengthening the department’s capacity to analyze and report staffing, scheduling and financial data in ways that support strategic resource allocation decisions at the district and school level;

(iii) strengthening district capacity to use data to make strategic resource allocation decisions; and

(iv) establishing a data collection and reporting system that: (A) tracks funding allocated for English language learner and low-income students to ensure that spending is targeted to the intended populations and to provide a data source for the foundation budget review commission about the accuracy and adequacy of the low-income and English language learner increments; and (B) allows for access to school-level expenditures and data across all districts to inform the public and policy-makers about effective school-level interventions and investments.

(b) The data advisory committee shall report its progress to the board of elementary and secondary education, the senate and house chairs of the joint committee on education and the chairs of the senate and house committees on ways and means not less than semiannually, by December 1 and June 1, and shall make recommendations as necessary for the department to
achieve the goals of this section. The department may, in consultation with the data advisory

group, develop or procure the data collection and reporting system under clause (iv) of
subsection (a).
The Commonwealth of Massachusetts

PRESENTED BY:

Angelo J. Puppolo, Jr.

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 establishing a special commission relative to reimbursements of school busing costs.

PETITION OF:

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<td>Angelo J. Puppolo, Jr.</td>
<td>12th Hampden</td>
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An Act establishing a special commission relative to reimbursements of school busing costs.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Resolved, that a special commission to consist of 10 members: 3 members of the senate; 1 of whom shall be the senate chair of the joint committee on education, who shall serve as co-chair of the commission; 1 of whom shall be the chair of the senate committee on ways and means; 1 of whom shall be a member of the senate; 3 members of the house of representatives; 1 of whom shall be the house chair of the joint committee on education, who shall serve as co-chair of the commission; 1 of whom shall be the chair of the house committee on ways and means; 1 of whom shall be a member of the house of representatives; 1 of whom shall be the state auditor, or his designee; 1 of whom shall be the commissioner of elementary and secondary education, or his designee; 1 person to be appointed by the governor, who shall be selected from a list of 3 nominees offered by the Massachusetts Municipal Association; and 1 person to be
appointed by the governor who shall be selected from a list of 3 nominees offered by the Massachusetts Association of School Superintendents; is hereby established for the purpose of making an investigation and study relative to examining the costs of mandatory school transportation incurred by school districts. The investigation and study shall include: examining the mandatory transportation costs for school districts relating to charter schools, private schools, regional schools, and special education transportation for both in-district and out of district students; examining cost-saving measures, including, but not limited to, the use of routing software for bus routes, efficiencies achieved through collaboration by districts, the charging of fees to offset transportation costs, the use of fuel efficient vehicles, the outsourcing of transportation to a third party, and the state reimbursement of district transportation costs. The commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry out such recommendations, by filing the same with the clerks of the senate and house who shall forward the same to the chairs of the joint committee on education and the chairs of the house and senate committees on ways and means on or before December 31, 2010.