



# Massachusetts Department of Elementary and Secondary Education

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Mitchell D. Chester, Ed.D.  
Commissioner

## MEMORANDUM

**To:** Members of the Board of Elementary and Secondary Education  
**From:** Mitchell D. Chester, Ed.D., Commissioner  
**Date:** January 23, 2015  
**Subject:** Final Report on 2014 Legislation

The following laws relating to elementary and secondary education have been enacted during the 2014 legislative session. The laws are listed in chronological order.

### **An Act relative to the Pathfinder Regional Vocational-Technical High School**

[Chapter 147](#) of the Acts of 2014 (H3941)<sup>1</sup>

Approved: 06/26/2014

Effective: 06/26/2014

Established a deadline of June 30, 2014 for any member town of the Pathfinder Regional Vocational-Technical High School District to hold a town meeting for the purpose of voting to approve or disapprove the debt authorized by the district committee for the roof replacement project of the district.

### **An Act authorizing the commonwealth to reimburse qualifying municipalities for federal military reservation students**

[Chapter 173](#) of the Acts of 2014 (H4296)<sup>2</sup>

Approved: 07/22/2014

Effective: 07/22/2014

Provides for reimbursements to municipalities for the education of federal military reservation students to be at least \$1.3 million and establishes a formula for the distribution of money over the FY2014 level. Additionally, it requires each public school to have a policy regarding substance abuse prevention and the education of its students about the dangers of such abuse.

### **An Act relative to bullying in schools**

[Chapter 86](#) of the Acts of 2014 (H3909)<sup>3</sup>

Approved: 04/24/2014

Effective: 07/23/2014

Expand the provisions on bullying included in G.L. chapter 71, section 37O to expand the school personnel who have responsibility to report and address bullying; requires the anti-bullying plan

<sup>1</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter147>

<sup>2</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter173>

<sup>3</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter86>

to include descriptions of prohibited bullying, cyber-bullying and retaliation; requires schools to have clear procedures for students, staff, parents, guardians and others to report bullying or retaliation, and that reports of bullying or retaliation may be made anonymously; sets forth procedures for investigation; requires schools to inform parents and guardians about the Department's problem resolution system and the process for seeking assistance or filing a claim; requires schools to annually report data related to bullying incidents to the Department; and requires the Department to develop a student survey to assess school climate and prevalence, nature and severity of bullying in schools.

**An Act relative to the Essex north shore agricultural and technical school district**

[Chapter 95](#) of the Acts of 2014 (H3959)<sup>4</sup>

Approved: 05/07/2014

Effective: 08/05/14

Amends provisions related to group insurance for the school, as of July 1, 2015. It provides that until July 1, 2015, the district will continue to assume responsibility for the collection and payment of premium costs.

**An Act relative to the withdrawal of the town of Worthington from the Gateway Regional School district**

[Chapter 97](#) of the Acts of 2014 (H3815)<sup>5</sup>

Approved: 05/07/2014

Effective: 08/05/2014

Authorizes the town of Worthington to unilaterally withdraw from membership in the Gateway Regional School District, provided that the Commissioner of Elementary and Secondary Education approves the town's plans for the education of its children.

**An Act financing information technology equipment and related projects**

[Chapter 257](#) of the Acts of 2014 (H4355)<sup>6</sup>

Approved: 08/06/2014

Effective: 08/06/2014

Establishes a \$38,000,000 competitive matching grant to be administered by the Executive Office of Education and the Department of Elementary and Secondary Education to assist public school districts improving student instruction and assessment through the use of information and technology.

**An Act relative to domestic violence**

[Chapter 260](#) of the Acts of 2014 (S2334)<sup>7</sup>

Approved: 08/08/2014

Effective: 08/08/2014

Section 42 directs the Department of Elementary and Secondary Education, subject to appropriation, to develop and produce educational materials on domestic violence, teen dating violence and healthy relationships, which shall be distributed annually to students in grades 9 to

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<sup>4</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter95>

<sup>5</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter97>

<sup>6</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter257>

<sup>7</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter260>

12 and to be utilized as part of the required health curriculum on safe and healthy relationships.

**An Act promoting economic growth across the Commonwealth**

[Chapter 287 of the Acts of 2014 \(H4377\)](#)<sup>8</sup>

Approved: 08/21/2014

Effective: 08/21/2014

The 2014 economic development initiative appropriates \$1,000,000 to the Department of Elementary and Secondary Education to administer funds for a statewide college and career readiness program. It also directs the Massachusetts Technology Collaborative to develop and implement a plan to promote and establish computer science education in public schools, establishes an Advanced Manufacturing, Technology and Hospitality Training Trust Fund to establish and support training and education programs that address the workforce shortages by boosting industry-relevant instructor capacity for high school programs through a competitive grant process for Kindergarten-to-grade-12 and vocational education institutions, and appropriates \$75,000 for competitive grants for early college high school programs where students work simultaneously on the completion of high school diploma while earning free college credits at a partnering institution of higher education.

**An Act to encourage the study of meteorology in elementary school**

[Chapter 206 of the Acts of 2014 \(H2864\)](#)<sup>9</sup>

Approved: 07/31/2014

Effective: 10/29/2014

This law designates “Ms. G” Of the National Audubon Society as the official groundhog of the Commonwealth and directs that Ms. G be used to educate elementary school children on the importance of meteorology. (Ms. G is a groundhog that resides at Drumlin Farm Wildlife Sanctuary in Lincoln. She was orphaned soon after her birth in the spring of 2001, and because she was hand raised and has a bond with humans, it is not safe to release her into the wild.)

**An Act relative to assisting individuals with autism and other intellectual or developmental disabilities**

[Chapter 226 of the Acts of 2014 \(H4047\)](#)<sup>10</sup>

Approved: 08/05/2014

Effective: 11/03/2014

Establishes a 35-member commission on autism, with an executive director, to make recommendation on policies impacting individuals with autistic spectrum disorders, and requires the board of Elementary and Secondary Education to provide an endorsement in autism for licensed special education teachers and to promulgate regulations for the endorsement by June 30, 2015.

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<sup>8</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter287>

<sup>9</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter206>

<sup>10</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter226>

**An Act regarding the establishment of a regional school transportation reimbursement fund**

[Chapter 233](#) of the Acts of 2014 (H4019)<sup>11</sup>

Approved: 08/05/2014

Effective: 11/03/2014

Authorizes regional school district to establish regional school transportation funds, and allows reimbursements made by the Commonwealth and deposited in the regional school transportation fund to be carried forward for one year.

**An Act establishing a regional school district planning committee**

[Chapter 283](#) of the Acts of 2014 (H3789 – Joint Committee on Education)<sup>12</sup>

Approved: 08/11/2014

Effective: 11/09/2014

Allows for regional school district planning committees and regional school district planning boards to be established by votes of the Selectmen or Town Meeting in member towns.

Additionally, it includes a technical amendment to charter school spending cap criteria for districts in the lowest ten percent, relating to enrollments approved before July 1, 2014, and provides indemnification standards relative to level 5 school and district receiver contracts.

**An Act relative to vote in the Berkshire Hills Regional School District**

[Chapter 297](#) of the Acts of 2014 (S2302)<sup>13</sup>

Approved: 08/13/2014

Effective: 08/13/2014

Authorizes the towns of Stockbridge, West Stockbridge, and Great Barrington to place a question on the ballot to be used in the November 2014 state election relative to the Berkshire Hills Regional School District incurring debt for construction at Monument Mountain High School.

**An Act establishing six-year career plans for all Massachusetts public school students**

[Chapter 449](#) of the Acts of 2014 (H4527)<sup>14</sup>

Approved: 01/06/15

Effective: 04/06/15

Directs the Executive Office of Education to convene an advisory committee to make recommendations for 6-year career planning for all students in public schools serving grades 6-12. The EOE Secretary chairs the advisory committee and the Commissioner of Elementary and Secondary Education is a member. It also amends the MA law requiring national criminal background checks (fingerprint-based) for educators and child care workers to eliminate the need for some duplicate fingerprinting for certain employees, and establishes a limit of one check every three years for an individual deemed suitable by Early Education and Care to maintain employment with the same employer operating programs under the early childhood and special education laws.

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<sup>11</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter233>

<sup>12</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter283>

<sup>13</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter297>

<sup>14</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter449>

**An Act promoting housing and support services to unaccompanied homeless youths**  
[Chapter 450 of the Acts of 2014 \(H4517\)](#)<sup>15</sup>

Approved: 01/06/15

Effective: 04/06/15

Adds to the Mass. General Laws a commission that was established in the FY13 budget (§208 of c. 139 of 2012). The Executive Office of Health and Human Services is to establish a commission relative to services for unaccompanied homeless youth, and its focus is on housing, contracts for service providers, and family reconciliation. The law designates the Commissioner of Elementary and Secondary Education as a member of the commission.

**An Act relative to the sterilization of musical instruments in schools**

[Chapter 477 of the Acts of 2014 \(H4384\)](#)

Approved: 01/07/15

Effective: 04/07/15

Allows local option, through vote of the school committee or the board of trustees of a Commonwealth charter school, for a district or charter school to require parent/guardian notification of sanitization, and the potential access to sterilization, of musical wind instruments issued to students in grades pre-K through 12. Costs for optional sterilization are to be borne by parents/guardians requesting the sterilization.

**FY14 Supplemental Budget Laws**

**An Act making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects**

[Chapter 52 of the Acts of 2014 \(H3947\)](#)<sup>16</sup>

**An Act making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and project**

[Chapter 119 of the Acts of 2014 \(H4081\)](#)<sup>17</sup>

Approved: 05/29/14

Effective: 05/29/14

The second FY14 supplemental budget appropriates \$27,595,074 for charter school reimbursements to above-foundation cities and towns, and amends a group of education-related items from the FY14 budget to authorize the expenditure of funds "in the summer months."

**FY15 Budget Laws**

**An Act making certain appropriations for the fiscal year 2015 before final action on the General Appropriation Bill**

[Chapter 151 of the Acts of 2014 \(H4217\)](#)<sup>18</sup>

Approved: 06/26/14

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<sup>15</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter450>

<sup>16</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter52>

<sup>17</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter119>

<sup>18</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter151>

Effective: 07/01/14

Appropriates \$4,600,000,000 for advance payments for some or all of periodic local reimbursement or assistance programs to any city, town, regional school district or independent agricultural and technical school that demonstrates an emergency cash shortfall, as certified by the commissioner of revenue and approved by the secretary of administration and finance, pursuant to guidelines issued by the secretary.

This was the interim budget to continue legally required state spending until the Governor signed the FY15 General Appropriation Act (GAA) into law.

**An Act making certain appropriations for fiscal year 2015 – General Appropriation Act (GAA)**

[Chapter 165 of the Acts of 2014 \(H4001\)](#)<sup>19</sup>

Approved: 07/11/14 (in part)

Effective: 07/01/14

The General Appropriation Act contains total state spending of \$36.5 billion, of which the Department receives \$5.01 billion, approximately 13.7% of the state budget for FY15. The budget places particular emphasis on increasing local education aid for school districts. The two Department-administered programs that received significant increases are the Student Assessment account to support PARCC testing and the new Mental Health/Substance Abuse Grant Program.

The FY15 total budget for the Department of \$5.01 billion represents an increase of \$107 million above the Department’s FY14 budget.

Some budget line items of particular note:

*Line 4513-1131* creates a competitive grant program to promote healthy relationships and address teen dating violence. The Department of Elementary and Secondary Education will administer the grant in collaboration with the Department of Public Health.....\$150,000

*Line 7061-0008* appropriates \$4.4 billion for Chapter 70 state aid, representing an increase of \$99.5 million over FY14.

*Line 7061-0012* funds \$257.5 million for the Special Education Circuit Breaker program, which is an increase of \$5 million over the FY14 budget of \$252.5 million.

*Line 7035-0006* funding for Regional School Transportation Costs is at \$70.25 million, which is an \$18.73 million increase over the FY14 budget of \$51.52 million.

New grant programs:

7010-0050 Education Evaluation Grant Program.....	\$500,000
7010-0060 Mental Health and Substance Abuse Counselor Grant Program...	\$5,000,000
7061-9406 College and Career Readiness Program.....	\$1,000,000

<sup>19</sup> <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter165>

Some outside sections that are of significance to the Department and to elementary and secondary schools:

*Section 3.* Requires that health care costs for retired teachers not be considered part of net school spending by the Department of Elementary and Secondary Education for any district in which such costs were not considered part of net school spending in fiscal year 1994.

*Section 12.* Creates a STEM advisory council on which the Commissioner of Elementary and Secondary Education will serve as an ex-officio member.

*Section 22.* Centralizes the management and operation of IT within state agencies.

*Sections 124 and 278.* Creates and defines a foundation budget review commission to review the way in which foundation budgets are calculated and to make recommendations for potential changes in those calculations as the commission deems appropriate. The commission shall file its report on or before June 30, 2015.