# **MEMORANDUM**

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| **To:** | Members of the Board of Elementary and Secondary Education  |
| **From:** | Pedro Martinez, Commissioner |
| **Date:** | September 23, 2025 |
| **Subject:** | Update on the 194th Legislative Session Education Related Laws |

The following laws relating to the Department of Elementary and Secondary Education (Department/DESE) have been enacted and approved by Governor Healey during the 194th Legislative Session (2025-2026). The laws are listed in chronological order of enactment.

**AN ACT EXTENDING CERTAIN COVID-19 MEASURES ADOPTED DURING THE STATE OF EMERGENCY**

[Chapter 2 of the Acts of 2025](https://malegislature.gov/Laws/SessionLaws/Acts/2025/Chapter2)

Approved: March 28, 2025

Section 1 extends the allowance of remote participation in public meetings until June 30, 2027.

**AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2025 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS (Fair Share Supplemental Budget)**

[Chapter 7 of the Acts of 2025](https://malegislature.gov/Laws/SessionLaws/Acts/2025/Chapter7)

Approved: June 24, 2025

* Established a grant program for capital improvements, long-term leasing of additional space and other initiatives necessary to build capacity and safely accommodate additional career technical education school opportunities
* Included an $8,132,500 reserve to support regional school transportation costs
* $10M for capital and development costs for the Holocaust Legacy Foundation, Inc. to establish the Boston Holocaust Museum to provide interactive educational opportunities in the commonwealth, including, but not limited to, history and social science frameworks
* $10M for educational grants to reduce the waitlist for English for speakers of other languages services; provided, that funds shall be administered by the department of elementary and secondary education in coordination with the Workforce Skills Cabinet
* $25,561,000 for an early literacy high dosage tutoring initiative program directed by the commissioner of elementary and secondary education
* A reserve funded at $190,250,000 for the Circuit Breaker reimbursement program

**AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2026 FOR THE MAINTENANCE OF THE DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS, AND FOR CERTAIN PERMANENT IMPROVEMENTS (FY26GAA)**

[Chapter 9 of the Acts of 2025](https://malegislature.gov/Laws/SessionLaws/Acts/2025/Chapter9)

Approved: July 4, 2025

The fiscal year 2026 budget and fair share supplemental budget allocate approximately $8.9 billion for DESE, a $674 million (8%) increase over the final enacted FY25 budget.

* Fully funds the fifth-year implementation of the Chapter 70 increases under the Student Opportunity Act, dedicating $7.36 billion to Chapter 70 education aid, inclusive of $150 per pupil in minimum aid
* Fully funds the Special Education Circuit Breaker at $675 million
* $140.6 million for education transportation, including $111.9 million for regional school transportation
* $180 million to continue universal free school meals
* $100 million to expand Career Technical Education program seats at comprehensive high schools and dedicated career technical high schools
* $50.5 million to Reimagining High School through programs like MyCAP, early college, and innovation career pathways
* $40.6 million for early literacy, including $15 million for the second year of Literacy Launch and $25.6 million for high-dosage tutoring
* $10 million for the Green School works program that provides financial support to eligible K-12 public schools or districts for projects to install or maintain clean energy infrastructure
* $750,000 for Massachusetts Farming Reinforces Education and Student Health (FRESH) grants

**AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2025 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS**

[Chapter 14 of the Acts of 2025](https://malegislature.gov/Laws/SessionLaws/Acts/2025/Chapter14)

Approved: August 5, 2025

## [S2557](https://malegislature.gov/Bills/194/S2557)/[H650](https://malegislature.gov/Bills/194/H650), An Act relative to affirming and maintaining equal access to public education for all children, was included as outside sections 25, and 27 to 31, as amended.

* Section 25 requires the Board of Elementary and Secondary Education to promulgate regulations establishing standards for the provision of interpretation and translation services, including standards for the qualification of interpreters and translators, to limited English proficient parents and legal guardians of all public school students.
* Section 27 amends [section 4 of chapter 71A](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71A/Section4) of the General Laws, by adding after the word “component”:- and shall be designed so that English learners can gain proficiency in English and also acquire grade-level skills, competencies and knowledge consistent with the academic standards required by section 1D of chapter 69.
* Section 28 amends [section 5 of chapter 71A](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71a/Section5) by adding subsection:- (c) School districts shall not recommend that parents or legal guardians decline all or some services within an English learner program for any reason, including facilitating scheduling of special education services or other scheduling reasons.
* Section 29 amends [section 3 of chapter 71B](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71b/Section3) of the General Laws by requiring consideration of the English language proficiency and language needs of a student with disabilities who is an English learner, in relation to developing an individualized education program (IEP) for the student. This requires the participation of one or more individuals who have knowledge of the student’s language needs, training and knowledge in second language acquisition, and an understanding of how to differentiate between the student’s limited English proficiency and their disability. The individual may submit, in writing, their input prior to the meeting in lieu of attending the meeting in person.
* Section 30 requires the Department to promulgate regulations to continue in effect and enforce the provisions of 20 U.S.C. 1415(k), regarding the discipline of students with disabilities, in effect on January 1, 2025.
* Section 31 amends [Section 5 of chapter 76](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter76/Section5) of the General Laws by inserting after the word “origin”, in line 11, the following words:- “, immigration or citizenship status, disability” to codify certain student protections currently provided through federal law. As amended, that provision of statute reads as follows: “No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, immigration or citizenship status, disability or sexual orientation.”