HOUSE DOCKET, NO. 1502 FILED ON: 1/16/2013

HOUSE . . . . . No. 530

The Commonwealth of Massachusetts

PRESENTED BY:

Martha M. Walz

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 passage of the accompanying:

An Act relative to charter schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Martha M. Walz	*8th Suffolk*
Cory Atkins	*14th Middlesex*
Kay Khan	*11th Middlesex*
Denise Andrews	*2nd Franklin*
Carl M. Sciortino, Jr.	*34th Middlesex*

HOUSE DOCKET, NO. 1502 FILED ON: 1/16/2013

HOUSE . . . . . No. 530

By Ms. Walz of Boston, a petition (accompanied by bill, House, No. 530) of Martha M. Walz and others relative to charter schools. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *1086* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to charter schools.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide greater transparency and accountability for charter schools, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Subsection (h) of section 89 of chapter 71 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word "students.", in lines 133 and 134, the following sentence:-

All information submitted to the board by a commonwealth charter school applicant shall be submitted simultaneously to the school committees of affected districts and shall be immediately made available by the board to members of the public without a request under section 10 of chapter 66.

SECTION 2. Said subsection (h) of said section 89 of said chapter 71, as so appearing, is hereby further amended by striking out the last sentence of the first paragraph and inserting in place thereof the following sentences:-

A comprehensive written summary of all materials prepared by the department or its administrative subdivisions regarding a charter application shall be delivered to the members of the board, the applicant, and affected districts not later than 10 working days before any board

14 vote on the charter application. Any report prepared by the department or its administrative
15 subdivisions regarding a charter application shall be delivered to the members of the board, the
16 applicant, and affected districts within 10 days of the completion of the report.

17 SECTION 3. Said subsection (h) of said section 89 of said chapter 71, as so appearing, is
18 hereby further amended by inserting after the word "districts", in line 148, the following words:-
19 at least 10 working days.

20 SECTION 4. Subsection (j) of said section 89 of said chapter 71, as so appearing, is
21 hereby amended by striking out the second sentence of the first paragraph and inserting in place
22 thereof the following sentences:-

23 The board shall create and use a rubric for the approval of a charter application. The
24 board shall publicly review each charter application against the rubric at each stage in the
25 application process. In reviewing applications, the board shall consider whether the school
26 committee in the community in which the charter school is to be located or the school committee
27 in any community from which the charter school is expected to enroll students has been asked to
28 implement the educational program being proposed by the applicant and has declined to do so.

29 SECTION 5. Subsection (m) of said section 89 of said chapter 71, as amended by section
30 3 of chapter 199 of the acts of 2011, is hereby further amended by inserting after the first
31 paragraph the following paragraph:-

32 A charter school may not administer tests to potential applicants or predicate enrollment
33 on results from any test of ability or achievement; provided, however, that a performing, visual,
34 or graphics arts school may hold auditions or require evaluations of visual or graphic arts
35 portfolios.

36 SECTION 6. Subsection (dd) of said section 89 of said chapter 71, as appearing in the
37 2010 Official Edition, is hereby amended by inserting after the word "students", in line 597, the
38 following words:- , teachers, and administrators.

39 SECTION 7. Subsection (ff) of said section 89 of said chapter 71, as so appearing, is
40 hereby amended by adding the following paragraph:-

41 In the event that the board revokes a charter, or if a charter school ceases to exist for any
42 reason, the charter school shall, within six months of the revocation of the charter or closure of
43 the school, submit to the board a detailed financial accounting of all the school's assets,
44 including all real property, vehicles, equipment and supplies.

45 SECTION 8. Subsection (jj) of said section 89 of said chapter 71, as so appearing, is
46 hereby amended by inserting after the word "charter;", in line 733, the following:-

47 (ii) discussion of progress made toward the benchmarks and retention efforts described in
48 the school's recruitment and retention plan; provided, that if a charter school has not enrolled and
49 retained a student population matching the benchmarks, the report must explain why this is the
50 case; (iii) an accounting of how many students were designated as requiring special education
51 services or English language services by language proficiency level as measured by the
52 Massachusetts English Proficiency Assessment examination or its successor upon enrollment and
53 how many of these students were subsequently no longer designated as such, along with a
54 description of methods used by the school to achieve these outcomes and the rationale behind the
55 methodologies used; (iv) the number of students, teachers and administrators who have left the
56 charter school and their reasons for leaving; (v) the number of students enrolled in the charter
57 school eligible for free lunch as defined in section 2 of chapter 70; (vi) the number of students
58 enrolled in the charter school eligible for reduced price lunch as defined in section 2 of chapter
59 70; (vii) the number of homeless students enrolled in the charter school; (viii) the number of
60 students in the care of the Department of Youth Services enrolled in the charter school;

61 SECTION 9. Said subsection (jj) of said section 89 of said chapter 71, as so appearing, is
62 hereby further amended by striking out, in line 733, the figure "(ii)" and inserting in place
63 thereof the following figure:- (ix).

64 SECTION 10. Said subsection (jj) of said section 89 of said chapter 71, as so appearing,
65 is hereby further amended by inserting after the word "years.", in line 748, the following
66 sentences:-

67 The regulations shall authorize the commissioner to recommend withholding the release
68 of all or some part of the quarterly tuition payments for any school that has not timely filed the
69 required report. The report shall be filed annually on or before January 1 with the department.