

**Franklin Public Schools  
Franklin, Massachusetts 02038**

**Action Required**

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**Subject:** MASC Resolutions

**Date:** October 29, 2019

**Dept:** School Committee

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**Reason:** Required Vote

**Enclosure:** yes

**Recommendation:**

MASC Resolutions

I recommend approval of the following MASC Resolutions as detailed:

1. Resolution 1: Banning Polystyrene from Schools
2. Resolution 2: Pertaining to Educator Diversity and Professional Licensure
3. Resolution 3: School Transportation
4. Resolution 4: Climate Change
5. Resolution 5: Full Funding of Transportation Costs for Students in Foster Care and State Care
6. Resolution 6: Universal Quality Pre-Kindergarten Access in Massachusetts
7. Resolution 7: Poverty and Children
8. Resolution 8: Resolution for Access to Menstrual Supplies
9. Resolution 9: Charter School Reform

**Action Requested of the School Committee:**

Majority vote of the School Committee is required.

**Vote Tabulator**

A. Bergen: Y / N      D. Schultz: Y / N

C. Douglas: Y / N      MJ Scofield: Y / N

D. Feeley: Y / N      G. Zub: Y / N

M. Linden: Y / N      Action: \_\_\_\_\_

# report of the resolutions committee

The members of the Resolutions Committee met on June 27, 2019 to consider resolutions proposed by member districts and the MASC Board of Directors for consideration at the 2019 Annual Meeting of the Association. Members present were: Margaret Hughes, Narragansett Regional; Denise Hurst, Springfield/MASC Secretary-Treasurer; Laura Fallon, Northampton; Irene Feliciano-Sims, Holyoke; Mildred Lefebvre, Holyoke/MASC Minority Caucus Chair; Barbara Davis, Holbrook; Kim Hunt, Plymouth; Wendy Rua, Agawam; Bill Fonseca, East Longmeadow/MASC Division V Chair; Denise Schultz, Franklin; Jake Oliveira, Ludlow/ MASC President-Emeritus; Beverly Hugo, Framingham/MASC Past President; Paul Schlichtman, Arlington/ MASC Past President; Devin Sheehan, Holyoke/MASC President; Deborah Davis, Northeast Metro Voc. Tech./ MASC President-Elect and Chair of the Resolutions Committee

The following resolutions were moved forward by the Resolutions Committee and approved by the Board of Directors.

## **RESOLUTION 1: Banning Polystyrene from Schools**

*(Submitted by the Silver Lake Regional School District, including the School Committees of Kingston, Plympton, and Halifax)*

WHEREAS: The United States Department of Education Green Ribbon Schools was created in 2011 to recognize schools efforts to reduce environmental impact and cost, improve the health and wellness of schools students, and staff, and provide effective environmental and sustainability education; and

WHEREAS The Commonwealth of Massachusetts in conjunction with twenty other states joined together to form the United States Climate Alliance to support the Paris Agreement and through continued legislative and executive actions has demonstrated the Commonwealth's commitment to environmental protection; and

WHEREAS: Expanded polystyrene foam manufacturing process releases pollution into the atmosphere, expanded polystyrene foam has been shown to be non-biodegradable and has the ability to be persistent in the environment for thousands of years, expanded polystyrene foam breaks down into "pearls" which are often ingested by marine life and introduced into the food chain; and

WHEREAS: Expanded polystyrene foam is made with styrene, a chemical the Department of Health and Human Services has deemed as reasonably anticipated to be a human carcinogen, and the use of expanded polystyrene foam in food and beverage containers, especially containers holding hot or acidic food, have been shown to leach styrene into food and beverages;

THEREFORE BE IT RESOLVED THAT: MASC urge the Commonwealth of Massachusetts to ban the use of expanded polystyrene foam cups, bowls, plates and trays from Massachusetts Public Schools by the 2022-2023 school year.

RATIONALE Proponents cite the presence of toxins, including carcinogens in polystyrene and note that containers manufactured with this substance can be found in food and beverage containers that might pose a risk to students and others.

## **RESOLUTION 2: Pertaining to Educator Diversity and Professional Licensure**

*(Submitted by the Arlington School Committee)*

WHEREAS: Current research clearly demonstrates that public school students benefit from a diverse teaching staff; and

WHEREAS: Massachusetts districts are challenged to attract a diverse teaching staff; and

WHEREAS: Attracting diverse candidates often involves recruiting candidates from outside Massachusetts; and

WHEREAS: Massachusetts licensure requirements, including the Massachusetts Tests for Educator Licensure (MTEL) requirements, serve as a disincentive for candidates looking to relocate to take a teaching position; and

WHEREAS: Test administration is conducted in centers that are often inaccessible without a car; and

WHEREAS: The cost of testing can be a barrier to potential applicants; and

WHEREAS: There is no evidence the MTEL is a reliable or valid measure of successful practice as an educator; and

WHEREAS: School districts are capable of selecting qualified candidates for teaching positions, as well as supervising, evaluating, and deciding on whether to retain the services of probationary candidates; and

WHEREAS: The Board of Elementary and Secondary Education governs educator licensure in Massachusetts; and

WHEREAS: Practicing educators and school committee members are prohibited from serving on the Board of Elementary and Secondary Education; and

WHEREAS: The teaching profession is the only profession or trade in Massachusetts where the holders of a license are prohibited from serving on its governing board;

THEREFORE BE IT RESOLVED: that the Massachusetts Association of School Committees calls for the elimination of the MTEL and the MA Performance Assessment for Leaders (MaPAL) as licensing requirements for educators; and

BE IT FURTHER RESOLVED: that the Massachusetts Association of School Committees calls for the governance and licensure of professional educators to be vested in a board comprised of licensed educators.

RATIONALE: The licensure of Massachusetts educators is governed by the Board of Elementary and Secondary Education. The oversight of licensure by non-educators has resulted in a complex, difficult licensure system that discourages qualified candidates from applying for licensure and employment in Massachusetts. Recruiting a diverse, qualified cohort of new educators will be enhanced if the barriers presented by MTEL are removed, and if licensure regulations and standards are placed in the hands of a committee of educators. An expanded explanation in support of this resolution can be found on the MASC web site.

### RESOLUTION 3: School Transportation

*(Submitted by the Hudson School Committee and revised by the Resolutions Committee)*

WHEREAS: Among the transportation cost concerns for school districts is the lack of competition for bus contracts for regular day ("yellow bus") services, as well as costs for special education transportation; and

WHEREAS: Competition for transportation contracts has decreased over the years; and

WHEREAS: The transportation industry has been contracting and now has fewer competitors; and

WHEREAS: M.G.L. c. 71, § 7C prohibits certain uses of regional transportation authorities to provide school district transportation services, and

WHEREAS: M.G.L. c. 30B § 5 requires acceptance of the lowest cost bid; and

WHEREAS: Other factors beyond cost, such as past performance, cannot be considered when accepting a bid; and

WHEREAS: Many smaller districts only receive 1 bid when soliciting transportation contract proposals; and

WHEREAS: No action on this subject has been taken to increase competition; and

WHEREAS: Elimination of M.G.L. c. 71, § 7C would free the school districts and Regional Transportation Authorities to collaborate on plans to provide safe and efficient transportation alternatives that lessen the financial impact on both the districts and the Commonwealth, and

WHEREAS: The lack of bidders on school transportation contracts requires a deeper analysis by the appropriate state officials;

THEREFORE BE IT RESOLVED THAT: In order to promote greater competition for bus service contracts and improve performance, MASC calls for the creation of a working group to advise the Legislature on the best solutions to support greater competition and higher performance from transportation companies.

BE IT FURTHER RESOLVED THAT: In order to promote greater competition for bus service contracts, the Legislature should eliminate M.G.L. c. 71, § 7C, and authorize a deeper analysis into the lack of bidders on school transportation contracts.

RATIONALE: Additional information can be found on the MASC web site.

### RESOLUTION 4: Climate Change

*(Proposed by the Resolutions Committee)*

WHEREAS: We believe America is a great nation and has a proud heritage of addressing humanity's most pressing problems;

WHEREAS: We believe it is important to advocate for climate action leading to climate restoration to curtail one of the greatest threats facing communities throughout the world; and,

WHEREAS: We believe that climate change is not a partisan issue and that local, state, and national policies should be guided by the best available science; and,

WHEREAS: There is a broad scientific consensus among climate scientists that human activities, contributing to increases in greenhouse gas emissions, are the dominant cause of climate change;

WHEREAS: Children represent a particularly vulnerable group because greenhouse gases emitted into the atmosphere will continue to accumulate over the coming decades and will profoundly impact our current students throughout their lives, as well as the lives of future generations; and,

WHEREAS: MASC recognizes climate change as a generational justice and human rights issue; and,

WHEREAS: Climate change is a social justice and equity issue. While climate change impacts all people and disproportionately impacts all young people and future generations, it disproportionately affects people of color and people in poverty, thereby exacerbating existing inequities and limiting equality of opportunity which is a foundational aspiration for modern America;

WHEREAS: The global impact, urgency, and magnitude of the challenge of addressing climate change calls for leadership in all sectors of society, all institutions and all elected leaders; and,

WHEREAS: National and state elected leaders working in a bipartisan fashion to enact carbon pricing policies could quickly and substantially reduce human-made greenhouse gas emissions; and,

WHEREAS: MASC recognizes and understands the significant negative impact that rapid and ongoing climate change has on America's schools, students, and their communities.

THEREFORE BE IT RESOLVED THAT: MASC calls on Congress to take swift and effective action on climate change to protect current and future students.

BE IT FURTHER RESOLVED THAT: MASC advocates for funding for school infrastructure need and emergency funding for disaster relief caused by natural catastrophes and extreme weather events.

RATIONALE: This resolution represents a call by advocates for action on climate change at the federal level and for state funding to anticipate the climatological implications and the emergencies they might cause.

#### **RESOLUTION 5: Full Funding of Transportation Costs for Students in Foster Care And State Care**

*(Submitted by the MASC Board of Directors)*

WHEREAS: FY18 was the first year Massachusetts added the category of transportation for foster children educated in the school or district of origin and subject to transportation to its reporting of education expenses by district, and the reported total was over \$3.2 million; and

WHEREAS: Federal and state law require the ability for students in foster or state care to stay not just in their districts of origin but also in their schools of origin; and

WHEREAS: The nature of foster care and state care placements has changed significantly within the past several decades; and

WHEREAS: School districts do not have control over whether a foster care student is placed into or removed from the district; and

WHEREAS: Section 7 of Chapter 76 of the Massachusetts General Laws, established over a century ago, obligates the Commonwealth to reimburse districts for the cost of educating students in foster care and state care;

THEREFORE BE IT RESOLVED THAT: the Commonwealth should fully reimburse transportation funding for children in foster care and state care. DCF and DESE must complete the process to provide proper documentation for the Commonwealth to receive reimbursement for transportation expenses under Title IV-E of the Social Security Act.

BE IT FURTHER RESOLVED THAT: MASC advocate the Massachusetts General Court to properly calculate and assume the full expense of providing educational services to

students in foster care and state care including the costs of assessments, regular day and special education services as well as out-of-district placements, transportation and mental health services.

RATIONALE: Because the foster care population is fluid, it is difficult for a school district to budget properly for unexpected transportation costs of students in foster care or state custody. Direct and full funding of transportation will remedy these problems while equitably and accurately allocating costs. The State Auditor notes the Commonwealth's failure to provide funding for the transportation of foster care students may be an unfunded mandate under the Local Mandate Law, G.L. c. 29, § 27c. This is a similar situation to that of the McKinney Vento finding by Auditor Bump in 2011-2012. As the requirement is tied to federal funding under Title I, the need to provide transit to these students means this could potentially be a requirement passed by the state to local districts without offsetting funding. Massachusetts received over \$220 million in Title I, Part A grants in each of the fiscal years 2016, 2017, and 2018.

While the reimbursement only offers a portion of the funds expended, it could help offset some of the expenses incurred by school districts to comply with state and federal laws. We applaud DCF and DESE for the effort underway to modify the federal plan to allow for reimbursement to Massachusetts for expenses incurred by school districts.

This resolution explicitly recognizes that "education expenses" include all education-related costs associated with the imposition of federal requirements and the decision-making of the Department of Children and Families (DCF) regarding each foster child's residential situation. Direct state funding of these services will allow for a more accurate allocation of funds to affected communities. Funding from the state will also lessen the administrative time lost by central office staff trying to determine the district financially responsible for each student and seeking reimbursements after the fact. Estimated total costs less the estimated existing payments would net to approximately \$56 million annually. More accurate data on student placements would sharpen this estimate.

#### **RESOLUTION 6: Universal Quality Pre-Kindergarten Access in Massachusetts**

*{NOTE: This Resolution is a reaffirmation of a 2014 Resolution, submitted by the Framingham School Committee}*

WHEREAS: In Massachusetts as many as four out of ten students lack access to a formal, early education and care program; and

WHEREAS: Advocates have cited as many as 25,000 low income children are in need of financial assistance for early education and care; and

WHEREAS: Low income students who participate in quality early education and care programs are 40% less likely to be held back a grade or need Special Education, and 30%

more likely to graduate high school twice as likely to attend college; and

WHEREAS: Better language, social and behavioral skills are obtained by attending a quality pre-school; and

WHEREAS: Children that attend pre-schools are shown to demonstrate tangible lifelong results for future success;

THEREFORE BE IT RESOLVED THAT: MASC file or support legislation that will provide a sufficient appropriation for universal pre-K in Massachusetts and will achieve the actions necessary to provide access to good, quality universal pre-K for all children in Massachusetts.

RATIONALE: This resolution would help ensure that our underserved population of 3 and 4-year-olds will be provided with the supports and services necessary for school readiness and lasting success in the classroom and for future success. Knowing that these strategies are documented in increasing student success, our resolution will level the playing field by helping to ensure equity and beginning the process of closing the achievement gap for this vulnerable cohort of children.

#### **RESOLUTION 7: Poverty and Children**

*(Note: This Resolution is a reaffirmation of a 2015 Resolution. Submitted by the Framingham School Committee.)*

WHEREAS: One third of the children in Massachusetts are living in or near poverty; and

WHEREAS: The perils of poverty include putting students and families at risk for health, social and emotional and educational disadvantage; and

WHEREAS: Students in poverty and at social and emotional risk face obstacles and impediments to their success that other students do not confront; and

WHEREAS: There is a direct link between poverty and student and district academic performance, demanding our attention and our diligent efforts to address them; and

WHEREAS: The eradication of poverty among children is essential to generating a strong economy and vibrant society;

THEREFORE BE IT RESOLVED THAT: The Massachusetts Association of School Committee will prioritize, as a matter of its public policy agenda, and file for and support legislation to support the eradication of poverty among children in Massachusetts and advocate for social and economic justice for students and their families that will include:

- Support for a revenue stream that supports social and economic priorities for children and families.
- Support for state program and services that serve children at greatest social and emotional risk which are easily accessible to students and families.

- Advocacy for nutrition programs that eradicate hunger among children.

- Advocacy for healthcare including vision, hearing, dental and mental health through accessible service providers.

- Support for pre-kindergarten programs for all children.

- Advocacy for increasing educational opportunities for children to grow both inside and outside of school.

RATIONALE: This resolution would help ensure that our underserved population of school children will be provided with the supports and services necessary for lasting success in the classroom and in their future. Knowing that by eliminating the ravages of poverty, these strategies have been proven to increase positive student outcomes, this resolution will level the playing field by helping to ensure equity and to close the achievement gap for this vulnerable cohort of children.

#### **RESOLUTION 8: Resolution for Access to Menstrual Supplies**

*(Submitted by the MASC Resolutions Committee)*

WHEREAS: Schools have an obligation to serve all students equitably. Every student deserves the reassurance that their school restrooms are outfitted with necessities to accommodate their biological needs. Yet, for roughly half the US student population, there is a glaring exception to this commitment: menstrual hygiene products; and

WHEREAS: Menstrual hygiene products are basic necessities, and the inability to access them affects a student's freedom to study, be healthy, and participate in society with dignity. Studies have shown that when students lack access to menstrual hygiene products they skip or miss class, face embarrassment or objectification because of period stains, and are limited both academically and socially; and

WHEREAS: Access to menstrual products could be cost prohibitive to many students and menstruating is not a luxury but a biological process that necessitates the use of costly products; and

WHEREAS: No student should miss a day of school because they feel ashamed or they do not have access to menstrual products; and

THEREFORE BE IT RESOLVED THAT: MASC work with state and federal legislatures to provide additional funding to provide free access to menstrual products from the school nurse and in restrooms and locker rooms.

RATIONAL: Proponents assert that menstrual supplies are basic necessities which some students may not have on hand in school at any particular moment or may not be able to afford in general. They view these items, similar to other products found in nurses' offices or in restrooms, as basic, essential commodities for everyday use that should be available to all students without charge.

**RESOLUTION 9: Charter School Reform**  
(Submitted by the MASC Board of Directors)

WHEREAS: In many cities and towns, Commonwealth charter schools are imposed upon communities or subject to expansion over their objections, without local representative oversight, and without regard to the impact such a charter school would have on the education of children in the public schools; and

WHEREAS: Charter schools are always fully funded by the sending districts enrolling students there while the charter school mitigation fund is subject to appropriation and has not been fully funded in years; and

WHEREAS: Charter schools may retain up to 20 percent of their operating budget and capital costs in reserve funds, regional schools may retain only 5 percent of any surplus funds in reserve, while district schools must return 100 percent of any unspent funds to their municipality; and

WHEREAS: Without substantial reform of Commonwealth charter school financing, recruitment of students, equitable charter school enrollment of representative segments of the population of economically disadvantaged, special education, and disabled students remediation of the adverse impact of charter schools cannot be addressed;

THEREFORE BE IT RESOLVED THAT: the Massachusetts Association of School Committees seek legislative action to both address the deleterious effects of charter school funding on certain municipalities and school districts across the state and approve a comprehensive set of reforms that includes:

1. Establishment of strict guidelines or regulations to require that charter schools enroll representative cross sections of students residing within the school service areas.

2. Reporting of accurate numbers of students who leave charter schools to return to the sending districts or district of residence.

3. Requiring the MA Department of Elementary and Secondary Education to retain and report accurate data on enrollment of students with learning disabilities, physical disabilities, economic disadvantage, emotional disability and status as racial and linguistic minorities.

4. State requirements that all charter schools be funded in full by the Commonwealth rather than by expropriation of Chapter 70 education aid from the sending cities, towns and regions.

5. State funding in full of any mitigation funds created to offset the loss of state funding for students who become students in charter schools.

RATIONAL: This resolution addresses several areas where charter school critics note that school districts are disadvantaged by current policy. Among these issues are failure to recruit and retain a fair proportion of students at risk, English Language Learners, or clients of special education services. The resolution also recommends that charter schools should be funded as a discrete budget line item rather than by having sending district Chapter 70 funding diverted to charter schools and that the current mitigation program to offset temporary losses of district funds be fully funded.

Critics of this resolution may argue that “the money follows the child” and that charter schools represent choices for parents and students. They might also cite efforts by some charter schools to recruit students at risk.

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## proposal to amend the masc by-laws

**The Board of Directors of the Association has recommended to members that the by-laws of the Association be amended as follows:**

It is proposed that Article VII (Election of Officers), subsection 2 (Nominating Committee) be updated to reflect the addition of the Minority Caucus representative on the Board of Directors and as a representative on the Nominating Committee.

**Current language reads as follows:**

A Nominating Committee of ten persons shall be appointed by the President with the advice and consent of the Board of Directors, on or before May 1 of each year. One of such persons shall be a past President, who shall serve as Chairman of the Nominating Committee, four shall be Division Officers and five shall be members of school committees which are

active members of the Association. The four Division officers and the five others shall be so appointed that each Division of the Association is represented.

**Proposed language reads as follows (new language in bold face)**

A Nominating Committee of ten persons shall be appointed by the President with the advice and consent of the Board of Directors, on or before May 1 of each year. **A Past President shall serve as a non-voting chair of the committee. Five** members shall be Division Officers and five shall be members of school committees which are active members of the Association. The **five** Division officers and the five others shall be so appointed that each Division of the Association is represented.