

**Franklin Public Schools
Franklin, Massachusetts 02038**

Action Required

Subject: MASC Resolutions

Date: October 11, 2022

Dept: SC

Reason: Required Vote

Enclosure: yes

Recommendation:

Resolutions

I recommend approval of the following resolutions:

1. Regarding Sanctuary Laws for Transgender Students
2. To Increase the Maximum Balance Allowed by the Special Education Reserve Fund
3. Membership of the Board of Elementary and Secondary Education
4. Preserving Local Governance of Massachusetts Schools
5. Personal Financial Literacy Education
6. Establishment of a Regional School Assessment Reserve Fund

Action Requested of the School Committee:

Majority vote of the School Committee is required.

Vote Tabulator

C. Bernstein: Y / N D. McNeill: Y / N

D. Callaghan: Y / N M. Whitmore: Y / N

Al Charles: Y / N D Spencer: Y / N

E Stokes: Y / N Action: _____

report of the resolutions committee

The members of the Resolutions Committee met on July 5, 2022 to consider resolutions proposed by member districts for consideration at the 2022 Annual Meeting of the Association. Members present were: Stacey Rizzo, Chair, Revere; Andrea Wadsworth, Lee; Jason Fraser, Plympton and Silver Lake Reg.; Paul Schlichtman, Arlington; Barbara Davis, Holbrook; Stephanie Clougherty, Carver; Beverly Hugo, Framingham; Beverly Griffin Dunne, Peabody and Essex North Shore Vocational School; Margaret Hughes, Narragansett; Robert Swartz, Gardner

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

RESOLUTION 1: REGARDING SANCTUARY LAWS FOR TRANSGENDER STUDENTS

(Sponsored by the Lexington School Committee and co-sponsored by the Worcester, Somerville, Grafton, and Franklin School Committees)

WHEREAS the Commonwealth of Massachusetts has a long history of standing for civil rights, including advocacy for a bill of rights in the U.S. Constitution; and

WHEREAS Massachusetts codified gender identity as a protected class in the 2011 Act Relative to Gender Identity; and

WHEREAS all children deserve a safe environment in which to grow up; and

WHEREAS some state governments are now criminalizing supportive medical care for trans individuals, moving to bar families from traveling to access such care, and otherwise violating the civil rights of trans children and their families; and

WHEREAS the defense of the civil rights of the historically marginalized is contained within the first article of the Massachusetts Constitution right of "seeking and obtaining their safety and happiness;"

THEREFORE BE IT RESOLVED that the Massachusetts Association of School Committees calls on the Great and General Court to join with other states in the passage of so-called "sanctuary" laws to ensure such children and their families have "the power of enjoying, in safety and tranquility, their natural rights and the blessings of life," as guaranteed by the Constitution of the Commonwealth.

RATIONALE: The 2011 passage of the Act Relative to Gender Identity marked a Massachusetts commitment to the civil rights of transgender residents. Laws recently passed or being considered in other states would put into question this protection, as some such laws call for families to be prosecuted for seeking medical treatment for their children, even across state lines. This is a profound violation of the civil rights of these children, and it increases the potential harm both to them and to their families. In response, a number of states are considering so-called sanctuary laws which would shield families from such prosecution, and extend to those children the rights guaranteed to them by Massachusetts law. As of the passage of this resolution, no such bills have been filed in Massachusetts. The Legislature must back up the 2011 Act with this further protection.

RESOLUTION 2: TO INCREASE THE MAXIMUM BALANCE ALLOWED BY THE SPECIAL EDUCATION RESERVE FUND

(Sponsored by the Plympton School Committee)

WHEREAS the Municipal Modernization Act allows for municipalities in conjunction with their school districts to create a Special Education Reserve Fund to cover the cost of unanticipated or unbudgeted special education costs, including the cost of out-of-district placements and special education transportation; and

WHEREAS the current language of the Special Education Reserve Fund caps the balance at 2 percent of annual net school spending, which for many rural and small districts does not leave enough in reserves to meet the needs of a single student who is placed into a collaborative setting, never mind a student who may be medically fragile and in need of an intensive residential placement; and

WHEREAS school districts with large student bodies are more likely to experience multiple unanticipated and unbudgeted special education related expenses throughout the school year;

THEREFORE BE IT RESOLVED that the Massachusetts Association of School Committees calls upon the Massachusetts Legislature to amend Chapter 40, Section 13E, by deleting "2 percent of the annual net school spending" and by inserting the following "5 percent of the annual net school spending."

RATIONALE: Current prices for special education day programs in Massachusetts Collaboratives can cost a district between \$50,000 to \$70,000 per student and private provider day programs can cost districts between \$70,000-\$100,000 per student. These prices do not include the cost to transport the students to these separate settings which is part of the overall price and can fluctuate in cost. Private residential special education settings can cost a district between \$120,000-\$250,000 per student.

The 5 percent cap would allow for deeper investment of the municipality's own monies towards preventing mid-year budget crisis and positioning the school district to have the ability to provide an appropriate public education in the least restrictive setting to all students. The 5 percent cap would also allow reserves to grow to a sustainable level which hopefully would not be wiped out by a single year of special education related expenses.

RESOLUTION 3: MEMBERSHIP OF THE BOARD OF ELEMENTARY AND SECONDARY EDUCATION

(Submitted by the Arlington School Committee)

WHEREAS the Board of Elementary and Secondary Education has broad powers to set education policy and enact regulations for Massachusetts public schools; and

WHEREAS the Board of Elementary and Secondary Education has the power to choose a receiver to replace an elected school committee; 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; and

WHEREAS professional expertise and a commitment to public governance should not disqualify a person from serving in a leadership role;

THEREFORE BE IT RESOLVED that the Massachusetts Association of School Committees calls for the enactment of legislation to repeal the provision of Massachusetts law that prohibits practicing educators and sitting school committee members from serving on the Board of Elementary and Secondary Education;

BE IT FURTHER RESOLVED that the Massachusetts Association of School Committees calls for legislation to reconstitute the Board of Elementary and Secondary Education by including members with expertise as licensed educators and members with expertise in public school governance.

RESOLUTION 4: PRESERVING LOCAL GOVERNANCE OF MASSACHUSETTS SCHOOLS

(Sponsored by the Arlington School Committee)

WHEREAS the Massachusetts Department of Elementary and Secondary Education has exercised its power to take over school districts in Lawrence in 2011, Holyoke in 2015, and Southbridge in 2016; and

WHEREAS the placement of the public schools of Lawrence, Holyoke, and Southbridge in receivership has removed their respective school committees from their role as the governing board for their schools, and has replaced local governance with a state receiver; and

WHEREAS a Boston Globe analysis of test scores, graduation rates, college enrollment, and a dozen other metrics in Lawrence, Holyoke, and Southbridge shows state receivers have failed to meet almost all of its stated goals for the districts; and

WHEREAS the Massachusetts Department of Elementary and Secondary Education has no plan, strategy, or timeline for restoring local governance and accountability to the voters of Lawrence, Holyoke, and Southbridge; and

WHEREAS the Massachusetts Association of School Committees asserts that a strong system of local governance and accountability is the foundation of excellent schools;

THEREFORE BE IT RESOLVED that the Massachusetts Association of School Committees calls on the Commonwealth of Massachusetts to restore local governance and accountability for the Lawrence, Holyoke, and Southbridge Public Schools no later than July 1, 2023; and

BE IT FURTHER RESOLVED that the Massachusetts Association of School Committees calls on the Massachusetts Legislature to enact legislation to limit any future state takeovers to a term of no more than three years.

RESOLUTION 5: PERSONAL FINANCIAL LITERACY EDUCATION

(Sponsored by the Framingham School Committee)

WHEREAS students will need to make wise financial decisions to promote financial well-being throughout their lives; and

WHEREAS students will need to develop actionable strategies to manage their futures, including managing their budgets by developing savings plans, navigating credit and debt, and creating a blueprint for financing higher education or their careers; and

WHEREAS students will need to be informed consumers when making everyday purchases for both small and large items; and

WHEREAS with guidance and financial literacy, students have increased chances of affording and attaining a college education; and

WHEREAS without prior long-term financial planning, higher education plans do not come to fruition for many students due to extraordinary tuition rates; and

WHEREAS college tuitions and other financial choices, such as credit card debt and loans, can saddle students with a lifetime of debt due to their inability to pay back student and other type of loans;

THEREFORE BE IT RESOLVED that MASC file legislation that would have the effect of ensuring that all students have exposure to personal financial literacy curricula and, ultimately, graduate from high school with the lifelong knowledge of how to be fiscally responsible to avoid being deterred by financial woes. This legislation should ensure that the students at various levels would benefit from curriculum in Massachusetts' public schools which would include content in personal financial literacy.

RATIONALE: Because many students and their families today do not plan far enough ahead for college tuition, many students are not able to attend institutions of higher learning or need to drop out due to inadequate funds. This resolution will help to ensure that students are knowledgeable about the best options available to them in order to be fiscally responsible and receive the best advice in attaining their goals by being educated about the best options for paying tuitions, use of credit cards, securing personal loans (including car loans) etc.

RESOLUTION 6: ESTABLISHMENT OF A REGIONAL SCHOOL ASSESSMENT RESERVE FUND

(Sponsored by the Silver Lake Regional School Committee)

WHEREAS Regional School Committees of the Commonwealth are tasked with producing financially sound budgets designed to meet the needs of all their students just like all public school committees of Massachusetts; and

WHEREAS municipalities of Regional Schools are presented with Regional Assessments which can fluctuate dramatically based on enrollment percentage changes and can be further exacerbated by unbalanced adjustments of the Equalized Valuation (EQV) of property, a key metric in the states formula used to calculate the minimum required local contribution; and

WHEREAS in 2016 the State of Massachusetts passed the Municipal Modernization Act which aimed to grant more local control and encouraged financial efficiencies where possible, the precedent exists in statute to support the

creation of a Regional Schools Assessment Reserve Fund which could be used to offset abnormally large increases to a municipality's regional assessment;
THEREFORE BE IT RESOLVED: that the Massachusetts Association of School Committees calls upon the Massachusetts Legislature to enact or amend legislation which permits municipalities to establish a Regional School Assessment Reserve Fund.

Proposed language for legislation could include:

To amend M.G.L. Part I, Title VII, Chapter 40, by inserting Section 13F as follows:

Chapter 40, Section 13F

Regional School Assessment Reserve Fund for payments towards future Regional Assessments

Any municipality which accepts this section by a majority vote of the municipality's legislative body may establish and appropriate or transfer money to a reserve fund to be utilized in the upcoming fiscal years, to pay for the Regional Assessment in years when the Regional Assessment increases by more than 35% over the previous year's Regional Assessment. The balance in the reserve fund shall not exceed 10 percent of the annual Regional Assessment for the municipality.

Funds shall only be distributed from the reserve funds after a majority vote of the municipality's legislative body in years when the Regional Assessment is more than 3.5% in order to bring the Regional Assessment down to no less than 2.5% increase. The municipal treasurer may invest the monies in the manner authorized in section 54 of chapter 44 and any interest earned thereon shall be credited to and become part of the fund.