

HOUSE No. 1216

By Mr. Dolan of Ipswich, petition of the Massachusetts Selectmen's Association, Inc., for local control over school budgets. Education.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Eight.

AN ACT PROVIDING FOR LOCAL CONTROL OVER SCHOOL BUDGETS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 34 of chapter 71 of the General Laws is hereby
2 amended by striking out all of said section after the first
3 sentence and inserting the following:—If a budget submitted
4 to a town meeting or a city council by a school committee is
5 reduced, the school committee shall have ten days after final
6 adjournment of the town meeting or final action on the
7 school budget by the city council in which to petition the
8 town or city clerk for a referendum. The said clerk shall then
9 prepare a referendum ballot for submission to the people of
10 such city or town within forty-five days after receipt of the
11 petition from the school committee. The question on the
12 ballot shall be: "Shall the action of the town meeting (or city
13 council) in reducing the budget of the school committee by
14 dollars be approved?" If a majority of the votes
15 cast are "Yes", the decision is final and no court or other
16 action challenging the decision of the voters shall be taken
17 save for a petition for recount or action charging irregulari-
18 ties in the polling. For these latter purposes only, the school
19 committee may hire special counsel. If a majority of the votes
20 cast are "No", the amount of the reduction shall be restored
21 and enforceable by the superior court in equity.

22 In a regional school district if a member town at its annual
23 meeting or a city by vote of its council votes to reduce the
24 regional school district budget, the matter shall be referred

25 back to the regional school district committee for further
26 study. The said committee shall then prepare an alternative
27 budget which shall be binding on all constituent towns unless
28 the selectmen in a town shall call a special town meeting
29 within thirty days after official receipt of notice of said
30 committee's action, or in a city the mayor shall submit the
31 matter to the city council within thirty days after receipt of
32 said committee's action. If a special town meeting or the city
33 council again votes to reduce the alternative budget, the
34 matter shall be referred to the state board of education for
35 final decision binding on all constituent towns of the district.
36 In no case, however, shall the alternative budget submitted
37 by the regional school district or the action of the state board
38 of education result in a budget higher than the one originally
39 proposed by the regional school district committee.