

By Mr. Chase, a petition (accompanied by bill, Senate, No. 1691) of Arthur E. Chase, Jane M. Swift, Marianne W. Brenton, Matthew J. Amorello, Christopher M. Lane, Kevin O'Sullivan, Patricia D. Jehlen, David M. Peters, Larry F. Giordano, Peter I. Blute, Nancy H. Evans, William Constantino, Jr., and Robert A. Havern for legislation relative to funding and transportation for school choice. Education, Arts and Humanities.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-One.

AN ACT RELATIVE TO FUNDING AND TRANSPORTATION FOR SCHOOL CHOICE.

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 1. Section three hundred and four of chapter one
2 hundred and thirty-eight of the acts of nineteen hundred and
3 ninety-one is repealed.

1 SECTION 2. Notwithstanding the provisions of any general or
2 special law to the contrary, each public school district which
3 admits children under the provisions of section twelve B of chapter
4 seventy-six of the General Laws, as amended by section twenty-
5 three of chapter six of the acts of nineteen hundred and ninety-
6 one, shall certify to the state treasurer the number of such children
7 attending its public schools, the city or town of residence of each
8 such child, the annual amount of tuition for each such child, the
9 total tuition owed to the district based on full or partial
10 attendance, and the amount of tuition to be paid by the
11 commonwealth which amount shall be in accordance with a
12 sliding fee scale based on a needs standard which the secretary
13 of education shall develop and promulgate by regulation. Said
14 sliding fee scale shall provide for appropriate tuition contributions
15 by the parent or guardian of the child; provided, that no parent

16 or guardian who earns less than three hundred per cent of the
17 poverty level as computed by the federal government shall be
18 required to provide any tuition contributions.

1 SECTION 3. Notwithstanding the provisions of any general or
2 special law to the contrary, the annual amount of tuition required
3 to be paid by the commonwealth under the provisions of section
4 twelve B of chapter seventy-six of the General Laws, as amended
5 by section twenty-three of chapter six of the acts of nineteen
6 hundred and ninety-one, shall be subject to legislative
7 appropriation. The commonwealth may accept and expend
8 monies received from state appropriations; gifts, grants and
9 donations from public or private sources; and federal reimburse-
10 ments, grants-in-aid, or other monies credited or transferred from
11 any other fund or source pursuant to law for the purpose of
12 funding the program established under the provisions of section
13 twelve B of chapter seventy-six of the General Laws, as amended
14 by section twenty-three of chapter six of the acts of nineteen
15 hundred and ninety-one. The department of revenue, in
16 cooperation with the state treasurer, shall determine the manner
17 by which tuition contributions of a parent or guardian shall be
18 made to each public school district which admits children under
19 the provisions of section twelve B of chapter seventy-six of the
20 General Laws, as amended by section twenty-three of chapter six
21 of the acts of nineteen hundred and ninety-one.

1 SECTION 4. Notwithstanding the provisions of any general or
2 special law to the contrary, the secretary of education shall
3 develop a plan to address the transportation requirements of
4 children in grades K-6 who participate in the program established
5 by section twelve B of chapter seventy-six of the General Laws,
6 as amended by section twenty-three of chapter six of the acts of
7 nineteen hundred and ninety-one. Said plan shall be implemented
8 within ninety days of the effective date of this act. Transportation
9 shall be provided based on a needs standard which the secretary
10 of education shall develop and promulgate by regulation.
11 Transportation shall be paid by each school district which admits
12 children under the provisions of section twelve B of chapter
13 seventy-six of the General Laws, as amended by section twenty-

14 three of chapter six of the acts of nineteen hundred and ninety-
15 one; provided, that said payment shall be required for such
16 children only if they reside in a contiguous school district; and
17 provided further, that school districts shall not be required to
18 expend for transportation an amount that exceeds the cost of
19 public transportation where appropriate from the contiguous
20 school district to the public school district which admits such
21 children or five dollars per diem per child, whichever is less; and
22 provided further, that the provisions of this section shall not
23 entitle any child attending private schools of elementary and high
24 school grades beyond the boundaries of the school district wherein
25 they reside to transportation as provided under section one of
26 chapter seventy-six of the General Laws.

1 SECTION 5. Notwithstanding the provisions of any general or
2 special law to the contrary, the secretary of education is hereby
3 directed to establish a parent information system for the program
4 established pursuant to section twelve B of chapter seventy-six of
5 the General Laws, as amended by section twenty-three of chapter
6 six of the acts of nineteen hundred and ninety-one.

1 SECTION 6. Chapter seventy-six of the General Laws is
2 hereby amended by inserting after section twelve B the following
3 new section: —

4 Section 12C. Any child may attend on a private tuition basis
5 the public school of a city or town where the child does not reside
6 upon such terms as the school committee of such city or town
7 where the child does not reside shall fix; provided, that said school
8 committee shall not discriminate in the admission of any child on
9 the basis of race, color, religious creed, national origin, or sex.

