

By Mr. Cohen of Newton, petition of David B. Cohen for legislation to further regulate charter schools. Education, Arts and Humanities.

**The Commonwealth of Massachusetts**

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

AN ACT FURTHER REGULATING CHARTER SCHOOLS.

*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. The first paragraph of section 89 of chapter 73 of  
2 the General Laws, as inserted by section 55 of chapter 71 of the acts  
3 of 1993, is hereby amended by inserting after the work "trustees", in  
4 the first sentence, the following:— or is operated by a school  
5 committee acting as a board of trustees.

1 SECTION 2. The third paragraph of said section 89 of said  
2 Chapter 71 is hereby amended by inserting at the end of the first  
3 sentence the words:— or a school committee.

1 SECTION 3. The first sentence of the twelfth paragraph of said  
2 section 89 of said Chapter 71 is hereby amended by adding at the  
3 end thereof the following:— , unless the charter school shall operate  
4 in accordance with sections forty-one and forty-two.

1 SECTION 4. The second sentence of the fifteenth paragraph of  
2 said section 89 of said chapter 71 is hereby amended by inserting at  
3 the end thereof the following:— ; provided, however, that for a  
4 charter school run by a school committee, the school committee  
5 shall be considered the public employer and all existing employ-  
6 ment contracts shall remain in effect.

1 SECTION 5. Said section 89 of said chapter 71 is hereby further  
2 amended by striking out the last paragraph and inserting in place  
3 thereof the following paragraph:—

4 Charter schools shall be funded as follows: If a student attending  
5 a charter school resides in a community with a positive foundation  
6 gap, the state shall pay to the charter school an amount equal to the  
7 average cost per student in the city, town, or district in which the  
8 student resides. If a student attending a charter school resides in a  
9 community that does not have a positive foundation gap pursuant to  
10 chapter seventy, the state shall pay to the charter school an amount  
11 equal to the lesser of: (1) the average cost per student in the city,  
12 town, or district in which the student resides; and (2) the average  
13 cost per student in the city or town in which the charter school is  
14 located.