

By Mr. Linsky of Natick, petition of David Paul Linsky and others for legislation to clarify the responsibility of school districts to provide transportation to students. Education.

The Commonwealth of Massachusetts

PETITION OF:

David Paul Linsky
J. James Marzilli, Jr.
Alice Hanlon Peisch

Michael E. Festa
Karen E. Spilka

In the Year Two Thousand and Seven.

AN ACT CLARIFYING SCHOOL DISTRICTS' RESPONSIBILITIES.

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

1 Chapter 71 of the General Laws is hereby amended by striking
2 out section 68, as appearing in the 1998 Official Edition, and
3 inserting in place thereof the following section:—
4 Section 68. Every town shall provide and maintain a sufficient
5 number of schoolhouses, properly furnished and conveniently situ-
6 ated for the accommodation of all children therein entitled to attend
7 the public schools. If said distance between a child's residence and
8 the school he is entitled to attend exceeds two miles and the nearest
9 school bus stop is more than one mile from such residence, and the
10 school committee declines to furnish transportation, the department,
11 upon appeal of the parent or guardian of the child, may request the
12 town to furnish transportation for the children in grades kindergarten
13 through six for a part or for all the distance between such residence
14 and the school. Nothing contained in the preceding two sentences
15 shall be construed to limit the obligation of regional school districts
16 to provide transportation for all school children in grades kinder-
17 garten, though twelve, pursuant to the provisions in section sixteen
18 C of the chapter.

19 No school committee shall be compelled to furnish transportation
20 on a private way. The school committee, unless the town otherwise
21 directs, shall have general charge and superintendence of the school-
22 houses, shall keep them in good order, and shall, at the expense of
23 the town, procure a suitable place for the schools, if there is no
24 schoolhouse, and provide fuel and all other things necessary for the
25 comfort of the pupils. Whenever a town shall undertake to provide a
26 schoolhouse, the town shall appoint at least one member of the
27 school committee, or its designee, to serve on the agency, board or
28 committee to which the planning and construction or other acquisi-
29 tion of such schoolhouse is delegated.