

# HOUSE . . . . . No. 121

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Accompanying the sixth recommendation of the Department of Education (House, No. 115). Education.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT TO PROVIDE FINANCIAL ASSISTANCE TO A CITY OR TOWN OR REGIONAL SCHOOL DISTRICT IN THE CONSTRUCTION OF A SCHOOL IN SAID CITY, TOWN OR REGIONAL SCHOOL DISTRICT IN ORDER TO ELIMINATE OR REDUCE RACIAL IMBALANCE IN ANOTHER CITY OR TOWN.

*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 12A of chapter 76 of the General Laws, as amended  
2 by section 1 of chapter 622 of the acts of 1968, is hereby further  
3 amended by adding the following paragraph:—  
4 If a city, town or regional school district undertakes school  
5 construction for the purpose of eliminating or reducing racial  
6 imbalance, as defined in section thirty-seven of chapter seventy-  
7 one, which exists in another city or town, and if the number  
8 of nonwhite children which the school committee accepts as  
9 of October first is five per cent of the public school population  
10 of said city, town or regional school district or four hundred,  
11 whichever is less, the state shall pay as a construction grant the  
12 state average construction cost per pupil in an elementary  
13 school, junior high and high school as determined by the depart-  
14 ment for the previous year for each nonwhite child. This grant  
15 will be spread over a period of twenty years, commencing at  
16 the time of the award of the construction contract. If in any  
17 year the quota of five per cent or four hundred, whichever is  
18 less, is not met and in the judgment of the department the  
19 failure is not the fault of the school system, payment will still  
20 be made by the state for that year. The nonwhite children

21 may be distributed in other schools in the system. The school  
22 construction must be approved by the department. Nonwhite  
23 children from another city or town already attending the public  
24 schools of the other city or town shall be included in the five  
25 per cent or four hundred quota, whichever is less. The grant  
26 for reducing racial imbalance in another city or town shall be in  
27 addition to the total construction grant approved under section  
28 nine of chapter six hundred and forty-five of the acts of nineteen  
29 hundred and forty-eight.