

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act reforming charter school funding in Massachusetts.

PETITION OF:

NAME:

Joanne M. Comerford

DISTRICT/ADDRESS:

Hampshire, Franklin and Worcester

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act reforming charter school funding in Massachusetts.

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. Paragraph (2) of subsection (i) of section 89 of chapter 71 of the general
2 laws, as appearing in the 2022 official edition, is hereby amended by striking out the first 2
3 sentences and inserting in place thereof the following 2 sentences:-

4 In any fiscal year, no public school district's total charter school tuition payment to
5 commonwealth charter schools, as calculated in subsection (ff), shall exceed 9 per cent of the
6 district's net school spending; provided, however, that a public school district whose total charter
7 school tuition payment as of June 30, 2025, exceeds said 9 per cent shall remain at the level
8 necessary to support current and previously authorized charter school enrollment, and provided
9 further that no new charter school seats shall be authorized by the board for said district so long
10 as its total charter school tuition payment exceeds said 9 per cent. The commonwealth shall incur
11 charter school tuition payments for siblings attending commonwealth charter schools to the
12 extent that their attendance would otherwise cause the school district's charter school tuition

13 payments to exceed 9 per cent of the school district's net school spending or the higher caps
14 referenced herein.

15 SECTION 2. Paragraph (3) of said subsection (i) of said section 89 of said chapter 71, as
16 so appearing, is hereby amended by striking out, in lines 218 to 223, inclusive, the words “the
17 school district's total charter school tuition payment to commonwealth charter schools may
18 exceed 9 per cent of the district's net school spending but shall not exceed 18 per cent. For a
19 district qualifying under this paragraph whose charter school tuition payments exceed 9 per cent
20 of the school district's net school spending,”.

21 SECTION 3. Said paragraph (3) of said subsection (i) of said section 89 of said chapter
22 71, as so appearing, is hereby further amended by inserting after the word “school,” in line 224,
23 the following words:- impacting said district.

24 SECTION 4. Said paragraph (3) of said subsection (i) of said section 89 of said chapter
25 71, as so appearing, is hereby further amended by striking out the eighth sentence.

26 SECTION 5. Said subsection (i) of said section 89 of said chapter 71, as so appearing, is
27 hereby further amended by striking out paragraph (4).

28 SECTION 6. Subsection (j) of said section 89 of said chapter 71, as so appearing, is
29 hereby amended by inserting after the third sentence the following sentence:- The criteria shall
30 include, but not be limited to: (i) the projected impact on enrollment to the sending district or
31 districts; (ii) the projected financial impact on the sending district or districts; and (iii) the
32 projected impact on the overall short- and long-term viability of the sending district or districts.

SECTION 7. Subsection (dd) of said section 89 of said chapter 71, as so appearing, is hereby amended by adding the following paragraph:-

Any material produced by the department in relation to a charter school renewal decision shall be made available to the public at least 60 days prior to a vote by the board to renew a school's charter. Furthermore, at least 60 days prior to a renewal vote, the board shall solicit public comment on the renewal for a period of at least 30 days. The board shall review all material submitted in support of or in opposition to the charter renewal prior to a renewal vote. In the event that the board delegates full or partial authority to the commissioner to make charter school renewal decisions, the same public notice and public comment timelines shall apply.

SECTION 8. Said section 89 of said chapter 71, as so appearing, is hereby further amended by inserting after subsection (dd) the following subsection:-

(dd1/2) In the case of a charter school seeking an expansion of seats from the board, there shall be a public hearing on the expansion if a member of the school committee in any potentially impacted district makes the request to the department within 30 days of public notification of the expansion request. The board shall hold the hearing in the school district, providing for the option to participate virtually, in which the proposed expansion would take place, in accordance with the public hearing requirements outlined in subsection (h).

The board shall establish criteria for the approval of a charter school expansion request, and recommendations to the board shall be based upon and reference those criteria. The criteria shall include, but not be limited to: (i) the projected impact on enrollment to the sending district or districts; (ii) the projected financial impact on the sending district or districts; (iii) the projected impact on the overall short- and long-term viability of the sending district or districts;

and (iv) the degree to which the charter school seeking expansion serves and demonstrates an intent to serve student populations representative of the sending district or districts, including but not limited to the categories of students enumerated in paragraph (3) of subsection (i).

SECTION 9. Subsection (ff) of said section 89 of said chapter 71, as so appearing, is hereby amended by striking out the the fourth paragraph and inserting in place thereof the following 2 paragraphs:-

For each sending district, the total tuition amount transmitted to a charter school shall be the per pupil tuition amount as defined above, multiplied by the total number of students attending the charter school from that district in the current fiscal year. Funding to cover said total tuition amount shall be shared by the district and state as follows: the district's portion shall be the sum of (i) the per pupil facilities component and (ii) the unadjusted per pupil foundation budget component as calculated in paragraph 2 of this subsection, multiplied by the total number of students attending the charter school from that district in the current fiscal year; and the state's portion shall be any above foundation rate as calculated in paragraph 3 of this subsection multiplied by the total number of students attending the charter school from that district in the current fiscal year.

The sending district's total charter school tuition amount for purposes of the following paragraphs shall be the sum of the district's portion of tuition amounts for each charter school to which the district sends students, calculated using the provisions of this section; provided, however, that for the the purposes of calculating a district's total charter school tuition payment as a percentage of net school spending pursuant to subsection (i), the tuition amounts inclusive of both the district and state portions shall be used. The receiving charter school's total charter

77 school tuition amount shall be the sum of the tuition amounts inclusive of both the district and
78 state portions calculated for the charter school for each district sending students to the charter
79 school.

80 SECTION 10. Subsection (gg) of said section 89 of said chapter 71, as so appearing, is
81 hereby amended by striking out the second sentence and inserting in place thereof the following
82 3 sentences:-

83 The district's reimbursement shall be 100 per cent of the increase in the year in which the
84 increase occurs, 80 per cent of the increase in the year following the increase, 60 per cent of the
85 increase in the second year following the increase, 40 per cent of the increase in the third year
86 following the increase and 20 per cent in the fourth year following the increase.

87 Annually, on a date to be established by the executive office for administration and
88 finance, the department shall make a request to the governor and the general court for the full
89 funding of this reimbursement and the reimbursement calculated under subsection (ff). If the
90 general court does not fully fund the reimbursement account, the board shall not approve any
91 application for a new charter school or a charter school expansion during the fiscal year in which
92 the reimbursement account is underfunded.