



BOSTON CITY COUNCIL

Committee on Government Operations

Ricardo Arroyo, Chair

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REPORT OF COMMITTEE CHAIR

February 15, 2023

Dear Councilors:

Docket #0135, Petition for a Special Law re: An Act Relative to Reorganization of the Boston School Committee, was referred to the Committee on January 11, 2023, and sponsored by Councilors Ricardo Arroyo and Julia Mejia. The Committee held working sessions on January 24, 2023 and February 6, 2023. This docket is a refile and the Committee held hearings on this matter on December 6, 2021 and April 11, 2022 and a working session on April 14, 2022.

Summary of Legislation As Filed:

Docket #0135 would provide for an elected school committee with a phased in approach as follows: by January 24, 2024, an eight member board consisting of elected and appointed members with one voting student member; by January 26, there will be an eleven member board with seven members appointed by the mayor, one voting student member, and three at-large members elected citywide at the 2025 municipal elections; by January 2028 there will be a 13 member board fully elected with nine district seats, three at-large and one student member. The members of the school committee must be residents of Boston and would have the full powers of the current school committee. The proposal applies that the terms of school committee members will be four years, provides standards for the appointed committee members during the phase in period using the nominating panel, and vacancy provisions.

Information Gathered at the January 24, 2023 Working Session:

The Chair reviewed language suggestions to the docket as filed. The following language edits were discussed by the Committee and provide for a hybrid phased in approach in two phases and adds vacancy provisions. The Committee discussed specific language suggestions which included a more streamlined phasing of an elected school committee, the body's structure, and more defined language around vacancies. The vacant offices will be filled by elected school committee members chosen during the Boston municipal elections immediately following passage of this Act. Changes were discussed in Section 7 regarding the terms commencing in the following January and language about the mayoral appointments as follows: The mayor shall strive to appoint to the office of appointed school committee member individuals who reflect the full diversity of the City of Boston, and its public school population. This includes but is not limited to ethnic, racial, and socioeconomic diversity as well as disability, and LGBTQIA+ representation. The Committee discussed having two student voting members and how the student members would be elected and the costs of elections. The Committee discussed if other school committees have voting student members. The Massachusetts Board of Elementary and Secondary Education has a student voting member.

Information Gathered at the February 6, 2023 Working Session:

The Committee discussed language changes based upon the last working session. The Committee discussed having two student voting members. The Committee discussed the information request regarding the costs of running a municipal election for district and at-large. The following information was provided by the Administration: per precinct average cost is \$6,184, citywide cost based on 275 precincts = \$1,700,625. This is roughly \$189,000 per District. The following changes were reviewed by the Chair and discussed by the Committee: language is added that the existing school committee be dissolved and that the school committee be a thirteen member body; changes to the phase in process; student voting members and an alternate student. The Chair also discussed removing the language about the student voting member and filing another home rule petition regarding the student members to bifurcate the process.

Summary of Amendments:

The docket is amended in Section 2 regarding the phased in approach. The amended Section 2 appears as follows:

“Section 2.

Subject to the provisions of this act, the existing school committee of the City of Boston shall be dissolved and the composition of the school committee of the City of Boston shall transition to a thirteen member school committee to be phased in as follows:

- a) Starting September 6, 2023, two (2) non-voting student members shall be selected by the Boston Public Schools student population through a vote of the Boston Student Advisory Council. Both students will be seated with the school committee and allowed to participate in discussion.

- b) The first Tuesday after the first Monday following the municipal election year immediately following passage of this Act a thirteen (13) member school committee composed of nine (9) district members elected in November of the previous year and four (4) members appointed by the Mayor shall be seated. The nine (9) district seats shall correspond to the electoral districts for Boston City Councilors in accordance with districting and residency laws established in Chapter 605 in the Acts of 1982.

- c) The first Tuesday after the first Monday following the second municipal election year immediately following this Act a thirteen (13) member school committee composed of nine (9) district members and four (4) at-large members elected in November of the previous year shall be seated. The nine (9) district seats shall correspond to the electoral districts for Boston City Councilors in accordance with districting and residency laws established in Chapter 605 in the Acts of 1982.

The members of the school committee shall at all times during their terms of office be Boston residents. No member of the school committee shall hold more than one elected office at the same time. This restriction shall apply to every office which is elected by the qualified voters of the Commonwealth or any political subdivision or part thereof.”

The terms of office of the school committee members will be two years rather than four and new language is added about vacancies to include the next municipal election following such vacancy. The new Section 4 appears as follows:

“Section 4.

The term of office of the members of the school committee of the City of Boston shall be two (2) years and shall commence on the first day of the municipal year, except for the student members. The student members shall have a term of office of one (1) year and shall commence on June 1 and expire on May 31. Upon the selection, whether by election or appointment, of all members, the City Clerk shall administer the oath of office to the school committee and they shall subscribe in the book kept by the City Clerk in accordance with the provisions of St. 1948, c. 452, s.11A, as amended by Acts of 1951, c. 376 s. 1.11A and as further amended by Acts of 1983, c.342, s.1. The office of each committee member shall become vacant upon the expiration of the term of said member. Any appointed member whose term of office shall expire may be considered for reappointment, but only if renominated by the nominating panel. All member offices excluding the student members shall automatically become vacant on the first Tuesday after the first Monday following the first Boston municipal election immediately following the passage of this Act regardless of unexpired terms. The vacant offices shall be filled by elected school committee members chosen during the Boston municipal elections immediately following passage of this Act. A president of the school committee shall be elected annually by its members at the first meeting in each municipal year. In the event that the president is unable to complete their term, a new president shall be elected by committee members for the unexpired term.”

New sections, Section 9A and 9B are added about vacancies to include language establishing a 20% minimum threshold by the defeated candidate for an at-large vacancy. Section 9B provides for a vacancy in the office of district school committee member. Language referring to voting student members is removed.

Rationale and Recommended Action:

This legislation in its amended draft provides for a phased in approach to the elected school committee. Having a phased in approach will allow for effective functionality of the body. The amended version provides clarity to the vacancy process and adds language to ensure diversity during the transition period for mayoral appointments. Passage of this act in its amended draft is consistent with the will of the voters to have a fully elected school committee.

By the Chair of the Committee on Government Operations, to which the following was referred:

Docket #0135, Petition for a Special Law re: An Act Relative to Reorganization of the Boston School Committee,

submits a report recommending that this docket **ought to pass in a new draft.**

For the Chair:

A handwritten signature in blue ink, consisting of the letters 'Ra' followed by a horizontal line extending to the right.

Ricardo Arroyo, Chair
Committee on Government Operations