Offered by City Councilors Ricardo Arroyo, Julia Mejia, Fernandes Anderson, Coletta, Lara, Louijeune and Worrell

CITY OF BOSTON
IN CITY COUNCIL

IN THE YEAR TWO THOUSAND TWENTY THREE

HOME RULE PETITION

WHEREAS, The Boston School Committee is the governing body of the Boston Public Schools (BPS) and is responsible for defining the vision, mission, and goals of BPS, the annual operating budget, hiring, managing and evaluating the Superintendent, and setting and reviewing district policies and practices; *and*

WHEREAS, For over 200 years following the formation of the first 21-member Boston School Committee in 1789, citizens of Boston elected school committees with between five and 116 members; and

WHEREAS, Upon passage of Chapter 605 of the Acts of 1982, the School Committee was restructured to resemble the constitution of the City Council with 13 members total, four members elected at-large and nine elected for each district; *and*

WHEREAS, In November 1989, an advisory ballot question asking Boston voters whether the elected school committee should be changed to a mayor-appointed school committee narrowly passed by a margin of just 670 votes citywide; and

WHEREAS, In 1991, the City of Boston passed a Home Rule Petition, which went on to become Chapter 108 of the Acts of 1991, resulting in the first appointed school committee in December 1991 and the consolidation of the powers of the school committee into the office of the Mayor; and

WHEREAS, Every municipality in Massachusetts, except Boston, elects its school committee; *and*

WHEREAS, In June 2021, a Suffolk University and Boston Globe poll found that residents overwhelmingly oppose an appointed school committee, with only 6 percent of Boston voters supporting an appointed body; and

WHEREAS, Elected school committees place the power of community representation on education matters back into communities, allowing for people from diverse backgrounds to have their voices heard and for those in power to be held

accountable; ***NOW THEREFORE BE IT***

ORDERED, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

PETITION FOR A SPECIAL LAW RE:
AN ACT RELATIVE TO REORGANIZATION OF THE BOSTON SCHOOL COMMITTEE

Chapter 108 of the Acts of 1991 is hereby stricken and replaced with the following:

Section 1.
Notwithstanding sections one hundred and twenty-eight to one hundred and thirty-four, inclusive, of chapter forty-three of the General Laws or any other general or special law to the contrary, the school committee of the city of Boston as presently constituted is hereby restructured and thereafter each member shall be elected or appointed as provided herein.

Section 2.
Subject to the provisions of this act, 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) January 3, 2024: an eight-member hybrid elected/appointed school committee composed of seven (7) members appointed by the Mayor of Boston and one (1) voting student member elected by the Boston Public Schools student population through the Boston Student Advisory Council.

b) January 8, 2026: an eleven-member hybrid elected/appointed school committee composed of seven (7) members appointed by the Mayor of Boston, one (1) voting student member elected by the Boston Public Schools student population through the Boston Student Advisory Council, and three (3) at-large members elected citywide during the 2025 Boston municipal elections.

c) January 5, 2028: a thirteen (13) member elected school committee composed of nine (9) district members and three (3) at-large members elected during the 2027 Boston municipal elections. One (1) voting student member shall be elected by the Boston Public Schools student population through the Boston Student Advisory Council. 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. The mayor shall strive to appoint to the office of appointed school committee member individuals who reflect the ethnic, racial and socioeconomic diversity of the city of Boston and its public school population.

Section 3.
All existing powers and duties hitherto exercised by the Boston school committee, including the powers and duties set forth in chapter 613 of the acts of 1987, shall henceforth be exercised by the temporary hybrid elected/appointed school committee and the thirteen (13) member elected school committee, including the student member.

Section 4.
The term of office of the members of the school committee shall be four (4) years and shall commence on the first day of the municipal year, except for the student member. The student member shall have a term of office of one (1) year and shall commence on June 1 and expire on May 31. Upon the 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 shall automatically become vacant on January 5, 2028 regardless of unexpired terms. The vacant offices shall be filled by elected school committee members chosen during the 2027 Boston municipal elections. 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.

Section 5.
Notwithstanding any special or general law to the contrary, the members of the school committee elected or appointed pursuant to this act shall not have the authority to hire personal staff; provided, however, that a paid administrative assistant may be appointed by the president of the school committee.

Section 6.
This section shall only apply to appointed members of the school committee until the transition to a fully elected committee is complete, upon which the nominating panel shall be disbanded.

There shall be in the city of Boston a nominating panel composed of thirteen (13) members whose sole function shall be to nominate persons for consideration by the mayor for appointment to the school committee. Representation on the panel and the selection of said members shall be

as follows:

a) Four parents of children in the Boston Public Schools system as follows: (i) one parent who shall be selected by the citywide parents council; (ii) one parent who shall be selected by a citywide educational coalition; (iii) one parent who shall be selected by the Boston Special Needs Parent Advisory Council; and (iv) one parent who shall be selected by the bilingual education citywide parent advisory council.

b) One teacher in the Boston Public School system who shall be selected by the Boston Teachers Union from its membership.

c) One headmaster or principal in the Boston Public School system who shall be selected by the Boston Association of School Administrators and Supervisors from its membership. d) One representative from the Boston business community as follows: one representative each shall be selected by the private industry council, the Boston Municipal Research Bureau, and Boston Chamber of Commerce from their respective memberships. Such representatives shall serve on a rotating basis as follows: the representative from the private industry council shall serve for the first year of the first term of the nominating panel; the representative from the Boston Municipal Research Bureau shall serve for the second year of the first term of the nominating panel; the representative from the Boston Chamber of Commerce shall serve for the first year of the second term of the nominating panel; and so forth.

e) One president of a public or private college or university who shall be selected by the chancellor of higher education of the commonwealth.

f) One person shall be the commissioner of education of the commonwealth.

g) Four persons shall be appointed by the mayor

The members of the nominating panel shall be selected from time to time no later than September thirtieth and shall serve for a term of two (2) years, except as otherwise provided in this section. In the event that any member does not complete his or her term for any reason, the person or entity who selected such member shall select another person in like manner to complete the unexpired term.

Section 7.

This section shall only apply to appointed members of the school committee until the transition to a fully elected committee is complete, upon which the nominating panel shall be disbanded.

The nominating panel annually shall from among its membership elect a chairman who shall forthwith file a list of the name and addresses of the members of the panel with the city clerk. The panel shall meet in public for the sole purpose of deliberating upon, hearing public comment with respect to, and finally selecting a list of nominees to be presented to the mayor from time to time. Each nominee shall be a resident of Boston at the time of such nomination. The panel shall strive to nominate individuals who reflect the ethnic, racial and socioeconomic diversity of the city of Boston and its public school population.

On the first Wednesday of October of every year the nominating panel shall convene to select not fewer than three (3) but no more than (5) five nominees for each appointed office of school committee member that shall become vacant on the first day of the next municipal year. No later than the first Monday in December of each year, the panel shall present to the mayor a list containing the names and addresses of the said nominees for each term of office to commence on the first day of the next municipal year; provided, however, should the panel fail to present said list to the mayor by said first Monday in December, the mayor shall have the power to appoint any person they deems suitable to the office of school committee for the term to commence in the following January.

Section 8.
Upon notice provided by the City Clerk that a vacancy exists in the office of any appointed school committee member due to death or resignation, the panel shall convene within ten (10) days of such notice and shall, within thirty days after so convening, select and present to the mayor a list containing the names and addresses of not fewer than three (3) but not more than five (5) nominees. Within fifteen (15) days after such presentment, the mayor shall appoint a school committee member to serve the unexpired term of the vacant office; provided, however, should the panel fail to present said list within said thirty days, the mayor shall have the power to appoint any person they deem suitable to the vacant office to serve said unexpired term.

If a vacancy occurs in the office of any elected school committee member, except for the student member, due to death or resignation more than one hundred and eighty (180) days prior to a regular municipal election, the city clerk shall provide notice of the vacancy; the City of Boston shall, within ten (10) days of such notice, adopt an order calling a special preliminary election for the purpose of nominating an elected school committee member for the unexpired term, which election shall be held on a Tuesday, not less than sixty-two (62) nor more than seventy-six (76) days after the adoption of such order. The two candidates receiving the greatest number of votes at the special preliminary election shall be deemed nominated and their names shall be placed on the ballot for the special municipal election, which election shall be held twenty-eight (28) days following the special preliminary election.

Section 9.
This act shall not be amended or repealed except by special act passed in conformance with article 89 of the amendments to the constitution of the commonwealth.

Section 10.
The provisions of this act shall take effect immediately upon passage.

Filed in Council: January 9, 2023