



**News
Coverage**

Mohawk Trail and Hawlemont Regional School Districts
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[Charlemont officials throw support behind potential education funding lawsuit](#)

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CHARLEMONT — Some Mohawk Trail Regional School District member towns are considering filing a class action lawsuit against the state of Massachusetts for failing to adequately fund rural schools through Chapter 70.

In response to immense financial pressure experienced by rural school districts due to soaring expenses and stagnant state aid over the past couple decades, the town of Charlemont has floated the idea of suing the state — an effort that town officials say has proven successful in the past when it comes to changing funding formulas.

“The idea is if we start a class action and we hire a law firm that could also explore other communities that are in a similar position to sign on to a class action ... funding it would become even less of a burden and get more attention to the problem,” Charlemont Selectboard Chair Valentine Reid explained. “The last lawsuit that occurred in the 1990s was actually successful in changing the formula.”

In 1993, the Massachusetts Education Reform Act was codified as Chapter 70 of Massachusetts General Law, establishing the formula that is used to determine how much education costs, how much each town must pay and how much financial assistance the state will provide. The 1993 formula was designed to take into account that English language learners, students with disabilities and students from low-income households require more resources, so the state should provide more funding to school districts with higher populations of these groups of students.

However, rural school districts have argued the formula does not take into account the wealth of a community, and has been allocating funds to districts that can afford to support their students, thus leaving smaller, less affluent communities floundering.

The Mohawk Trail and Hawlemont Regional school districts are currently undergoing a [sustainability study](#) to examine how the districts might restructure and make cuts to be more sustainable and cost-efficient in the future. However, Reid suggested that no matter how many cuts the districts makes, the lack of state aid will eventually catch up to the districts again, leaving them in the same situation they are in now where they do not have enough aid to fund education and member towns are left with high assessments they cannot afford.

Reid said a class action lawsuit could force the state to change how it approaches educational aid. Charlemont Selectboard members expressed their support for the idea.

“I’m in,” board member Jared Bellows said.

Reid estimated it would cost \$50,000 to begin the process, which would be split among participating Mohawk Trail member towns and any other rural school district that is impacted by the Chapter 70 equation and would we willing to join the lawsuit.

“It would probably be \$50,000 to do that initial exploration with a serious law firm,” Reid said. “But if you take that \$50,000 and divide it proportionally among the towns, you would have a much smaller bill that Town Meetings would approve of.”

Reid said he feels selectboards would likely be unwilling to present an article to Town Meeting voters without having the idea recommended by the School Committee.

The Mohawk Trail School Committee unanimously voted to support any towns that pursue legal action, and on Wednesday signed a resolution stating that they support the efforts led by Charlemont and Hawley to address “the commonwealth’s ongoing failure to equitably fund rural school districts.”

Legislation requiring the state to review the formula and make changes as necessary has been proposed to the Senate, and recommended by the School Committee, but if that does not work, legal action could force change.

“When we [had a joint meeting with the finance committees and selectboards] of Charlemont and Hawley, there was much discussion around what else could be done to support the efforts in equitable funding, the realization being that rural schools are not receiving equitable funding and the Student Opportunity Act has exacerbated that inequality,” Superintendent Sheryl Stanton told the committee. “There was some discussion about educational funding reform in the commonwealth that has typically begun with lawsuits or the threat of lawsuits ... and discussion of, is it time for towns to begin setting aside monies to pursue legal action?”

Stanton said the Mohawk Trail Regional School District’s eight member towns will not be required or expected to join a class action lawsuit, but the district will support any actions the towns feel necessary in the course of advocating for increased aid.

“It’s kind of general at this point and who knows what will happen,” Mohawk Trail School Committee Chair Martha Thurber commented.

Reid said he hopes the towns will include articles pertaining to funding legal action on this year’s Annual Town Meeting warrants and, with the resolution signed by the School Committee, he expects to have further conversations with other towns to see if legal action is possible at this time.

In Hawley, Selectboard members said on Tuesday that they would likely support the lawsuit if other towns did, but they do not believe now is the time to head down this road. First, they said, the Mohawk Trail and Hawlemont districts should complete the sustainability project, and then see if the fiscal challenges remain.

Selectboard members added that if a lawsuit comes to fruition, there are plenty of towns that have been negatively impacted by the Chapter 70 formula and that have more than 60% of their budgets allocated to education.

“There are 228 other school districts in the state that are in the same condition we are in that keeps our state funding flat,” Hawley Selectboard Chair Will Cosby said, “so we would not be alone if other districts are also fed up.”

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