

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

An Act authorizing the exemption of General Law c. 30b when contracting for the transportation of homeless students.

BE IT VOTED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

Voted, to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the City Manager approves amendments to the bill before enactment by the General Court. The City Manager is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE CITY OF LOWELL TO CONTRACT FOR THE PROVISION
OF TRANSPORTATION OF HOMELESS STUDENTS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the City of Lowell shall be exempted from General Law c. 30b when contracting for the transportation of homeless students. The City of Lowell shall contract for said transportation of homeless students, whether such transportation is entirely within the City of Lowell, outside the City of Lowell, or between the City of Lowell and another municipality, in the same manner as it contracts for the transportation of special education students, and upon such terms and conditions as the City Manager shall determine to be in the best interest of the City.

SECTION 2. This act shall take effect upon its passage.



Thomas A. Golden, Jr.
City Manager

Shawn Machado
Assistant City Manager

March 25, 2025

Mayor Daniel Rourke
And
Members of the Lowell City Council

Dear Mayor Rourke and Members of the Lowell City Council,

I am hereby requesting the City Council's approval to file special legislation on behalf of the City of Lowell to treat contracts for the transportation of homeless students in the same manner as those for special education students, by exempting them from MGL c.30b, in order to resolve the ongoing issues and complexities of contracting for transportation of homeless students.

Given the transient nature of the homeless population, it is difficult to contract for transportation of homeless students within the confines of MGL c.30b. Under federal law, students have the right to remain in their school of origin when displaced due to homelessness. The City may be required to transport any number of students from various locations within or outside of Lowell with little, if any notice for an unknown duration of time. Transportation of special education students is exempt from MGL c.30b under MGL c.30b §1(b)(8), and it would be reasonable and prudent to have the same standard applicable to contracting for the transportation of homeless students.

This vote comes before you by way of a recent request by the City Council. The Law Department has prepared a vote to authorize the passage of this proposed special legislation.

Please do not hesitate to let me know if there are any questions.

Sincerely,

Thomas A. Golden, Jr.
City Manager

Cc: Corey Williams, City Solicitor