HOUSE DOCKET, NO. FILED ON: 1/12/2009

**HOUSE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Peter J. Koutoujian**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*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 passage of the accompanying bill:

An Act creating a commission to regulate commercialism in the public schools.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Peter J. Koutoujian | 10th Middlesex |

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 487 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

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An Act creating a commission to regulate commercialism in the public schools.

*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. Chapter 15 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting the following new section:--

                Section 1H.  There shall be established within the board of education, but not under its jurisdiction, a special unpaid commission to be known as the commission to regulate commercialism in the public schools, consisting of the commissioner of education and a representative of each of the following groups:  the Massachusetts Association of School Superintendents, the Massachusetts Association of School Committees, the American Federation of Teachers - Massachusetts, the Massachusetts Teachers Association, the Massachusetts Elementary School Principals, the Massachusetts Secondary School Administrators Association, the Massachusetts Parent Teacher Association, the Massachusetts Municipal Association, the Massachusetts Academy of Pediatrics, the Massachusetts Public Health Association, the Campaign for a Commercial-Free Childhood and Citizens for Public Schools, the Massachusetts Business Roundtable; and, two state representatives appointed by the speaker of the house and two state senators appointed by the senate president.

                The commission shall develop guidelines and standards for the use of commercial ventures in the public schools, including standards for advertising and marketing in the public schools, as well as for the privatization of the duties, responsibilities or services provided by the public schools, and including guidelines and standards to address issues related to corporate-sponsored curricula, field trips or assemblies, naming rights and product placement in textbooks or other materials, including, but not limited to, the selling or marketing of unhealthy foods or drinks in the public schools.  The term “commercial ventures” shall include, but not be limited to, entering into agreements to broadcast in school buildings film, video or television which include advertising, and entering into agreements to sell, advertise or market certain products within the public schools, including on school buses or at school related events,

                The commission shall be provided with suitable offices and may, subject to appropriation, incur expenses for research and consultation and to appoint an executive director who shall be the executive and administrative head thereof and who shall not be subject to the provisions of chapter thirty-one.  The commission may empower the executive director to appoint such employees as may be necessary to administer the provisions of this section.  There shall be paid by the commonwealth to each appointive member of said commission the necessary expenses actually incurred in the discharge of her or her official duties.  The commission shall adopt such reasonable rules and regulations as may be necessary for the administration of this section and shall made an annual report to the governor and the general court regarding the nature and extent of commercial ventures in the public schools, with recommendations, if any, of legislative action to further regulate or prohibit certain commercial ventures or privatization practices in the public schools.