

Matt Hills
Newton, MA 02459

February 24, 2026

Commissioner Pedro Martinez
Department of Elementary and Secondary Education
Everett, MA 02149

Commissioner Martinez,

I am writing about your statutory and regulatory authority, as Commissioner, regarding Student Learning Time. While I am Vice-Chair of the Board of Elementary and Secondary Education, I am writing only on my behalf and not for the Board or its members.

Massachusetts law requires a minimum 180-day school year, with educators typically paid for those minimum required days. Strikes by public educator unions have been illegal for many years in Massachusetts under Chapter 150E of our Commonwealth's laws.

School strikes can deprive students of valuable learning time, which is especially harmful as our state struggles to catch-up to and improve upon pre-pandemic student achievement levels. Already-tight school calendars can make it difficult or impossible to schedule make-up days that ensure usual levels of student attendance. As a result, those who are illegally striking are still typically paid for a minimum 180-day school year even when the strike's make-up days result in unusually low attendance which I believe effectively makes the school year less than 180 days for students.

I believe that Massachusetts law (Chapter 150E) and Department regulations enable districts to request that the Commissioner waive (reduce) the 180-day requirement for days lost to an illegal strike. I also believe that Massachusetts law states that school districts are not required to provide compensation for days lost to illegal strikes if the Commissioner grants a district's waiver request.

The issue of low student attendance during make-up days from a strike can be significant. For example, Newton's recent 11-day strike resulted in some make-up days with absentee rates 7-to-8 times greater than the non-strike average. The initial make-up days after the strike had average absentee rates of more than 34% (almost 7 times the non-strike average last year of approximately 5%) and a daily high absentee rate of approximately 39% (almost 8 times the non-strike average).

I am not aware of any existing or forthcoming request that you may receive to reduce the 180-day requirement for days lost to a strike, and I am not taking any position in the abstract. Any request should be considered by you on its own merits, and you ultimately have the authority to grant or deny any such request depending on the facts and circumstances.

On a personal note, I have spent many years supporting our public schools and educators as a parent, as Chair of the Newton School Committee, and currently as a member of the Massachusetts Board of Elementary and Secondary Education. I hope that we continue to make decisions that we believe are in the best interests of our students and in accordance with the laws of our Commonwealth.

Please feel free to contact me with any questions.

A handwritten signature in black ink that reads "Matt Hills". The signature is written in a cursive, slightly slanted style.

Matt Hills