

HOUSE No. 10

Accompanying the sixth recommendation of the Board of Education (House, No. 4). Education.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT ENHANCING OPTIONS AVAILABLE FOR UNDER-PERFORMING AND CHRONICALLY UNDER-PERFORMING SCHOOLS AND CLASSIFYING CERTAIN MANAGEMENT POSITIONS.

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

1 SECTION 1. Section 1J of chapter 69 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by
3 inserting after the sentence ending “no later than ninety days from
4 the date of its appointment” in line 16 the following new sen-
5 tence:—

6 The school committee of an under-performing school, with or
7 without the approval of the local collective bargaining agent, may
8 seek a Horace Mann charter for such school through an expedited
9 process established by the board pursuant to section 89 of
10 chapter 71.

1 SECTION 2. Section 1J of chapter 69 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by
3 striking out the word “Upon” in line 29 and inserting in its place
4 the following:— The principal of a school declared to be under-
5 performing or chronically under-performing shall have the
6 authority to select and assign teachers and other personnel within
7 the school, and may decline proposed transfers of teachers and
8 other personnel into the school, as needed to improve the perfor-
9 mance of students in the school, notwithstanding any contrary
10 provisions in the collective bargaining agreement. The superin-
11 tendent of a school district in which one or more schools have
12 been declared to be under-performing or chronically under-per-

13 forming may provide supplemental compensation to attract and
14 retain highly qualified teachers to improve the performance of stu-
15 dents in the under-performing or chronically under-performing
16 school(s) and may assign or transfer teachers and other personnel
17 to meet the needs of students in said school(s), notwithstanding
18 any contrary provisions in the collective bargaining agreement. In
19 addition, upon

1 SECTION 3. Section 1J of chapter 69 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by
3 inserting after the sentence ending “who satisfy the student perfor-
4 mance standards” in line 58 the following new sentence:— Such
5 actions may include but are not limited to the board placing the
6 school under alternative management, transferring the governance
7 of the school to a third party, or closing the school.

1 SECTION 4. Section 41 of chapter 71 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by
3 inserting after the words “School principals,” in line 15 the
4 following:— assistant principals, and district administrator posi-
5 tions.

1 SECTION 5. Section 41 of chapter 71 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by
3 inserting after the words “every principal” in line 16 the
4 following:— , assistant principal, and district administrator.

1 SECTION 6. Section 41 of chapter 71 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by
3 inserting after the words “notify a principal” in line 15 the
4 following:— an assistant principal, or a district administrator.

1 SECTION 7. Section 89(h) of chapter 71 of the General Laws,
2 as appearing in the 2004 Official Edition, is hereby amended by
3 inserting after the sentence ending “in February of the following
4 year” in line 71 the following new language:— Notwithstanding
5 the deadlines in this section, the board shall establish an expedited
6 application and charter award process for converting a school
7 deemed to be under-performing pursuant to section 1J of
8 chapter 69 to a Horace Mann charter school.