

HOUSE No. 451

By Mrs. Harkins of Needham, petition of Lida E. Harkins and others relative to educator excellence and providing for the establishment of a teacher, principal and superintendent quality endowment fund. Education.

The Commonwealth of Massachusetts

PETITION OF:

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In the Year Two Thousand and Seven.

AN ACT RELATIVE TO EDUCATOR EXCELLENCE.

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. Chapter 10 of the General Laws, as appearing in the
2 2000 Official Edition, is hereby amended by striking out Section
3 35S and inserting in place thereof the following section:—
4 Section 35S. There shall be established and set up on the books of
5 the Commonwealth a separate fund, to be administered by the com-
6 missioner of education, which shall be known as the Teacher, Prin-
7 cipal and Superintendent Quality Endowment Fund. Said fund shall
8 be pursuant to Sections 2 and 3 of this act. The fund shall consist of
9 all revenues from public and private sources as appropriations, gifts,
10 grants and donations and from the federal government as reimburse-
11 ments, grants-in-aid or other receipts to further the purposes of the
12 fund in accordance with Sections 19B, 19C and 19E of Chapter 15A.
13 All revenues credited to the fund under this section shall remain in
14 the fund and shall be expended without further appropriation for
15 applications pursuant to said Sections 19B, 19C and 19E of said
16 Chapter 15A. The state treasurer shall deposit and invest monies in
17 said fund in accordance with Sections 34, 34A and 38 of Chapter 29
18 in such a manner as to secure the highest rate of return available
19 consistent with the safety of the fund. The fund shall be expended
20 only for the purposes stated in said Sections 19B, 19C and 19E of
21 said Chapter 15A at the direction of the commissioner. On February
22 1 of each year, the state treasurer shall notify the commissioner of
23 the projected investment earnings of the fund for the upcoming fiscal
24 year. The treasurer shall authorize the annual expenditure of an
25 amount not to exceed the interest earnings of the fund, plus an

26 amount not to exceed \$3,600,000 from the principal of the fund. Not
27 more than 10 percent of the fund shall be used for the purposes
28 stated in Section 19B of said Chapter 15A in each fiscal year, not
29 more than 10 percent of expenditures from the fund shall be used for
30 the purposes stated in said Section 19C of said Chapter 15A in each
31 fiscal year, and not more than 30 percent shall be used for the pur-
32 poses stated in said Section 19E of said Chapter 15A.

1 SECTION 2. Chapter 15A of the General Laws, as appearing in
2 the 2000 Official Edition, is hereby amended by striking out Section
3 19B and inserting in place thereof the following section:—

4 Section 19B. There shall be an intensive teacher-training pro-
5 gram, known as the Massachusetts Institute for New Teachers, to be
6 administered by the department of education for the purpose of
7 recruiting and training aspiring educators with the expertise and
8 commitment to teach a high demand subject in a high need school
9 district. The goal of such program shall be to encourage high
10 achieving candidates to enter the profession who would otherwise
11 not consider a career in teaching. Funding for such program shall be
12 subject to the provisions of Section 35S of Chapter 10. The board of
13 education shall promulgate regulations, where necessary, for the
14 effective implementation of such program. Such regulations shall, at
15 a minimum, require that the program;—

16 (1) provide knowledge-based instruction and training to program
17 participants, including but not limited to

18 a) applying knowledge of students and their diverse learning
19 needs,

20 b) applying knowledge of cognitive science,

21 c) applying knowledge of motivation,

22 d) applying knowledge of content, content specific pedagogy, and
23 state curriculum frameworks,

24 e) applying knowledge of planning, instructional design, and
25 assessment

26 f) applying knowledge of data analysis of student results and
27 classroom practices,

28 g) applying knowledge of managing the learning environment,

30 h) applying knowledge of ongoing professional growth,

31 i) applying knowledge of collaborating with colleagues, families,
32 and the community; and

33 (2) shall require one year practical application and performance
34 based assessment of these areas through multiple sources of data.
35 Said regulations shall also set forth an outreach plan to attract
36 underrepresented populations to the teaching profession. Said pro-
37 gram also shall provide ongoing support and assessment to partici-
38 pants during their first year as a teacher of record.

1 SECTION 3. Chapter 15A of the General Laws, as appearing in
2 the 2000 Official Edition, is hereby amended by striking out Section
3 19C and inserting in place thereof the following:—

4 Section 19C. There shall be a Massachusetts master teacher corps
5 program for the purpose of building a group of recognized teachers
6 of high achievement in the profession who shall serve to further the
7 goals of the Massachusetts Education Reform Act of 1993. The
8 department of education shall administer said program. Funding for
9 said program shall be subject to the provisions of Section 35S of
10 Chapter 10. The board of education shall promulgate regulations,
11 where necessary, for the effective implementation of such program.
12 Such regulations shall include the following provisions:—

13 (1) The department shall select master teachers who achieve
14 master teacher status by meeting the following criteria: achieve cer-
15 tification through the National Board for Professional Teaching
16 Standards (NBPTS); pass a challenging content test; and agree to
17 serve as educational leaders within their schools, including, but not
18 limited to, acting as mentors to new teachers. The department may
19 develop and include alternatives to the NBPTS program provided
20 such alternatives maintain equivalent or higher standards of excel-
21 lence in teaching.

22 (2) The department may provide master teachers with partial or
23 full reimbursement for the assessment costs of said NBPTS licen-
24 sure; provided that the department may only provide reimbursement
25 to teachers who successfully achieve master teacher status.

26 (3) Teachers with master teacher status shall have full parity in
27 licensure and compensation with teachers who earn a master's
28 degrees from approved higher education institutions, notwith-
29 standing the provisions of Section 38G of Chapter 71, or Chapter
30 150E.

31 (4) The program shall set forth an outreach plan to attract under-
32 represented populations to the teaching profession.

1 SECTION 4. Section 38 of Chapter 71 of the General Laws, as
2 appearing in the 2000 Official Edition, is hereby amended by
3 inserting after the second paragraph the following:—

4 For purposes of said act, the term supervision shall mean support
5 for professional growth and learning through actions that may
6 include but not be limited to mentoring, coaching, and feedback; the
7 term evaluation shall mean the maintenance of high, minimum stan-
8 dards of performance.

9 The superintendent, by means of comprehensive evaluation, shall
10 cause the performance of all teachers, principals, and administrators
11 within the school district to be evaluated using any principles of
12 evaluation established by the board of education pursuant to Section
13 one B of Chapter 69 and by such consistent, supplemental perfor-
14 mance standards as the school committee may require, including the
15 extent to which students assigned to such teachers and administra-
16 tors satisfy student academic standards or, in the case of a special
17 education student, the individual education plan, and the successful
18 implementation of professional development plans required under
19 Section 38Q; provided, however, that such principles and standards
20 be consistent with the anti-discrimination requirements of Chapter
21 152B. The procedures and standards for such evaluations, but not
22 the requirement for such evaluations, shall be subject to the collec-
23 tive bargaining provisions of Chapter 150E.

24 The superintendent shall require a formal performance-based
25 evaluation of administrators and of teachers each year for the first
26 three years of employment in a district and then at least once every
27 four years in a professional growth cycle. A district may conduct a
28 formal written evaluation in any year where the evaluator has identi-
29 fied a concern with a teacher or administrator.

30 In the years between formal evaluations, teachers shall engage in
31 professional development activities, pursuant to Section 38Q of this
32 chapter, which must be reviewed for clarity, rigor and substance.
33 Professional development activities may include, but not be limited
34 to, peer observation, action research, lesson study task groups,
35 review and analysis of student performance data and any other
36 projects developed by districts. Said activities may focus on areas of
37 need as identified or informed through supervisory feedback.

38 All professional development plans shall be reviewed by adminis-
39 trators for clarity, rigor and substance. Clarity shall mean that in
40 reading the plan administrators are able to identify what the teacher
41 will do; substance shall mean that the plan includes work that will
42 impact student learning. Rigor shall mean that the plan requires a
43 teacher to undertake activities that result in challenging and signifi-
44 cant professional growth.

45 At a minimum, performance standards for principals shall include
46 broad categories, such as:—

47 (a) instructional leadership, including state curriculum frame-
48 works, student performance standards, and strategies for effective
49 inclusive schooling for children with disabilities,

50 (b) strategic leadership, including student performance data
51 analysis and long and short term planning,

52 (c) teacher evaluation skills and methods, including observation,
53 performance analysis and documentation,

54 (d) professional community building, including implementation
55 of teacher instructional leadership,

56 (e) communication skills

57 (f) promotion of equity and diversity, and

58 (g) parent and community relationships, and shall include mul-
59 tiple sources of data. Performance standards shall be consistent with
60 INTASC and MCREL.

61 At a minimum, performance standards for all teachers shall
62 include broad categories, such as:—

63 a) applying knowledge of students and their diverse learning
64 needs,

65 b) applying knowledge of cognitive science,

66 c) applying knowledge of motivation,

67 d) applying knowledge of content, content specific pedagogy, and
68 state curriculum frameworks,

69 e) applying knowledge of planning, instructional design, and
70 assessment,

71 f) applying knowledge of data analysis of student results and
72 classroom practices,

73 g) applying knowledge of managing the learning environment,

74 h) applying knowledge of ongoing professional growth,

75 i) applying knowledge of collaborating with colleagues, families,
76 and the community. Performance standards for preliminary and ini-

77 tial educators shall be consistent with Interstate New Teacher
78 Assessment and Support Consortium (INTASC) and the National
79 Board for Professional Teaching Standards (NBPTS), or its suc-
80 cessor organization, standards for new teachers, and (3) performance
81 standards for professional teachers shall be consistent with the
82 National Board for Professional Teaching Standards, or its successor
83 organization.

84 During each school year, administrators and/or teacher instruc-
85 tional leaders shall visit classrooms on a regular basis. Said supervi-
86 sory interactions shall be for the purpose of enhancing instructional
87 skills and effectiveness and advancing professional growth.

88 Teachers shall be evaluated based on their work and the learning
89 progress of their students using multiple sources of data. Evidence of
90 the teacher's work may include, but not be limited to, classroom
91 observations, teacher-developed unit plans, the use of various assess-
92 ment data to adjust and focus instruction, collaboration with other
93 teachers, knowledge-based practice in teaching, communications
94 with parents/guardians, performance of routine duties, and the suc-
95 cessful implementation of professional development plans [603
96 CMR 35.04 (3), and M.G.L. c.69, §1B and c.71, §38.] Evidence of
97 students' learning progress may include, but not be limited to, stu-
98 dent work products, performance tasks, teacher-designed assess-
99 ment, and evidence that students satisfy state academic standards or
100 individual education plans [603 CMR 35.04 (3), and M.G.L. c.69,
101 §1B and c.71, §38.]

102 Specific standards of teacher performance consistent with the pro-
103 visions for performance standards in this section may be established
104 by the school committee upon the recommendation of the superin-
105 tendent, provided that where teachers are represented for collective
106 bargaining purposes, all teacher performance standards shall be
107 determined as follows: The school committee and the collective bar-
108 gaining representative shall undertake for a reasonable period of
109 time to agree on teacher performance standards. Prior to said reason-
110 able period of time, the school district shall seek a public hearing to
111 comment on such standards. In the absence of an agreement, after 90
112 days, teacher performance indicator shall be determined by binding
113 interest arbitration. Either the school district or the teachers'
114 collective bargaining representative may file a petition seeking arbi-
115 tration with the commissioner of education. The commissioner shall

116 forward to the parties a list of three arbitrators provided by the
117 American Arbitration Association. The school committee and the
118 collective bargaining representative within three days of receipt of
119 the list from the commissioner of education shall have the right to
120 strike one of the three arbitrators' names if they are unable to agree
121 upon a single arbitrator from among the three. The arbitration shall
122 be conducted in accordance with the rules of the arbitrators provided
123 by the American Arbitration Association to be consistent with the
124 provisions of this section. In reaching a decision, the arbitrator shall
125 consider the multiple sources of data as established herein for
126 teacher evaluation. The arbitrator shall also consider the particular
127 socioeconomic conditions of the student population of the school
128 district. Both the parties and the arbitrator may adopt performance
129 standards established by state or national organizations. The perfor-
130 mance standards shall be incorporated into the applicable collective
131 bargaining agreement; provided, however, that any subsequent mod-
132 ification of the performance standards shall be made pursuant to the
133 procedures set forth in this section.

134 The results of teacher evaluations may be used in decisions to dis-
135 miss, demote, or remove a teacher pursuant to Sections 42, 42A, and
136 63, provided that districts shall provide formal improvement plans
137 and intensive support services to teachers rated as unsatisfactory,
138 according to district policies. At the end of a one-year intensive
139 remediation process, districts may dismiss teachers who continue to
140 rate as unsatisfactory in accordance with the provisions of Section
141 42, and provided further that districts that fail to provide said plans
142 and services shall not be allowed to dismiss teachers rated as unsat-
143 isfactory and may assign them to non-teaching duties until such time
144 that said plans and services are fully implemented.

145 The results of principal evaluations may be used to dismiss a prin-
146 cipal rated as unsatisfactory, according to district policies (See
147 Section 9, Section 41).

148 Each school district shall conduct evaluations of teachers and
149 administrators in accordance with the regulations of the board.

1 SECTION 5. Chapter 71 of the General Laws, as appearing in the
2 2000 Official Edition, is hereby amended by striking out Section
3 38G and inserting in place thereof the following:—

4 Section 38G. As used in this section the following words shall,
5 unless the context requires otherwise, have the following mean-
6 ings:—

7 “Board”, the board of education established by Chapter fifteen.

8 “Initial educator”, a person who holds an initial license.

9 “Initial license”, a license to teach issued to a person who has
10 successfully met the preparation and eligibility requirements as
11 established herein for an initial license and completed a college pro-
12 gram, graduate or undergraduate, or other program to receive a per-
13 formance-based approval. Said license shall be valid for five years
14 of employment as an educator in the schools of the Commonwealth
15 and may be renewed for an additional five years of employment in
16 accordance with regulations adopted by the board.

17 “Preliminary educator”, a person who holds a preliminary license.

18 “Preliminary license”, a license to teach issued to a person who
19 has successfully met the preparation and eligibility requirements as
20 established herein for a preliminary license. The preliminary license
21 shall be valid for five years of employment as an educator in the
22 schools of the Commonwealth and shall be non-renewable.

23 “Professional educator”, a person who holds a professional
24 license.

25 “Professional license”, a license to teach issued to a person who
26 has successfully met the preparation and eligibility requirements as
27 established herein. The professional license shall be active for
28 renewable terms of five years. An inactive license becomes invalid
29 after five years.

30 “Regionally licensed or certified educator”, an applicant for a
31 teacher's license in Massachusetts who has been granted a regional
32 license or certificate by another state jurisdiction under terms of a
33 contract entered into pursuant to Chapter 748 of the acts of 1968, the
34 Interstate Agreement on Licensure of Educational Personnel. Such
35 certificate shall be equivalent to the initial license.

36 “Reciprocity of certified educators”, the process and requirements
37 established by the commissioner for candidates to obtain a license
38 who have completed a college preparation program included in the
39 licensure reciprocity system of the National Association of State
40 Directors of Teacher Education and Licensure (NASDTEC); or a
41 performance-based approval. Such license shall be equivalent to the
42 initial license.

43 “Temporary license”, a license to teach which the commissioner
44 of education may, at his discretion, issue to a person who holds an
45 active teaching license or certificate from another state and who has
46 been employed under the license or certificate for a minimum of
47 three years but has not satisfied the testing requirements for a license
48 contained in this section. The temporary license shall be active for
49 one year and shall be nonrenewable. Service under a temporary
50 license shall be counted as service in acquiring professional teacher
51 status, contingent upon the teacher passing the applicable licensure
52 tests.

53 The commissioner of education shall have authority to grant,
54 upon application, preliminary, initial, temporary, and professional
55 licenses to persons who have satisfied the requirements for such
56 licenses as established by the board.

57 To be eligible for a license as a preliminary educator, the candi-
58 date shall:—

59 (1) hold a bachelor's degree in arts or sciences from an accredited
60 college or university with a major course in the arts or sciences
61 appropriate to the instructional field;

62 (2) pass a test established by the board which shall consist of two
63 parts:—

64 (A) a writing section which shall demonstrate the communication
65 and literacy skills necessary for effective instruction and improved
66 communication between school and parents; and

67 (B) the subject matter knowledge for the license; and

68 (3) be of sound moral character. Candidates who complete the
69 requirements in this paragraph shall be issued preliminary licenses,
70 which shall permit them to seek employment in teaching positions
71 requiring instructional licenses in districts that have an approved
72 program to train, support, and supervise preliminary educators.

73 The commissioner shall establish standards for the training, sup-
74 port, and supervision of preliminary educators in accordance with
75 the provisions of this section.

76 Each public school district seeking to hire a preliminary educator
77 must submit a district-based training program plan for preliminary
78 educators to the department of education. No district shall be autho-
79 rized to employ a preliminary educator unless it has submitted a plan
80 for such a program and received approval of the commissioner. Each
81 plan shall describe the key elements of the proposed preliminary

82 educator program in accordance with guidelines published by the
83 department. Such guidelines shall require that district-based pro-
84 grams to receive a performance-based approval.

85 Three years after the effective date of this act, district-based
86 training programs for holders of preliminary licenses shall include
87 but not be limited to:—

88 (1) knowledge-based instruction in

89 a) applying knowledge of students and their diverse learning
90 needs,

91 b) applying knowledge of cognitive science,

92 c) applying knowledge of motivation,

93 d) applying knowledge of content, content specific pedagogy, and
94 state curriculum frameworks,

95 e) applying knowledge of planning, instructional design, and
96 assessment,

97 f) applying knowledge of data analysis of student results and
98 classroom practices,

99 g) applying knowledge of managing the learning environment,

100 h) applying knowledge of ongoing professional growth,

101 i) applying knowledge of collaborating with colleagues, families,
102 and the community;

103 (2) in-class instructional coaching; and

104 (3) practical application and performance based assessment of
105 these strategies.

106 Three years after the effective date of this act, district based
107 administrator training programs shall include but not be limited
108 to:—

109 (1) knowledge-based instruction in

110 (a) instructional leadership, including state curriculum frame-
111 works, student performance standards, and strategies for effective
112 inclusive schooling for children with disabilities,

113 (b) strategic leadership, including comprehensive school reform,
114 managing change, student performance data analysis and long and
115 short term planning,

116 (c) teacher or principal evaluation skills and methods, including
117 observation, performance analysis and documentation,

118 (d) professional community building, including teacher instruc-
119 tional leadership,

120 (e) communication skills,

121 (f) promotion of equity and diversity,
122 (g) parent and community relationships; and
123 (2) practical application and performance based assessment of
124 these strategies.

125 Districts shall show either evidence of joint sponsorship or collab-
126 oration of training programs with

127 (1) colleges or universities, or

128 (2) other districts, or

129 (3) other programs approved by the commissioner to provide such
130 programs for both teachers and administrators. The department shall
131 issue sample district plans that districts may implement in lieu of
132 developing original plans. The department shall coordinate the
133 training efforts of districts; shall insure that district programs meet
134 fair, substantive and comprehensive professional development stan-
135 dards; and shall establish regional programs for preliminary teachers
136 and administrators. The department of education shall devise stan-
137 dardized criteria for a final comprehensive evaluation of each pre-
138 liminary teacher and administrator, conducted at the end of the
139 preliminary educator period. All such evaluations shall be conducted
140 according to nationally recognized professional standards for per-
141 sonnel evaluation.

142 At the conclusion of each year of the approved district training
143 program for preliminary teachers and administrators, the district
144 shall prepare a comprehensive evaluation report of the preliminary
145 educator's performance. Such report shall be submitted by the dis-
146 trict directly to the department of education. The final comprehen-
147 sive evaluation report on each preliminary educator shall be made on
148 forms provided by the department of education. Said report shall
149 include an assessment of the individual's on the job performance and
150 one of the following recommendations:—

151 (1) Approved:— recommends that initial licensure be granted
152 upon completion of the other preparation and eligibility require-
153 ments as established by the board;

154 (2) Insufficient:— recommends that the candidate be required to
155 seek entry in the future into the same or another district's training
156 program prior to being recommended to advance to initial licensure;
157 or a candidate found insufficient twice shall not be allowed to enter
158 another district training program; or

159 (3) Disapproved:— recommends that initial licensure not be
160 granted and that the candidate not be allowed to enter into the same
161 or another district's training program within the Commonwealth
162 within two years.

163 The district shall provide the preliminary educator with a copy of
164 the written evaluation report and licensure recommendation before
165 submitting it to the commissioner of education.

166 To be eligible for a license as an initial teacher, the candidate shall
167 provide evidence that he or she

168 (1) holds a bachelor's degree in arts or sciences from an accred-
169 ited college or university with a major course in the arts or sciences
170 appropriate to the instructional field or the equivalent baccalaureate
171 degree;

172 (2) has passed a test established by the board which shall consist
173 of two parts:—

174 (A) a writing section which shall demonstrate the communication
175 and literacy skills necessary for effective instruction and improved
176 communication between school and parents; and

177 (B) the subject matter knowledge for the license;

178 (3) has satisfactorily completed a teacher preparation program
179 that has received performance-based approval; and

180 (4) is of sound moral character. A candidate who completes the
181 requirements of this paragraph shall be issued an initial license that
182 will permit him to seek employment in a teaching position requiring
183 an instructional license.

184 Each public school district seeking to hire an educator who is
185 within his first three years of preliminary or initial licensure must
186 submit a plan to the department of education which details how the
187 district will implement an induction program to supervise and sup-
188 port such teacher or administrator in their first three years. The
189 department of education shall issue sample plans which districts may
190 implement in lieu of developing an original plan. The commissioner
191 shall ensure that the following elements are included in all teacher
192 and administrator induction programs. mentoring; criteria-based
193 selection and training for mentors; beginning teacher or adminis-
194 trator development and training consistent with the standards set
195 forth in this act; administrator training to build school-wide support
196 for beginning teachers; broad-based system wide planning; and
197 induction program evaluation.

198 Assessment of induction programs shall be incorporated into
199 existing department monitoring for regulatory compliance to account
200 for the degree an induction program is being implemented and the
201 quality of said program.

202 Effective two years after the enactment of this bill, and provided
203 that the department of education receives funding pursuant to
204 Section 12, said department shall establish a statewide recognition
205 program for the most promising induction practices established by
206 districts.

207 No district being funded through this act shall be authorized to
208 employ an administrator or teacher who is within his first three years
209 of preliminary or initial licensure unless it has shown evidence of
210 implementing an induction program that has been approved by the
211 commissioner.

212 In not less than one year after the issuance of an initial license, the
213 commissioner upon receipt of a proper application shall issue a pro-
214 fessional license to such educator who has provided the commis-
215 sioner with evidence, in such manner and form as prescribed by the
216 board, that he has met the preparation and eligibility requirements
217 set by the board through a master's degree program that meets the
218 requirements of licensure approved by the commissioner, or through
219 an equivalent district program for a professional license approved by
220 the commissioner, or other equivalent programs approved by the
221 commissioner; and has met the requirements set by the commis-
222 sioner and included in Section 38 of this chapter, for demonstration
223 of successful performance.

224 Each professional license shall be active for five years and con-
225 tinued every five years thereafter upon the successful completion of
226 an individual professional development plan that meets the subject
227 matter knowledge and teaching skill requirements set by the board
228 and that is in accordance with the provisions established under
229 Section 38Q of this chapter. Such plan shall be designed to increase
230 the ability of the person to improve student learning.

231 Certificates granted by the board prior to October first, 1994, are
232 hereby deemed professional licenses which shall be renewed every
233 five years.

234 The commissioner shall develop alternative paths for administra-
235 tors to obtain an initial license which shall facilitate a process

236 whereby persons with significant managerial experience can obtain
237 such licensure, in accordance with the provisions of this section.

238 Any license issued by the commissioner may be revoked for
239 cause, pursuant to standards and procedures established by the
240 board.

241 The board shall have the authority to promulgate, amend and
242 rescind such rules and regulations as may be necessary to carry out
243 the provisions of this section. Such regulations shall be presented to
244 the joint committee on education arts and humanities for informa-
245 tional purposes 90 days prior to implementation.

246 All applications for licenses granted under this section shall be
247 accompanied by a fee to be determined annually by the commis-
248 sioner of administration under the provisions of Section three B of
249 Chapter seven. Said fees shall be established and limited to allow the
250 department to carry out the licensure and license renewal responsi-
251 bilities but in no case shall said applications exceed \$100 with an
252 increase no greater than the consumer price index.

253 Notwithstanding the foregoing, the board shall establish for each
254 license area alternate methods for fulfilling the professional develop-
255 ment requirement, at least one of which shall be provided at no cost
256 to persons employed by a school district, including paraprofessionals
257 or assistant teachers, who are engaging in such activity for the pur-
258 pose of satisfying the professional development requirement of this
259 section.

260 No person shall be eligible for employment as a teacher, guidance
261 counselor, director, school psychologist, school adjustment coun-
262 selor, school social worker, school nurse, library media specialist,
263 school business administrator, principal, supervisor, director, assis-
264 tant superintendent of school, and superintendent of schools by a
265 school district unless he has been granted by the commissioner a
266 preliminary, initial, or professional license with respect to the type of
267 position for which he seeks employment; provided, however, that
268 nothing herein shall be construed to prevent a school committee
269 from prescribing additional qualifications; and provided further, that
270 a superintendent may upon request be exempt by the commissioner
271 for any one school year from the requirement in this section to
272 employ licensed personnel when compliance therewith would in the
273 opinion of the commissioner constitute a great hardship in securing
274 teachers for that school district; provided that no school that has

275 been placed on watch or declared underperforming by the board of
276 education shall be eligible for such waiver. During the time that such
277 a waiver is in effect, service of an employee of a school district to
278 whom the waiver applies shall not be counted as service in acquiring
279 professional teacher status or other rights under Section 41.

280 Competence in Braille instruction shall be a requirement for an
281 initial license as a teacher of students with vision impairments. Such
282 competence shall be verified through a testing program which meets
283 the standards of the Library of Congress National Library Service
284 for the Blind or its successor.

285 Competence in the use of technology as an instructional and man-
286 agement tool shall be a requirement for all initial licenses.

287 For the purposes of licensing educators, the board shall establish
288 policies and guidelines and the commissioner may approve prepara-
289 tion programs devoted to the preparation of teachers and other edu-
290 cational personnel. Three years after the effective date of this act,
291 such policies and guidelines shall require any institution offering an
292 approved teacher training program to receive a performance-based
293 approval. For the purposes of licensing educators, the board shall
294 establish policies and guidelines and the commissioner may approve
295 preparation programs devoted to the preparation of teachers and
296 other educational personnel. Three years after the effective date of
297 this act, such policies and guidelines shall require any institution
298 offering an approved teacher training program to receive a perfor-
299 mance-based approval.

300 Three years after the effective date of this act, to receive program
301 approval, a college or university or school or district or other institu-
302 tion offering an approved teacher training program

303 (1) shall provide knowledge-based instruction and training to pro-
304 gram participants including, but not limited to, the following
305 areas:—

306 a) applying knowledge of students and their diverse learning
307 needs,

308 b) applying knowledge of cognitive science,

309 c) applying knowledge of motivation,

310 d) applying knowledge of content, content specific pedagogy, and
311 state curriculum frameworks,

312 e) applying knowledge of planning, instructional design, and
313 assessment,

314 f) applying knowledge of data analysis of student results and
315 classroom practices,

316 g) applying knowledge of managing the learning environment,

317 h) applying knowledge of ongoing professional growth,

318 i) applying knowledge of collaborating with colleagues, families,
319 and the community; and

320 (2) shall require one year of practical application and a perfor-
321 mance-based assessment of these areas using multiple sources of
322 data.

323 Three years after the effective date of this act, program approval
324 shall demonstrate that technology tools for teachers are incorporated
325 into all preparation. This provision shall also apply to Massachusetts
326 Institute for New Teachers and district-based programs.

327 Three years after the effective date of this act, policies and guide-
328 lines for approved administrator training programs shall require
329 training in

330 (1) knowledge-based instruction, including but not limited to the
331 following areas,

332 (a) instructional leadership, including state curriculum frame-
333 works, student performance standards, and strategies for effective
334 inclusive schooling for children with disabilities,

335 (b) strategic leadership, including comprehensive school reform,
336 managing change, student performance data analysis and long and
337 short term planning,

338 (c) teacher evaluation skills and methods, including observation,
339 performance analysis and documentation,

340 (d) professional community building, including training in teacher
341 instructional leadership,

342 (e) communication skills,

343 (f) promotion of equity and diversity,

344 (g) parent and community relationships; and

345 (2) shall require one year of practical application and performance
346 based assessment of these areas using multiple sources of data.

347 In addition to any other requirements in this section, in order to
348 receive a preliminary or initial license, persons applying for such
349 licensure shall have completed such courses or training sessions as
350 the board shall require in supporting English language learners.

351 A college or university or school or district or other institution
352 offering such an approved program shall certify to the commissioner

353 that a student has demonstrated satisfactory competence in the skills
354 and knowledge expected of college graduates in the most advanced
355 nations, and has completed the program approved.

356 A panel of teachers, principals, superintendents, and teacher
357 preparation faculty, shall develop an assessment to be used as a for-
358 mative assessment of teacher training programs. Three years after
359 the effective date of this act, principals will use the assessment to
360 rate the preparedness of beginning teachers who have completed a
361 particular Massachusetts-approved teacher-training program; this
362 shall include college, district-based, and alternative preparation pro-
363 grams. Such assessment shall be concerned with whether teachers
364 trained in such programs possess the content knowledge and peda-
365 gogical skills appropriate for a novice practitioner. Superintendents
366 shall aggregate individual teacher assessment results and prepare
367 reports organized by teacher preparation program. Such reports shall
368 be filed with the DOE and made available.

369 At the end of each five-year period each professional educator
370 shall attest to and provide appropriate supporting evidence and docu-
371 mentation to the state department of education, in such form and at
372 such time as the commissioner shall prescribe, that the professional
373 educator has successfully completed a professional development
374 plan which meets the standards set by the board.

375 A teacher who is to be employed in a position in an area of
376 license in which he is not currently employed, but for which he held
377 a license which had been active within five years immediately pre-
378 ceding the starting date of employment in this position, shall be
379 given a reasonable period, as determined by the board, to fulfill a
380 professional development plan which demonstrates currency in the
381 subject matter knowledge and re-qualify him for a license in said
382 area. In every instance, all evaluations and assessments shall follow
383 nationally recognized professional standards.

384 In addition to any other requirements of this section, the board
385 shall require, as a provision of an administrator's or teacher's license
386 renewal, that all teachers and administrators shall complete training
387 required by Section 38Q of this section. Anyone granted either a
388 professional license under this section or currently holding such
389 license shall be required to maintain the development of professional
390 skills and the knowledge of subject matter pertinent to the areas of
391 licensure, and in accordance with Section 38Q of this chapter.

392 Anyone granted a preliminary or initial license under this section
393 or currently holding such license shall maintain the development of
394 professional skills and the knowledge of subject matter pertinent to
395 the areas of licensure by participating in a district induction/men-
396 toring program, and by fulfilling the requirements established by the
397 board to advance to an initial or a professional license. Any such
398 educator who is not engaged in one of these options in the fourth or
399 fifth year of employment must complete a professional development
400 plan that addresses professional skills and subject matter knowledge
401 and which meets the standards set by the board for plans used for the
402 purpose of license renewal.

403 Except as otherwise specifically provided in this section, no rights
404 of any employees of a school district under the provision of this
405 chapter shall be impaired by the provisions of this section.

406 This section shall not apply to trade, vocational, temporary substi-
407 tute teachers, exchange teachers, regionally licensed or certified
408 teachers or to teaching or administrative interns; provided, however,
409 that approval for the employment of such personnel shall be gener-
500 ated by the board under such rules and regulations as it may adopt.

501 The requirements of this section shall not apply to the license of
502 teachers of adult education. Nothing in this section or Section 1H of
503 Chapter 69 shall be construed to prohibit a school committee from
504 employing a teacher certified under this section to teach adult educa-
505 tion.

1 SECTION 6. Chapter 71 of the General Laws as appearing in the
2 2000 Official Edition is hereby amended by inserting after Section
3 38G the following new section:—

4 Section 38G.5 Three years after the effective date of this act, to
5 receive program approval, any college or university offering an
6 approved educator training program shall join with a local school
7 district to create an ongoing district advisory board. Said advisory
8 board shall provide colleges and universities an opportunity to be
9 informed by practitioners about the needs of the field and the knowl-
10 edge and skills that are necessary for beginning teachers.

1 SECTION 7. Chapter 71 of the General Laws as appearing in the
2 2000 Official Edition is hereby amended by inserting after Section
3 89 the following new sections:—

4 There is hereby established a comprehensive grant program pur-
5 suant to Sections 90-94 and Section 38Q of this act to support long-
6 term planning, implementing, and evaluation to upgrade a district's
7 systemic approach to improving educator quality through the
8 processes of recruitment, induction, teacher leadership, supervision
9 and evaluation, professional development, school structure, and
10 school culture.

11 Said program shall support district capacity to consolidate human
12 and financial resources that influence the quality of the teacher and
13 administrator workforce; and to advance improvement in the afore-
14 mentioned processes.

15 All districts across the Commonwealth shall have one year to plan
16 and three years to implement a comprehensive approach that inte-
17 grates recruitment, induction, teacher leadership, supervision and
18 evaluation, professional development, school structure, and school
19 culture to build excellence in the teacher and administrator work-
20 force.

21 Each district shall create a comprehensive plan that connects the
22 seven processes; shall elect the sequence in which each process is
23 addressed over the one year of planning and three years of imple-
24 mentation. The implementation design of district plans shall allow
25 flexibility in developing and strengthening each process into an inte-
26 grated system for developing workforce expertise.

27 In the first year after passage of this act, a grant program will be
28 established to support

- 29 a) comprehensive planning by 15 pilot districts selected by a
30 Statewide Panel described in Section ,
- 31 b) establishment and training of the statewide panel, and
- 32 c) staffing support for the department of education.

33 Said funding shall be used by the department of education to pro-
34 vide staffing support to the statewide panel, and in later years to
35 regional panels; and build technical capacity for supporting complex
36 district change efforts to upgrade the processes specified in this bill.
37 The department of education shall submit a quarterly report to the
38 house and senate committees on ways and means and the joint com-
39 mittee on education, arts and humanities detailing said department's
40 expenditures

41 Said sums shall be in addition to any amounts previously appro-
42 priated and made available; provided further, that all funds appropri-

43 ated in this section shall not revert and shall be available for expen-
44 diture until June 30, 2007.

45 Said program shall support district capacity to consolidate human
46 and financial resources that influence the quality of the teacher and
47 administrator workforce; and to advance improvement in the afore-
48 mentioned seven processes.

49 Said program shall require evidence of a 10% matching contribu-
50 tion by the districts towards improvement of these processes.

51 Three years after the effective date of this act, said funding shall
52 be factored into the Chapter 70 formula and identified for educator
53 quality to provide adequate, predictable, and sustainable funding to
54 districts to implement the provisions of this act. Districts shall not be
55 held accountable for implementing the provisions of this act for
56 which the legislature has not appropriated sufficient funds.

57 One statewide panel appointed by the Commissioner of Education
58 will approve plans of all districts participating in the first three years
59 of planning and implementation. The panel shall consist of 12 per-
60 sons. The Commissioner shall appoint 12 members selected from

61 (a) nominees submitted by each of the following nine organiza-
62 tions:— The Massachusetts Association of College for Teacher Edu-
63 cation, the Massachusetts Association of School Superintendents,
64 the Massachusetts Elementary School Principals Association, the
65 Massachusetts Association of School Committees, the Massachu-
66 setts Secondary School Administrators Association, the Massachu-
67 setts Federation of Teachers, the Massachusetts Teachers
68 Association, the Massachusetts Parent Teacher Organization, the
69 Massachusetts Association of Supervision and Curriculum Develop-
70 ment; and

71 (b) nominees submitted by each of the following three organiza-
72 tions:—

73 the Massachusetts Business Roundtable, the Associated Indus-
74 tries of Massachusetts, and the Massachusetts Biotechnology
75 Council . These lists may be comprised of members of said associa-
76 tions or other individuals identified by the associations. All nomi-
77 nees must be knowledgeable in understanding of the change process
78 pertaining to the seven processes of educator quality listed in said
79 act.

80 The department of education shall be responsible for providing
81 support staffing, training, and general management of the panels,

82 including but not limited to, creating an internal organization for the
83 panel, and creating assignments so as to ensure no panel member
84 reviews plans emanating from his or her district or which he or she
85 has an otherwise specific professional or personal interest or which
86 otherwise could present a conflict of interest. The Commissioner
87 shall have the authority to create one or more positions specifically
88 for the management of staffing and logistical support for these
89 panels through the annual funding provided to the department of
90 education in this act. Members shall be appointed for three-year
91 terms. Terms of initially appointed members shall be staggered so
92 that no more than 4 members per panel are replaced in a given year.

93 Said panel shall create criteria and guidelines to support the
94 development and implementation of plans for districts and profes-
95 sional development schools; approve and disapprove grant applica-
96 tions.

97 The department of education monitors progress in implementation
98 of approved plans and holds all relevant constituencies accountable
99 for the effective utilization of allocated funding pursuant to this act.
100 The department of education shall determine whether districts have
101 shown evidence of results. If a district fails to show evidence of
102 results, renewal funding shall be used for said district to bring in an
103 approved preferred provider, as identified by the department of edu-
104 cation, to assist them in re-designing their plans.

105 Said panel shall hold the department of education accountable for
106 effective utilization of funds allocated. The panel shall administer a
107 survey to all districts and colleges and universities with approved
108 educator preparation programs regarding department performance. If
109 survey results indicate that the department is not utilizing said
110 funding effectively, a re-assessment of the department's plan shall be
111 undertaken by the appointed panel.

112 Section 90. Said comprehensive program shall support profes-
113 sional development schools formed through partnerships consisting
114 of an approved educator preparation program, a teachers' associa-
115 tion, and a P-12 school district to develop and sustain the links,
116 structures, and opportunities that result in a seamless continuum of
117 professional development for teachers and administrators at all
118 stages of the career span.

119 Section 91. Said comprehensive program shall also be used for
120 the purpose of supporting teacher and administrator induction pro-

121 grams. Said funding shall be used for but not limited to substitutes,
122 training, stipends for part-time coordinators or high-quality mentors,
123 or for other elements that support plan implementation. Collabora-
124 tives shall also be eligible for said funding for induction.

125 Districts shall account for systematic, differentiated induction for
126 preliminary and initial educators. Districts shall address the develop-
127 ment of professional skills and the knowledge of subject matter
128 appropriate to the type, field, and level of educators' licenses. The
129 commissioner shall establish standards for such induction programs.

130 Districts that have fully implemented and locally maintained all
131 components of their induction plans shall be eligible to serve as
132 induction laboratories and provide support to other districts on
133 developing high quality induction programs. Districts that wish to
134 serve as induction laboratories shall apply to the Regional Teacher
135 Quality Panels for funding that may be used to compensate teachers
136 who are involved in the work of the induction laboratories. Districts
137 that serve as induction laboratories may provide non-financial com-
138 pensations to teachers, including but not limited to release time,
139 waived fees for license renewal, tuition reimbursement for courses
140 for the purpose of license renewal.

141 Section 92. Said comprehensive program shall also be used for
142 the purpose of improving the quality of teacher and administrator
143 performance evaluations. Collaboratives shall also be eligible for
144 said funding for teacher and administrator performance evaluations.

145 Said funding shall be used for but not limited to hiring implemen-
146 tation coaches to support the strengthening of supervision and evalu-
147 ation processes; supporting full and half time positions, training, and
148 substitutes; ensuring a process by which parent input may be used
149 outside formal evaluations. Included in comprehensive plans shall be
150 a delineation of how districts will increase the frequency and quality
151 of interactions among teachers, between teachers and other instruc-
152 tional personnel, and between teachers and administrators.

153 Section 93:— Said comprehensive program shall also be used for
154 the purpose of supporting teacher instructional leadership. Said
155 funding shall be used for but not limited to stipends for teacher
156 leaders, training, substitute teachers, or other elements that support
157 plan implementation.

158 The principal of each school shall facilitate the development of a
159 plan for teacher instructional leadership. Said plan shall include sup-

160 ports that increase the frequency in which teachers work together to
161 analyze and improve their performance. Areas of support may
162 include but not be limited to curriculum and instruction, data
163 analysis of student performance; school-level professional develop-
164 ment, the facilitation of study groups; and the acquisition of appro-
165 priate professional development resources. The principal shall
166 facilitate a review of the structure of the school day and time avail-
167 able for ongoing instructional dialogue with and among teachers.
168 Any teacher leadership program shall not be construed as an alterna-
169 tive to the statutory authority or responsibility of the principal.

170 Districts shall ensure that each school implements teacher instruc-
171 tional leadership in such a way that teachers have time and access to
172 other teachers and administrators for the purpose of improving
173 instruction.

174 To be eligible for said funds, districts shall submit a letter of
175 agreement with teachers' union in support of the implementation for
176 a new teacher instructional leadership plan. Districts must demon-
177 strate that this funding will be used to build instructional expertise
178 and teacher leadership support for teachers who share students
179 and/or content.

180 Section 94. Said comprehensive program shall also be used to
181 recruit teachers in subject areas of highest need, including but not
182 limited to math, science, special education, and the education of lim-
183 ited English proficient students.

184 Section 95. Said comprehensive program shall also be used for
185 the purpose of supporting professional development activities in
186 schools across the Commonwealth, pursuant to Section 38Q.

1 SECTION 8. Chapter 71 of the General Laws as appearing in the
2 2000 Official Edition, is hereby amended by striking out Section
3 38Q and inserting in place thereof the following new section:—

4 Section 38Q. Said comprehensive grant program pursuant to Sec-
5 tions 90-94 shall support the integration and implementation of high-
6 quality ongoing district-wide and individualized professional
7 development plans (IPDPs) into all other personnel processes cited
8 in said sections.

9 However, notwithstanding funding pursuant to said act, districts
10 shall be required to adhere to all elements cited in this section.

11 Every school district in the Commonwealth shall adopt and
12 implement a professional development plan for all principals,
13 teachers, other professional staff, paraprofessionals and teacher
14 assistants employed by the district, and annually shall evaluate and
15 update such plans and set forth a budget for professional develop-
16 ment within the confines of the foundation budget.

17 District professional development plans for teachers shall be
18 linked to the knowledge base of professional practice and shall
19 include:—

- 20 a) applying knowledge of students and their diverse learning
21 needs
- 22 b) applying knowledge of cognitive science,
- 23 c) applying knowledge of motivation,
- 24 d) applying knowledge of content, content specific pedagogy, and
25 state curriculum frameworks,
- 26 e) applying knowledge of planning, instructional design, and
27 assessment,
- 28 f) applying knowledge of data analysis of student results and
29 classroom practices,
- 30 g) applying knowledge of managing the learning environment,
- 31 h) applying knowledge of ongoing professional growth,
- 32 i) applying knowledge of collaborating with colleagues, families,
33 and the community. District professional development plans for
34 teachers shall be aligned with school improvement goals and shall
35 be linked to student results.

36 District professional development plans for administrators shall
37 be linked to the knowledge base of professional practice and shall
38 include

- 39 (a) instructional leadership, including state curriculum frame-
40 works, student performance standards, and strategies for effective
41 inclusive schooling for children with disabilities,
- 42 (b) strategic leadership, including comprehensive school reform,
43 managing change, student performance data analysis and long and
44 short term planning,
- 45 (c) teacher evaluation skills and methods, including observation,
46 performance analysis and documentation,
- 47 (d) professional community building, including training in teacher
48 instructional leadership,

49 (e) communication skills,
50 (f) promotion of equity and diversity, and
51 (g) parent and community relationships. District professional
52 development plans for administrators shall be aligned with school
53 and district improvement goals and shall be linked to student results.
54 The plan may also include training in the provision of pre-referral
55 services within regular education. Said plan shall also include
56 training for members of school councils, pursuant to Section 59C.
57 Said plan may include teacher training which addresses the effects of
58 gender bias in the classroom. In any school district with limited Eng-
59 lish proficient students, the plan shall provide training for teachers
60 and administrators in second language acquisition techniques. Dis-
61 trict professional development plans required by this section shall be
62 filed annually with the commissioner of education in a report. Said
63 report shall specify and delineate professional development expendi-
64 tures and shall be publicized annually to the committees on educa-
65 tion, arts, and humanities and ways and means of the general court,
66 teacher preparation programs, school districts, all educator associa-
67 tions, and to the public.

68 The board shall establish policies and guidelines for approval for
69 any continuing education units, in-service seminars, projects,
70 courses and other activities that would be deemed sufficient to main-
71 tain the development of professional skills and the knowledge of
72 subject matter and pedagogy pertinent to particular licenses in accord-
73 dance with the same procedures used for initial approval of colle-
74 giate preparation programs.

75 Each educator shall attest to and provide appropriate supporting
76 evidence and documentation to the district that the educator has suc-
77 cessfully completed a professional development plan that is in accord-
78 dance with the provisions established under this section.

79 The commissioner of education for the Commonwealth shall
80 annually prepare a plan for providing statewide assistance in the
81 preparation, implementation and evaluation of professional develop-
82 ment plans in conjunction with a broad-based coalition of teachers,
83 principals, superintendents, and higher education representatives.
84 Such plan shall provide opportunities for district collaboration and
85 shall evaluate the feasibility of obtaining assistance from institutions
86 of higher education and private service providers. The plan shall
87 include data that demonstrates, statewide and by school district, the
88 types of professional development provided for educators who work

89 with limited English proficient students. The plan shall be submitted
90 to the board of education for approval. A copy of said plan shall be
91 submitted to the joint committee on education, arts, and humanities
92 of the great and general court. To support the development of said
93 statewide plan, the department of education shall document district
94 professional development practices, and shall create a network of
95 schools and districts that demonstrate high-quality professional
96 development practices that show evidence of improving student
97 achievement. Said network shall support low-performing schools
98 and districts in the development of professional development plans
99 that improve student achievement.

100 Each local and regional school district shall attest to the depart-
102 ment of education, in such form and at such time as the commis-
103 sioner shall prescribe, that professional development activities for
104 which credit toward a license renewal is granted meet the require-
105 ments set by the board, and are documented in accordance with pro-
106 cedures established by the board.

107 The board shall, in establishing said policies and criteria for pro-
108 fessional development, give special consideration to the best inter-
109 ests of the students in the Commonwealth, including the need for
110 high quality teachers of English language learners programs estab-
111 lished under Chapter 71A for limited English proficient students,
112 and the need to maintain the highest performance standards of
113 teachers while taking into proper consideration the financial or time
114 constraints these policies may require. In developing such policies,
115 guidelines and assessment methods, the board shall obtain the input
116 of teachers, administrators, educational experts, parents, business
117 leaders and others interested in the improvement of the professional
118 status of teachers.

1 SECTION 9. Chapter 71 of the General Laws as appearing in the
2 2000 Official Edition, is hereby amended by striking out Section 41
3 and inserting in place thereof the following new section:—

4 Section 41. For the purposes of this section, a teacher, school
5 librarian, school adjustment counselor, school social worker, school
6 nurse, or school psychologist who has served in the public schools
7 of a school district for the three previous consecutive school years
8 shall be considered a teacher, and shall be entitled to professional
9 teacher status as provided in Section 42. The superintendent of said
10 district, upon the recommendation of the principal, may award such

11 status to any teacher who has served in the principal's school for not
12 less than one year or to a teacher who has obtained such status in any
13 other public school district in the Commonwealth. A teacher without
14 professional teacher status shall be notified in writing on or before
15 June fifteenth whenever such person is not to be employed for the
16 following school year. Unless such notice is given as herein pro-
17 vided, a teacher without such status shall be deemed to be appointed
18 for the following school year.

19 School principals, by whatever title their position may be known,
20 shall not be represented in collective bargaining, but every principal
21 shall have the opportunity to meet and discuss individually the terms
22 and conditions of his employment in his school district with such
23 district's superintendent and may be represented by an attorney or
24 other representative, and shall be employed under a written contract
25 of employment. School principals shall enter into individual employ-
26 ment contracts with the districts that employ them concerning the
27 terms and conditions of their employment. The initial contract with
28 each individual school district shall be for a minimum of one year
29 and shall not exceed three years. These conditions, as set forth in this
30 section, shall apply in full to the initial contract of each school prin-
31 cipal regardless of past employment history in the Commonwealth.
32 Subsequent contracts shall be for a minimum of three years. Princi-
33 pals entering into subsequent contracts with a school district that
34 employed them on the third Wednesday of November shall be
35 treated as school principals entering into their second contract period
36 and subject to all further terms and conditions. Failure of the super-
37 intendent to notify a principal of the proposed non-renewal of his
38 contract at least 90 days, which shall exclude July and August, prior
39 to the expiration date of such contract shall automatically renew the
40 contract for an additional one-year period.

41 Except as provided herein, Section 42 shall not apply to school
42 principals, assistant principals or department heads, although
43 nothing in this section shall deny to any principal, assistant principal
44 or department head any professional teacher status to which he shall
45 otherwise be entitled. A principal, assistant principal, department
46 head or other supervisor who has served in that position in the public
47 schools of the district for three consecutive years shall not be dis-
48 missed or demoted except for failure on the part of the principal to
49 satisfy the administrator performance standards developed pursuant
50 to Section 38 of this chapter or other good cause. Only a superinten-

51 dent may dismiss a principal. A principal, assistant principal, depart-
52 ment head or other supervisor shall not be dismissed unless he has
53 been furnished with a written notice of intent to dismiss with an
54 explanation of the grounds for the dismissal, and, if he so requests,
55 has been given a reasonable opportunity within 15 days after
56 receiving such notice to review the decision with the superintendent
57 at which meeting such employee may be represented by an attorney
58 or other representative to present information pertaining to the bases
59 for the decision and to such employee's status. A principal, assistant
60 principal, department head or other supervisor may seek review of a
61 dismissal or demotion decision by filing a petition with the commis-
62 sioner for arbitration. Except as provided herein, the procedures for
63 arbitration, and the time allowed for the arbitrator to issue a deci-
64 sion, shall be the same as that in Section 42. The commissioner shall
65 provide the parties with the names of three arbitrators who are mem-
66 bers of the American Arbitration Association. The arbitrators shall
67 be different from those developed pursuant to Section 42. The par-
68 ties each shall have the right to strike one of the three arbitrator's
69 names if they are unable to agree upon a single arbitrator from
70 amongst the three.

71 A school committee may award a contract to a superintendent of
72 schools or a school business administrator for a period not exceeding
73 six years which may provide for the salary, fringe benefits, and other
74 conditions of employment, including but not limited to, severance
75 pay, relocation expenses, reimbursement for expenses incurred in the
76 performance of duties or office, liability insurance, and leave for
77 said superintendent or school business administrator. Nothing in this
78 section shall be construed to prevent a school committee from voting
79 to employ a superintendent of schools who has completed three or
80 more years' service to serve at its discretion.

1 SECTION 10. Chapter 71 of the General Laws, as appearing in
2 the 2000 Official Edition, is hereby amended by striking out Section
3 59B and inserting in place thereof the following new section:—

4 Section 59B. The superintendent of a school district shall appoint
5 principals for each public school within the district at levels of com-
6 pensation determined in accordance with policies established by the
7 school committee. Principals employed under this section shall be
8 the educational administrators and managers of their schools and
9 shall supervise the operation and management of their schools and

10 school property, subject to the supervision and direction of the
11 superintendent. Principals employed under this section shall be
12 responsible, consistent with district personnel policies and budgetary
13 restrictions and subject to the approval of the superintendent, for
14 hiring all teachers, athletic coaches, instructional or administrative
15 aides, and other personnel assigned to the school, and for termi-
16 nating all such personnel, subject to review and prior approval by the
17 superintendent and subject to the provisions of this chapter.

18 The school superintendent of a city or town or regional school
19 district including vocational-technical schools, may also appoint
20 administrators and other personnel not assigned to particular
21 schools, at levels of compensation determined in accordance with
22 policies established by the school committee.

1 SECTION 11. The department of education shall provide staffing
2 support to the regional panels; build staffing and technology to
3 process licensure and re-licensure with a 48-hour response rate; uti-
4 lize its central position and legal authority to promote an educator
5 quality agenda for the state; set standards by which educators will be
6 trained and update the standards to reflect advancements in the field;
7 serve as coordinator of high-quality external providers to schools
8 and districts; build leadership capacity by disseminating innovative
9 educator quality and professional development models; collect and
10 analyze demographic and test data; communicate the data to dis-
11 tricts; help districts conduct further analyses; and provide technical
12 assistance.

1 SECTION 12. Notwithstanding any general or special law to the
2 contrary, aspects of the bill that require funding for implementation
3 shall apply only to public school districts that receive said funds
4 from the state in addition to Chapter 70 funds. Districts shall engage
5 in all aspects of the bill that are not contingent on said funding.

1 SECTION 13. Notwithstanding any general or special law to the
2 contrary, all provisions of this act that apply to public school districts
3 shall apply to Commonwealth and Horace Mann Charter Schools, as
4 established in Chapter 71 Section 89 of the General Laws of Massa-
5 chusetts.