

HOUSE No. 485

By Ms. Khan of Newton, petition of Kay Khan and others for legislation to establish an education professional standards board within the Department of Education. Education.

The Commonwealth of Massachusetts

PETITION OF:

Kay Khan	Benjamin Swan
Tom Sannicandro	Denise Provost
Douglas W. Petersen	Pam Richardson
John P. Fresolo	Matthew C. Patrick
Brian A. Joyce	Robert L. Rice, Jr.
Stephen P. LeDuc	Christine E. Canavan
Frank M. Hynes	

In the Year Two Thousand and Seven.

AN ACT TO ESTABLISH THE MASSACHUSETTS EDUCATIONAL PROFESSIONAL STANDARDS BOARD.

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 15 of the Massachusetts General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by adding
3 the following new section at the end thereof:—
4 Section 66. There shall be in the department of education, but in
5 no respect subject to the jurisdiction thereof, a board of educator
6 preparation and licensing, to be called the Massachusetts Education
7 Professional Standards Board. The Board shall have the authority to
8 establish standards and procedures for the preparation, provisional
9 and permanent licensure, recertification, renewal and revocation of
10 licensure of education personnel in regular education, special educa-
11 tion, occupational education, vocational education, bilingual educa-
12 tion and administration. This authority shall include the review and
13 approval of programs at public and independent colleges and univer-
14 sities devoted to the preparation of teachers and other educational
15 personnel. To carry out these responsibilities, the Board shall have

16 the authority to make, amend, and rescind such rules and regulations
17 as may be necessary to carry out the provisions of this section.

18 The Massachusetts Education Professional Standards Board shall
19 consist of fifteen voting members who shall be residents of the Com-
20 monwealth, as follows:—

21 (1) Eight persons currently employed as public school classroom
22 teachers or within the previous five years, six of whom shall be
23 appointed by the Governor from a list of no fewer than twelve sub-
24 mitted by the Massachusetts Teachers Association and two of whom
25 shall be appointed by the Governor from a list of no fewer than four
26 submitted by the American Federation of Teachers/Massachusetts;
27 of the eight appointments, at least one member shall be appointed
28 with experience or expertise in each of the following areas: early
29 childhood; special education; and, occupational or vocational educa-
30 tion.

31 (2) Two persons employed as faculty of institutions of higher edu-
32 cation in Massachusetts, whose duties involve direct contact with
33 students preparing for teaching, appointed by the Governor from a
34 list of no fewer than four submitted by the Massachusetts Associa-
35 tion of Colleges of Teacher Education.

36 (3) Two persons employed as public school administrators, one of
37 whom shall be appointed by the Governor from a list of no fewer
38 than two submitted by the Massachusetts Association of Elementary
39 School Principals and one of whom shall be appointed by the Gov-
40 ernor from a list of no fewer than two submitted by the Massachu-
41 setts Association of Secondary School Principals.

42 (4) One superintendent of schools, appointed by the Governor
43 from a list of no fewer than two, submitted by the Massachusetts
44 Association of School Superintendents.

45 (5) One school committee member, appointed by the Governor
46 from a list of no fewer than two submitted by the Massachusetts
47 Association of School Committees.

48 (6) One representative of the general public appointed by the
49 Governor, who shall not be a member of, or employed by, a school
50 committee or board of trustees of an institution of higher education.

51 The commissioner of education and the chancellor of higher edu-
52 cation, or their designees, shall serve as ex-officio participants
53 without vote in the proceedings of the board.

54 Except for the members appointed as representatives of the
55 general public and school committees, members shall have been
56 employed as teachers, administrators or faculty for a period of at
57 least seven years prior to appointment to the board.

58 Five of the initial appointments shall serve for a term of five
59 years, four of the initial appointments shall serve for a term of four
60 years, three of the initial appointments shall serve for a term of three
61 years, two of the initial appointments shall serve for a term of two
62 years, and one of the initial appointments shall serve for a term of
63 one year. Thereafter, all terms shall be for a period of five years. No
64 members shall serve for more than two terms. Service on the board
65 for a term of three years or more resulting from an initial appoint-
66 ment or an appointment for the remainder of an unexpired term shall
67 be counted as a full term.

68 All members of the board shall serve without compensation but
69 shall be reimbursed for their necessary expenses actually incurred in
70 the performance of their duties.

71 The Massachusetts Education Professional Standards Board shall,
72 by a majority vote of all its voting members, elect a chairperson and
73 vice-chairperson annually from among its membership.

74 The board shall hold regular meetings at least once each month
75 except that the board may vote to omit meetings in July and August
76 and the chairperson may call additional meetings at other times. The
77 chairperson may call a special meeting of the board at any time and
78 shall call a special meeting upon the written request of seven or
79 more members of the board.

80 The board shall appoint an executive director, who shall serve at
81 the pleasure of the board. The executive director shall receive an
82 annual salary equivalent to that of an associate commissioner of edu-
83 cation and such expenses as are approved by the board and which
84 are incurred in the discharge of his or her duties. The board may del-
85 egate its authority or any portion thereof to the executive director
86 whenever in its judgment such delegation may be necessary or desir-
87 able. The executive director shall exercise any such powers or duties
88 delegated with the full authority of the board in any matter con-
89 cerning educator preparation and licensing subject to the direction
90 and approval of the board.

91 The board shall be provided with adequate offices and shall
92 appoint such other employees, to include but not be limited to a

93 general counsel, as it deems necessary to carry out its duties and
94 responsibilities. The board shall also establish the salaries of said
95 employees as indicated in the salary schedules approved by the
96 house and senate committees on ways and means.

1 SECTION 2. Section 38G of Section 71 of the Massachusetts
2 General Laws, as appearing in the 2004 Official Edition, is hereby
3 amended by striking the second paragraph and inserting in place
4 thereof the following:—

5 “Board”, the Massachusetts Education Professional Standards
6 Board established by Chapter fifteen, Section 66.

1 SECTION 3. Section 38G of Chapter 71, as so appearing, is
2 hereby further amended by striking out the word “commissioner”,
3 the words “department of education”, and the word “department”,
4 wherever they appear and inserting in place thereof the word,
5 “board”.

1 SECTION 4. Paragraph 31 of Section 38G of Chapter 71 is
2 hereby amended by adding at the end thereof the following sen-
3 tence:—

4 Said fees shall go directly into a special account within the Trea-
5 surer’s office and shall be available without appropriation to the
6 board to carry out the purposes of this section and Chapter 15,
7 Section 66.