

Description of M.G.L. Ch 69, Section 1J: *An Act Relative to the Achievement Gap Process for “Underperforming” Schools*

An Act Relative to the Achievement Gap, signed into Massachusetts law in January 2010, requires districts with schools designated as underperforming (Level 4) to begin a process for school turnaround designed to support the accelerated improvement of student achievement and a high-functioning learning environment for students within three years. Section 1J of this statute requires that districts with a Level 4 school/s develop a Turnaround Plan for the school/s and sets out a process accordingly. This process is outlined below.

- A. Within 30 Days** of a school being designated as underperforming, the superintendent shall **convene a local stakeholder group** of not more than 13 individuals to solicit recommendations on a Turnaround Plan. The group shall meet publicly and include:
- 1) *ESE designee*
 - 2) *School committee chair/designee*
 - 3) *Union president/designee*
 - 4) *Administrator from the school (Superintendent choice)*
 - 5) *Teacher from the school (Faculty choice)*
 - 6) *Parent from the school (Parent association)*
 - 7) *Social service representative (Superintendent choice)*
 - 8) *As appropriate, workforce development agencies (Superintendent choice)*
 - 9) *For elementary schools, a representative of an early education and care provider; for middle or high schools, a representative of the higher education community (Superintendent proposes representative; Commissioner of Early Education & Care or Department of Higher Education must approve)*
 - 10) *Community member (Chief executive of town choice)*
- B. Within 45 days** of its initial meeting, the **stakeholder group** shall make its **recommendations to the superintendent**. The superintendent “shall provide due consideration to the recommendations”.
- C. Within 30 days** of the local stakeholder group’s recommendations, the **superintendent shall create a Turnaround Plan** for up to three years.
- C – 1** The plan **must include steps** to address the following:
- 1) Address achievement gaps (limited English proficient (LEP), special education, low-income)
 - 2) Alternative English language learner programs (“notwithstanding chapter 71A”)
 - 3) Financial plan for the school
 - 4) Address social service and health needs (“ready to learn”)
 - 5) Improve or expand child welfare services and law enforcement (“safe and secure learning environment”)
 - 6) Improve workforce development services (“meaningful employment skills and opportunities”)
- C – 2** The Turnaround Plan **shall include measurable annual goals**, including but not limited to:
- 1) Massachusetts Comprehensive Assessment System (MCAS)
 - 2) Progress in areas of academic underperformance
 - 3) Progress among subgroups
 - 4) Reduction of achievement gaps
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 - 5) Student promotion, graduation, and dropout rates
 - 6) Student attendance, dismissal, and exclusion rates

- 7) College readiness
- 8) Developmentally appropriate child assessments (preK-3)
- 9) Acquisition of 21st Century Skills
- 10) Student safety and discipline
- 11) Parent and family engagement
- 12) Building a culture of academic success among students
- 13) Building a culture of student support among school faculty and staff

C – 3 The Superintendent **may include** the following:

- 1) Expand, alter, or replace the curriculum
- 2) Reallocate existing budget
- 3) Provide additional district funds (up to per-pupil)
- 4) Differentiate compensation of school staff (bargained with union)
- 5) Expand school day and/or year
- 6) Add pre-K and full-day kindergarten
- 7) Require all staff to re-apply for employment (*see lines 237-242 for details on “bumping rights” collective bargaining agreement applies, except no bumping of teacher with professional teaching status “during a school year”*)
- 8) Limit, suspend, or change collective bargaining agreements (as long as reduced pay is commensurate with reduced hours) (*see lines 286-323 for details about the bargaining process: “good faith bargaining” completed within 30 days; ratification within 10 days; unresolved issues submitted to ‘joint resolution committee appointed within 3 days; dispute heard within 10 days; ruling within 10 days; Commissioner resolves if JRC does not make ruling within 10 days*)
- 9) Limit, suspend or change 1 or more school district policy or practice related to the school
- 10) Include job-embedded professional development with teacher input and feedback
- 11) Increase teacher planning time and collaboration focused on improving student instruction
- 12) Plan professional development for administrators that includes leadership skills and distributed leadership
- 13) Provide for a continuum of high-expertise teachers by aligning hiring, induction, evaluation, professional development, advancement, culture, and organizational structure
- 14) Search for and study best practices
- 15) Address mobility and transiency
- 16) Add components based on reasons for underperformance and recommendations of stakeholder group

D. Within 30 days, a school committee or local union may appeal to the commissioner regarding one or more components of the plan.

E. Within 30 days, the commissioner may, in consultation with the superintendent, modify the plan.

F. Each Turnaround Plan shall be authorized for a period of not more than 3 years.

G. The superintendent shall be responsible for meeting the goals of the Turnaround Plan.

H. A teacher with professional teacher status in a Level 4 school may be dismissed for good cause with expedited arbitration. (*see lines 243-257 for details of the process*)

I. The superintendent, in consultation with principal, prepares and submits an annual review of the school’s progress to school committee and commissioner.