HOUSE DOCKET, NO. 2287 FILED ON: 1/20/2011

HOUSE . . . . . No. 1964

The Commonwealth of Massachusetts

PRESENTED BY:

Martha M. Walz

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to dropout prevention.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Martha M. Walz	*8th Suffolk*
Geraldo Alicea	*6th Worcester*
Carlo Basile	*1st Suffolk*
Antonio F. D. Cabral	*13th Bristol*
Linda Dorcena Forry	*12th Suffolk*
Kay Khan	*11th Middlesex*
Angelo J. Puppolo, Jr.	*12th Hampden*
Karen E. Spilka	☐ *[District]* ☐
Benjamin Swan	*11th Hampden*

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HOUSE . . . . . No. 1964

By Ms. Walz of Boston, a petition (accompanied by bill, House, No. 1964) of Martha M. Walz and others for legislation to reduce the dropout rate of students in the public schools. Education.

The Commonwealth of Massachusetts

An Act relative to dropout prevention.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to decrease high school dropout rates, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 1B of chapter 69 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word “attendance”, in line 114, the following words:- ; provided, however, that all children under the age of 18 shall be required to attend school if they have not graduated from high school.

SECTION 2. Section 1 of chapter 76 of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 to 13, inclusive, the words “by the board of education, except a child between fourteen and sixteen who meets the requirements for the completion of the sixth grade of the public school as established by said board and who holds a permit for employment in private domestic service or service on a farm, under section eighty-six of chapter one hundred and forty-nine, and is regularly employed there under for at least six hours per day, or a child between fourteen and sixteen who meets said requirements and has the written permission of the superintendent of schools of the town where he resides to engage in non-wage-earning employment at home, or a child over fourteen who holds a permit for employment in a cooperating employment, as provided in said section eighty-six,”.

SECTION 3. Said section 1 of said chapter 76, as so appearing, is hereby further amended by striking out, in line 14, the word “said” and inserting in place thereof the word:- his.

SECTION 4. Said section 1 of said chapter 76, as so appearing, is hereby further amended by striking out, in lines 20-25, inclusive, the words “a child whose physical or mental condition is such as to render attendance inexpedient or impracticable subject to the provisions of section three of chapter seventy-one B or of a child granted an employment permit by the superintendent of schools when such superintendent determines that the welfare of such child will be better served through the granting of such permit, or of”.

SECTION 5. Said section 1 of said chapter 76, as so appearing, is hereby further amended by inserting at the end of the third paragraph the following sentence:- Notwithstanding the expectations that school districts set for student attendance and the manner in which districts hold students accountable for their attendance, each district shall ensure students have the opportunity within the same academic term to make up assignments and earn credits for assignments missed due to unexcused and excused absences.

SECTION 6. Said section 1 of said chapter 76, as so appearing, is hereby further amended by striking out the fourth paragraph.

SECTION 7. Said chapter 76 is hereby amended by adding after section 1A the following section:-

Section 1B. The school committee of each city, town or regional school district shall have a pupil absence notification program in each of its schools. The program shall be designed to ensure that each school notifies a parent or guardian of his child’s absence if the school has not received notification of the absence from the parent or guardian within three days of said absence.

Each school committee shall have a policy of notifying the parent or guardian of a student who has 5 or more unexcused absences in a school year. The notification policy shall require that the school principal or his designee make a reasonable effort to meet with the parent or guardian of a student who has 5 or more unexcused absences to develop a student attendance plan. Said plan shall be developed jointly by the school principal or his designee, the student, and the student’s parent or guardian, and with input from other relevant school personnel and officials from relevant public safety, health and human service, housing and nonprofit agencies.

SECTION 8. Section 18 of said chapter 76, as so appearing, is hereby amended by striking out the first three sentences and inserting in place thereof the following:- No student who

53 is 18 years of age or older and who has not graduated from high school shall be considered to
54 have permanently left public school unless an administrator of the school which such student last
55 attended has sent notice within a period of 5 days from the student's tenth consecutive absence to
56 the student and the parent or guardian of such student in both the primary language of such
57 parent or guardian, to the extent practicable, and English. Such notice shall require that the
58 student and his parent or guardian meet with the superintendent or his designee for an exit
59 interview prior to the student permanently leaving school, provided that said exit interview shall
60 occur within 10 days after the sending of the notice. The time for said exit interview may be
61 extended at the request of the parent or guardian, provided no extension shall be for longer than
62 14 days. The exit interview shall be for the purpose of discussing the reasons for the student
63 permanently leaving school and to consider alternative education or other placements.

64 The superintendent or his designee shall convene a team of school personnel, such as the
65 principal, guidance counselor, teachers, attendance officer and other relevant school staff, to
66 participate in the exit interview with the student and his parent or guardian. During the exit
67 interview, the student shall be given information about the detrimental effects of early
68 withdrawal from school, the benefits of earning a high school diploma and the alternative
69 education programs and services available to the student.

70 The department of elementary and secondary education shall: (i) publish a model
71 protocol for conducting exit interviews with students; and (ii) compile and maintain a list of
72 research and information relative to the consequences of dropping out, the benefits of earning a
73 high school diploma and a list of alternative education resources and programs available to the
74 student that schools may present at the exit interview.

75 SECTION 9. Said section 18 of said chapter 76, as so appearing, is hereby further
76 amended by striking out, in line 17, the word "sixteen" and inserting in place thereof the word:-
77 eighteen.

78

79 SECTION 10. Said chapter 76 is hereby amended by adding after section 18 the
80 following section:-

81 Section 18A. The superintendent of a city, town or regional school district or his designee
82 shall notify the registrar of motor vehicles whenever a student 16 years of age or older withdraws
83 from school. Withdrawal shall be defined as more than 10 consecutive unexcused absences.

84 The registrar shall suspend or revoke the learner's permit or driver's license of the
85 student 30 days following the date the notice of withdrawal was received by the registrar unless
86 the registrar receives documentation proving that the student: (i) is enrolled and making
87 satisfactory progress in a course leading to a general educational development certificate or has
88 obtained the certificate; (ii) is a parent with the care and custody of a minor; or (iii) has a

89 physician certify that a parent of the student depends on him as the parent's sole source of
90 transportation. The suspension shall continue until the student reaches the age of 18 or until the
91 registrar receives notification from the superintendent or his designee that the student is
92 attending school.

93 Whenever the withdrawal from school by the student is beyond the control of the student,
94 or is for the purpose of transfer to another school as confirmed in writing by the parent or
95 guardian of the student, no notice shall be sent by the school to the registrar to suspend the
96 license of the student.

97 SECTION 11. Said chapter 76 is hereby amended by adding after section 20 the
98 following two sections:-

99 Section 21. Principals shall ensure that students who are suspended from school for 10
100 or fewer consecutive days, whether in or out of school, shall have an opportunity to make
101 academic progress during the period of their suspension, to make up assignments and earn
102 credits missed, including, but not limited to, homework, quizzes, exams, papers, and projects
103 missed. Principals shall develop a school-wide education service plan for all students who are
104 suspended from school for more than 10 consecutive school days. Principals shall ensure these
105 students have an opportunity to make academic progress during the period of their suspension, to
106 make up assignments and earn credits missed, including, but not limited to, homework, quizzes
107 exams, papers, and projects missed. Education service plans may include, but are not limited to,
108 tutoring, alternative placement, Saturday school, and online or distance learning. In developing
109 the education service plan, principals may seek the cooperation or input of relevant public safety,
110 health and human service, housing and nonprofit agencies, and other service providers.

111

112 Districts shall report to the department of elementary and secondary education the
113 specific reasons for all suspensions, regardless of duration or type, and all permanent exclusions
114 if the student's infraction is unrelated to controlled substances, violence or possession or sale of a
115 firearm. The department of elementary and secondary education shall use its existing data
116 collection tools to obtain this information from districts and shall modify those tools, as
117 necessary, to obtain the information.

118 Section 22. Every school district with an annual dropout rate greater than 2% shall
119 develop a district-wide action plan designed to reduce the dropout rate and to assist students who
120 have dropped out of school and want to return to complete their high school education. Action
121 plans shall be submitted to the department of elementary and secondary education and shall
122 include, but not be limited to, the following content:

123 (i) the percentage by which the school district anticipates reducing the student
124 dropout rate and the timeline for achieving the reductions;

125 (ii) the percentage by which the school district anticipates increasing the graduation
126 rate and student attendance rates in grades 8-12 and the timeline for achieving the increases;

127 (iii) other objectives that the school district identifies that are designed to result in
128 improved dropout prevention, improved student attendance, and improved student engagement
129 and re-engagement within the school district;

130 (iv) how the school district will measure success in achieving the goals and objectives
131 of the district-wide action plan;

132 (v) what steps school staff and parents will take to address the factors that indicate a
133 student is at risk of dropping out of school;

134 (vi) a description of the outreach and referral strategies the school district will use for
135 students at risk of dropping out and for those who have dropped out of school; and

136 (vii) a comprehensive listing of alternative education options and other opportunities to
137 earn a diploma offered by the school district.

138 Districts shall work with teams of community stakeholders to develop a comprehensive
139 approach to address the dropout issue. The comprehensive approach shall include the district
140 offering alternative options that enable students who have dropped out to return and receive a
141 full high school diploma. Such options may be delivered directly by the school district or by
142 non-profits approved by the school district. The department of elementary and secondary
143 education shall publish guidance for school districts to consider when creating their plans and
144 provide technical assistance to enhance the districts' ability to meet the diverse needs of its
145 student population. Technical assistance should include several research-based alternative
146 options and strategies.

147 SECTION 12. Chapter 741 of the Acts of 1965 is hereby repealed.

148

149 SECTION 13. Section 1 shall be effective as of September 1, 2014. From the effective
150 date of this act until August 31, 2012 all children under the age of 16 ½ shall be required to
151 attend school if they have not graduated from high school. From September 1, 2012 until August
152 31, 2014 all children under the age of 17 shall be required to attend school if they have not
153 graduated from high school.