

HOUSE No. 447

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act establishing the Massachusetts education 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 appearing in the 2006
2 Official Edition, is hereby amended by adding the following new section at the end thereof:-

3 Section 66. There shall be in the department of elementary and secondary education, but
4 not subject to the jurisdiction thereof, a board of educator preparation and licensing, to be called
5 the Massachusetts Education Professional Standards Board. The Board shall have the authority
6 to establish standards and procedures for the preparation, licensure, license renewal and license
7 revocation of education personnel in order to be employed in the public schools. This authority
8 shall include the review and approval of programs at public and independent colleges and
9 universities designed to prepare teachers and other educational personnel. To carry out these
10 responsibilities, the Board shall have the authority to make, amend, and rescind such rules and
11 regulations as may be necessary to carry out the provisions of this section.

12 The Massachusetts Education Professional Standards Board shall consist of fifteen voting
13 members who shall be residents of the Commonwealth, as follows:

14 (1) Eight persons currently employed as public school classroom teachers or within the
15 previous five years, six of whom shall be appointed by the Governor from a list of no fewer than
16 twelve submitted by the Massachusetts Teachers Association and two of whom shall be
17 appointed by the Governor from a list of no fewer than four submitted by the American
18 Federation of Teachers/Massachusetts; of the eight appointments, at least one member shall be
19 appointed with experience or expertise in each of the following areas: special education; and,
20 vocational-technical education.

21 (2) Two persons employed as faculty of institutions of higher education in
22 Massachusetts, whose duties involve direct contact with students preparing for teaching,
23 appointed by the Governor from a list of no fewer than four submitted by the Massachusetts
24 Association of Colleges of Teacher Education.

25 (3) Two persons employed as public school administrators, one of whom shall be
26 appointed by the Governor from a list of no fewer than two submitted by the Massachusetts
27 Elementary School Principals Association and one of whom shall be appointed by the Governor
28 from a list of no fewer than two submitted by the Secondary School Administrators Association.

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

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

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

36 In addition to the fifteen voting members, the commissioner of early education and care,
37 the commissioner of elementary and secondary education and the commissioner of higher
38 education, or their designees, shall serve as ex-officio members without vote in the proceedings
39 of the board.

40 Except for the members appointed as representatives of the general public and school
41 committees, members shall have been employed as teachers, administrators or higher education
42 faculty for a period of at least seven years; said employment shall have been within twelve years
43 prior to appointment to the board.

44 Five of the initial appointments shall serve for a term of five years, four of the initial
45 appointments shall serve for a term of four years, three of the initial appointments shall serve for
46 a term of three years, two of the initial appointments shall serve for a term of two years, and one
47 of the initial appointments shall serve for a term of one year, as follows: the representative of the
48 general public, the representative of the superintendents, the representative of the school
49 committees and two teacher representatives shall initially serve for five years; one representative
50 of higher education, one representative of the principals and two teacher representatives shall
51 initially serve for five years; one representative of higher education and two teacher
52 representatives shall serve for three years; one representative of the principals and one teacher
53 representative shall serve for two years; and, one teacher representative shall serve for one year.
54 Thereafter, all terms shall be for a period of five years. No members shall serve for more than
55 two terms. Service on the board for a term of three years or more resulting from an initial
56 appointment or an appointment for the remainder of an unexpired term shall be counted as a full
57 term.

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

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

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

67 The board shall appoint an executive director, who shall serve at the pleasure of the
68 board. The executive director shall receive an annual salary equivalent to that of a deputy
69 commissioner of elementary and secondary education and such expenses as are approved by the
70 board and which are incurred in the discharge of his or her duties. The board may delegate its
71 authority or any portion thereof to the executive director whenever in its judgment such
72 delegation may be necessary or desirable. The executive director shall exercise any such powers
73 or duties delegated with the full authority of the board in any matter concerning educator
74 preparation and licensing subject to the direction and approval of the board.

75 The board shall be provided with adequate offices and shall appoint such other
76 employees, to include but not be limited to a general counsel, as it deems necessary to carry out
77 its duties and responsibilities.

78 SECTION 2. Section 38G of Section 71 of the Massachusetts General Laws, as
79 appearing in the 2006 Official Edition, is hereby amended by striking the second paragraph and
80 inserting in place thereof the following:-

81 “Board”, the Massachusetts Education Professional Standards Board established by
82 chapter fifteen, section 66.

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

86 SECTION 4. Paragraph 31 of section 38G of Chapter 71 is hereby amended by adding at
87 the end thereof the following sentence:-

88 Said fees shall go directly into a special account within the Treasurer’s office and shall be
89 available without appropriation to the board to carry out the purposes of this section and Chapter
90 15, Section 66.