

**SENATE . . . . . No. 208**

The Commonwealth of Massachusetts

PRESENTED BY:

*Sonia Chang-Diaz*

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 adoption of the accompanying bill:

An Act relative to dropout prevention and recovery.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Anthony W. Petrucci</i>	<i>First Suffolk and Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>Linda Dorcena Forry</i>	<i>12th Suffolk</i>
<i>Katherine M. Clark</i>	<i>Fifth Middlesex</i>

<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>
<i>Barry R. Finegold</i>	<i>Second Essex and Middlesex</i>
<i>John P. Fresolo</i>	<i>16th Worcester</i>

**SENATE . . . . . No. 208**

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By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 208) of Sonia Chang-Diaz, Michael R. Knapik, Harriette L. Chandler, Karen E. Spilka and other members of the General Court for legislation relative to dropout prevention and recovery. Education.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 2173 OF 2011-2012.]

**The Commonwealth of Massachusetts**

—————  
**In the Year Two Thousand Thirteen**  
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An Act relative to dropout prevention and recovery.

*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. SHORT TITLE

2 This act may be cited as the “Dropout Prevention and Recovery Act.”

3 SECTION 2. Section 1B of chapter 69 of the General Laws, as appearing in the 2010  
4 Official Edition, is hereby amended by inserting after the word “attendance”, in line 113, the  
5 following words:- ; provided, however, that all children under the age of 18 shall be required to  
6 attend school if they have not graduated from high school.

7 SECTION 3. Section 1I of said chapter 69, as appearing in the 2010 Official Edition, is  
8 hereby amended by inserting, after line 58, the following paragraphs:-

9 All individual public schools that instruct students in kindergarten through grade 12 shall  
10 use the early warning indicator index system, or any successor data collection and tracking  
11 system, developed by the department to identify and track students at risk of not graduating on  
12 time. Individual public schools shall collect all necessary data required for the use of the early  
13 warning indicator index system, or any successor data collection and tracking system, as  
14 determined by the department. The department shall offer school districts guidance and support  
15 on the collection, review, and use of the early warning indicator index system, or any successor  
16 data collection system, to best serve the needs of students, teachers, and school staff members.

17 On an annual basis, the department shall compile and analyze the data submitted by individual  
18 schools and shall provide the compiled data and analysis to the applicable school. The  
19 department shall also make aggregated, de-identified data and analysis available to the public  
20 online on an annual basis in a machine readable format. The board may promulgate  
21 regulations relating to the implementation and use of the early warning indicator index system,  
22 or any successor data collection system, consistent with this paragraph. Notwithstanding  
23 anything to the contrary in this section, school districts may use data collection and tracking  
24 systems other than the data collection and tracking system offered by the department, subject to  
25 the approval of the department. School districts seeking to use data collection and tracking  
26 systems other than the data collection and tracking system offered by the department shall apply  
27 to the department for a waiver. The department shall grant a waiver to a school district if it  
28 determines that the data collection and tracking system of the school district meets or exceeds the  
29 criteria of the data collection and tracking system offered by the department. Any such waiver  
30 shall be contingent upon the school district agreeing to submit its data to the department. The  
31 school district and the department shall also determine who shall be responsible for compiling  
32 and analyzing the data and the system for categorizing students as at-risk, as required by section  
33 22 of chapter 76.

34 SECTION 4. Section 2 of Chapter 70 of the General Laws, as appearing in the 2010  
35 Official Edition, is hereby amended by inserting after subparagraph (G) the following:-

36 (H) "At-risk enrollment", the number of students between the ages of sixteen and  
37 eighteen enrolled in the district who are identified as "at-risk students" according to the early  
38 warning indicator index system, or any successor data collection and tracking system, as set forth  
39 in section 1I of chapter 69

40 SECTION 5. Section 1C of chapter 71 of the General Laws, as appearing in the 2010  
41 Official Edition, is hereby amended by inserting at the end thereof the following paragraph:-

42 Each school shall conduct, in cooperation with parents and teachers on the school  
43 advisory council, at least one workshop annually for parents and teachers on effective strategies  
44 for involving parents in the education of their child and parental involvement in the education of  
45 at-risk students. Each school district shall provide a model or guidance to its schools on carrying  
46 out the workshops, including, but not limited to, guidance on topics to be covered, outside parties  
47 who may be available to assist in the workshops, and strategies to involve parents with economic  
48 or linguistic barriers to full participation in the school community.

49 SECTION 6. Section 37H of chapter 71 of the General Laws, as appearing in the 2010  
50 Official Edition, is hereby amended by striking out the first sentence in the third paragraph and  
51 inserting in place thereof the following sentence:- In each school building containing any of the  
52 grades six to twelve, inclusive, the principal, in consultation with the school council, shall

53 prepare and distribute to each student in grades six to twelve, inclusive, a student handbook  
54 setting forth the rules pertaining to the conduct of students.

55 SECTION 7. Section 1 of Chapter 76 of the General Laws, as so appearing, is hereby  
56 further amended by inserting, at the end of the third paragraph, the following new words:-

57 ; provided that no student, regardless of age, shall face criminal liability or be subject to  
58 criminal penalties for failure to attend school through the mandatory age for school attendance

59 SECTION 8. Section 18 of Chapter 76 of the General Laws, as appearing in the Official  
60 2010 edition, is hereby further amended by striking out, in lines 1 and 17, the word “sixteen” and  
61 inserting in place thereof the following word:- eighteen.

62 SECTION 9. Chapter 76 of the General Laws, as appearing in the Official 2010 edition,  
63 is hereby further amended by inserting, after Section 21, the following new section:-

64 Section 22. Massachusetts Graduation Coach Initiative.

65 As used in this section, the following term shall have the following meaning:

66 “Students-at-risk of dropping out of school” are any students deemed borderline, high  
67 risk, or very high risk, or students that fall under corresponding risk levels in any successor  
68 system, according to the early warning indicator index system used by the department of  
69 elementary and secondary education, or any successor data collection and tracking system, as set  
70 forth in section 11 of chapter 69. For purposes of this act, “students at-risk of dropping out of  
71 school” may also be referred to as “at-risk students.”

72 The Massachusetts graduation coach initiative shall match at-risk students in grades 7  
73 through 12 who attend schools that qualify for a graduation coach under this section with  
74 graduation coaches who will monitor the students’ attendance and provide advice and  
75 intervention services, or connection to intervention services, such as, but not limited to, peer  
76 tutoring, credit recovery, and academic remediation. Graduation coaches shall leverage the  
77 resources and assistance of community organizations working successfully in the field of dropout  
78 intervention and recovery. Graduation coaches shall ensure successful transition of at-risk  
79 students from middle school to high school, connecting these students with the students’ new  
80 school.

81 The department of elementary and secondary education shall provide resources for  
82 districts to hire and place graduation coaches in every public middle school and high school that,  
83 for a high school, has a total annual dropout rate of 5% or more and that, for grades 7 and 8, has  
84 a total annual incidence of at-risk students of 5% or more in those grades; provided, however,  
85 that a district shall not receive resources for a school with fewer than 20 students who fall into  
86 the foregoing categories. The department of elementary and secondary education shall  
87 promulgate regulations that set forth an appropriate trigger for graduation coach resources for

88 schools with disproportionate dropout rates and incidences of at-risk students for demographic  
89 subgroups. The department of elementary and secondary education shall also promulgate  
90 regulations as to an appropriate coach to student ratio, by which to guide placement of coaches in  
91 the respective schools. Districts that share graduation coaches shall develop an interagency  
92 services agreement that sets forth such issues as hiring, oversight and supervision, and payment.  
93 The department of elementary and secondary education shall promulgate regulations on what the  
94 agreement shall cover. Nothing herein shall prohibit a school district or districts from partnering  
95 with an external nonprofit agency with experience and proven results in youth development to  
96 staff a graduation coach in a qualifying school or schools. The department of elementary and  
97 secondary may establish regulations setting forth criteria for qualifying agencies.

98           The department of elementary and secondary education shall establish employment  
99 qualifications and program design criteria, including guidance department and social services  
100 maintenance of effort guidelines, with which districts must comply as a condition of receiving  
101 funding through the Massachusetts graduation coach initiative; provided that graduation coaches  
102 shall meet employment qualifications equal to or greater than minimum state employment  
103 qualifications and shall hold at least a four year bachelor's degree from an accredited institution.  
104 Candidates for employment as a graduation coach also shall have some past experience working  
105 effectively with youth. Districts that meet these conditions shall have the authority to hire and  
106 place graduation coaches in qualifying schools. The department of elementary and secondary  
107 education may provide a standardized orientation to graduation coaches. The responsibilities of  
108 graduation coaches shall include, but not be limited to, the following: identifying at-risk  
109 students; implementing school wide support interventions; motivating students to focus on a  
110 graduation plan; negotiating extra help for at-risk students; providing academic advice and  
111 student support; developing effective transition programs to aid at-risk students moving between  
112 schools; connecting parents of at-risk students with appropriate school and community resources;  
113 connecting at-risk students with school and community resources; encouraging parent and  
114 community involvement; assisting in the reenrollment of students who recently left school; and  
115 identifying and addressing barriers to learning resulting from specific risk factors. Districts with  
116 high numbers of dropouts may choose to focus the responsibilities of a coach on outreach and re-  
117 engagement of dropouts and students with five or more absences unexcused.

118           Each school district shall provide the graduation coach with professional development  
119 opportunities and administrative and technical support in concert with existing district  
120 professional development and administrative and technical support services for district staff.  
121 School districts may partner together to provide professional development opportunities and  
122 administrative and technical support services. The professional development and support  
123 services shall include guidance for graduation coaches on how to best integrate their work with  
124 the efforts of school counselors and school social workers in the schools and districts in which  
125 they are placed so as to achieve efficient and effective provision of services and to avoid  
126 duplication of work. School districts and school administrators shall consider existing needs and

127 programs when determining the placement of individual coaches. The department of elementary  
128 and secondary education may coordinate and lead annual regional meetings to allow graduation  
129 coaches to network and share best practices, strategies, and problem solving methods.

130 The graduation coach shall develop and implement an individualized family engagement  
131 plan for at-risk students to identify and support practical strategies for strong family involvement  
132 in the student's academic life and in the student's school community. The graduation coach shall  
133 convene and develop the plan jointly with the student; his or her parent or guardian or any other  
134 family member or caretaker involved in the student's academic life; and a representative of the  
135 student's school, which may include, but not be limited to, a general education teacher serving  
136 the student, a special education teacher serving the student, or a member of the school's  
137 administrative team. The individualized family engagement plan shall describe each of the  
138 aforementioned parties' responsibilities and expectations for supporting the student's educational  
139 progress and shall be signed by the parties. The individualized family engagement plan may be  
140 developed in conjunction with or as part of an individual student success plan or an  
141 individualized education plan; provided, however, that the individualized family engagement  
142 plan, as required under this section, must be clearly and separately delineated.

143 SECTION 10. The department of elementary and secondary education shall track and  
144 study the impact on levels of parent engagement and academic success of students in an  
145 employer-sponsored pilot program that provides paid leave for employees to participate in  
146 academic activities. Any employer in the Commonwealth shall be eligible for the pilot program  
147 and, if interested, shall inform the department of elementary and secondary education of its intent  
148 to participate in the pilot program. The department shall commence said pilot program upon the  
149 availability of a statistically significant number of employer and potential employee participants.  
150 Prior to implementation of a program, the department of elementary and secondary education  
151 and the employer shall enter into an agreement to outline the terms of the program and the  
152 department's study. The agreement shall specify the amount of time, on an annualized basis, to  
153 be offered to employees and any limitations or conditions on the use of time, including, but not  
154 limited to, requirements for notice, limitations in cases of emergency, and rules for evidence of  
155 attendance at an academic activity. The agreement shall also specify the length of time that the  
156 program shall run and shall outline the data reporting and collection responsibilities of each  
157 party. The agreement shall include a statement that it shall be unlawful for an employer to  
158 discharge or discriminate against an employee for taking leave under the program. The  
159 department of elementary and secondary education shall report the results and findings of the  
160 study to the clerks of the House of Representatives and the Senate within six months of  
161 completion of the study or at the conclusion of the second year of the study, whichever is less,  
162 who shall convey the results and findings to the chairs of the joint committee on education and  
163 the chairs of the joint committee on labor and workforce development.

164 SECTION 11. Chapter 741 of the Acts of 1965 is hereby repealed.

165 SECTION 12. Section 2 shall be effective as of September 1, 2014. From September 1,  
166 2013 until August 31, 2014, all children under the age of 17 shall be required to attend school if  
167 they have not graduated from high school.

168 SECTION 13. Section 3 shall apply commencing the academic school year beginning  
169 2013.

170 SECTION 14. Section 9 shall apply commencing the academic school year beginning  
171 2013.