

SENATE No. 214

The Commonwealth of Massachusetts

PRESENTED BY:

Katherine M. Clark

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 resolve:

Resolve to ensure student progression.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Katherine M. Clark</i>	<i>Fifth Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>

SENATE No. 214

By Ms. Clark, a petition (accompanied by resolve, Senate, No. 214) of Katherine M. Clark, Kay Khan, Patricia D. Jehlen, Sal N. DiDomenico and other members of the General Court for legislation relative to ensure student progression. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

Resolve to ensure student progression.

1 **Resolved**, Notwithstanding any general law or special law to the contrary, there shall be a
2 student progression, remedial instruction and grade retention-reduction commission established
3 to improve the rates of student progression, ensure appropriate remedial services, reduce grade
4 retention rates, and improve the education strategies for parents about their rights and
5 responsibilities when a child is retained. The commission shall examine and make
6 recommendations as specified in sections 1 through 8 below.

7 The commission shall consist of the secretary of education or his designee who shall
8 serve as chairperson; the commissioner of the department of elementary and secondary education
9 or his designee; the commissioner of the department of children and families or his designee; the
10 commissioner of the department of youth services or his designee; the commissioner of the
11 department of mental health or his designee; the commissioner of the department of early
12 education and care or his designee; the house and senate chairs of the joint committee on
13 education; the house and senate chairs of the joint committee on children, families and persons
14 with disabilities; 1 member to be appointed by the speaker of the house; 1 member to be
15 appointed by the senate president; 1 member to be appointed by the house minority leader; 1
16 member to be appointed by the senate minority leader; 1 representative from the Massachusetts
17 Association of School Superintendents; 1 representative of the Massachusetts Secondary School
18 Administrators Association; 1 representative from the Massachusetts Association of School
19 Committees; 1 representative of the American Federation of Teachers of Massachusetts; 1
20 representative of the Massachusetts Teachers Association; 1 representative of the American Civil
21 Liberties Union of Massachusetts; 1 representative from the Massachusetts School Nurses
22 Association; 1 representative from the Massachusetts School Psychologists Association; 1
23 representative from the Massachusetts Chapter of the Academy of Pediatrics; 1 representative
24 from the National Association of Social Workers; 1 representative from the Children’s Mental

25 Health Campaign: 1 representative from Massachusetts Advocates for Children, 1 student to be
26 appointed by the Governor, 1 person from the Rennie Center for Education Research and Policy;
27 1 practicing child and adolescent psychiatrist to be appointed by the Governor; 1 representative
28 from the Association of Elementary School Principals; and 1 representative from the
29 Massachusetts Budget and Policy Center.

30 The commission shall review available research on grade retention, being overage for
31 grade in relation to achievement, attendance, discipline, and dropping out in the Commonwealth
32 and nationally. The commission shall examine research on or evidence-based and "promising"
33 practices for reducing grade retention and improving student commitment and school "holding
34 power". The commission shall understand Massachusetts school and district policies that may be
35 contributing to disparate grade retention in different grades and districts. The commission shall
36 identify school districts and schools with greater than three percent retention rates. The
37 commission shall develop a model grade retention policy for Massachusetts schools, which shall
38 include the following elements: the development of protocols that ensure children who are
39 retained for academic delays have received referral for special education evaluation and are
40 offered the appropriate remedial services; each school district with an annual grade retention rate
41 of greater than 3 per cent shall develop a district-wide action plan to reduce grade retention and
42 effectively track students; action plans shall include: interventions that will be used to identify
43 students at risk for retention as early in the school year as possible, specific evidence-based
44 interventions that will be utilized by the school district and how these plans will be monitored,
45 and implemented; shall be submitted to the department of elementary and secondary education
46 identifying a specific time-frame; strategies for communication with parents about their rights
47 and responsibilities regarding their child's progress; the technical assistance support available
48 from the department of early and secondary education to gather and analyze data, assist in the
49 development and implementation of action plans and enhance a district's ability to meet the
50 diverse needs of its student population. Technical assistance shall include research-based
51 alternative options and strategies. The commission shall also establish a goal and timeline for
52 reducing the statewide annual grade retention rates and shall examine developing early warning
53 indicator systems (EWIS), currently being piloted, to identify students who are at risk of
54 retention; and ensure appropriate referral for special education evaluation or other evidence-
55 based interventions as identified by the commission. The commission shall estimate the fiscal
56 impact of grade retention on the Commonwealth and its school districts.

57 The commission shall hold its first meeting no later than 1 month subsequent to the last
58 member being appointed. The commission shall create a report of its findings and
59 recommendations and submit that report to the chairs of the ways and means committees and the
60 clerks of the house of representatives and senate no later than 6 months from the commission's
61 commencement.