HOUSE DOCKET, NO. 575 FILED ON: 1/13/2015

HOUSE . . . . . No. 394

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia A. Haddad

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 educator licensure.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Patricia A. Haddad	*5th Bristol*	*1/13/2015*

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HOUSE . . . . . No. 394

By Mrs. Haddad of Somerset, a petition (accompanied by bill, House, No. 394) of Patricia A. Haddad relative to educator licensure. Education.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to educator licensure.

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. Chapter 71 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out section 38G and inserting in place thereof the following section:-

Section 38G. As used in this section the following words shall have the following meanings:

"Board", the board of elementary and secondary education established by chapter fifteen.

"Commissioner", the commissioner of elementary and secondary education established by chapter fifteen.

"Department", the department of elementary and secondary education established by chapter fifteen.

"Initial educator", a person who holds an initial license.

"Initial license", a license to teach issued to a person who has successfully met the preparation and eligibility requirements stipulated herein and as established by the board. Said license shall be valid for five years of employment as an educator in the schools of the commonwealth and may be extended for an additional five years of employment in accordance with regulations adopted by the board.

"Professional educator", a person who holds a professional license.

"Professional license", a license to teach issued to a person who has successfully met the preparation and eligibility requirements stipulated herein and as established by the board. The professional license shall be valid for renewable terms of five years. An inactive license shall become invalid after five years.

"Regionally licensed or certified educator", an applicant for a teacher's license in Massachusetts who has been granted a regional license or certificate by another state jurisdiction under terms of a contract entered into pursuant to chapter seven hundred and forty-eight of the acts of nineteen hundred and sixty-eight, the Interstate Agreement on Certification of Educational Personnel. Such certificate shall be equivalent to the initial license.

"Reciprocity of certified educators", the process and requirements established by the commissioner for candidates to obtain a license who have completed a college preparation program included in the alternative certification reciprocity system of the National Association of State Directors of Teacher Education and Certification (NASDTEC); or a performance-based approval. Such license shall be equivalent to the initial license.

"Temporary educator", a person who holds a temporary license.

“Temporary license”, a license to teach issued to a person who has successfully met the preparation and eligibility requirements stipulated herein and as established by the board. Said license shall be valid f or one year of employment and renewable for not more than two additional years of employment in accordance with regulations promulgated by the board. Said license shall thereafter be renewable for not more than two additional years at the discretion of the Commissioner.

The commissioner of education shall have authority to grant, upon application, temporary, initial, and professional licenses to persons who have satisfied the requirements for such licenses as established herein and by the board. The board shall define the knowledge of subject matter and demonstration of competencies commensurate with attainment and renewal of such licenses.

To be eligible for a license as a temporary educator, the candidate shall (1) hold a bachelor’s degree in arts or sciences from an accredited college or university with a major course in the arts or sciences appropriate to the instructional field; (2) be of sound moral character; and (3) provide evidence of one of the following: (a) Has passed a test established by the board which shall consist of two parts: (i) a writing section which shall demonstrate the communication and literacy skills necessary for effective instruction and improved communication between school and parents; and (ii) the subject matter knowledge for the certificate; (b) Has completed all requirements of an educator preparation program approved by the department with the exception of passing the tests required for said license; or (c) Hold an active teaching license or certificate from another state and has been employed under said license or certificate for a minimum of three years. Candidates who complete the requirements in this paragraph shall be issued temporary licenses which shall permit them to seek employment in teaching positions

requiring instructional licenses in districts which have a program, approved by the department, to train, support and supervise temporary educators.

The board shall design a process for any licensure tests required in this section that provides all failing candidates a comprehensive summary of their test results, including areas of strengths and weaknesses, as well as a list of potential resources the candidate may consult in attempting to achieve a passing score on their tests. This process shall be annually referred by the board to the education personnel advisory council established in section 1G of Chapter 15 of the general laws and said council shall annually provide recommendations, if any, on changing this process in order to better assist candidates failing certification tests.

The commissioner shall establish standards for the training, support and supervision of temporary educators in accordance with the provisions of this section. During the period of employment, a person holding a temporary license pursuant to this section shall be under the direct supervision of the principal or other appropriate supervisor who shall regularly observe and evaluate the performance of assigned duties by such holder of a temporary license. Such evaluation shall be according to relevant to nationally recognized professional standards for personnel evaluation.

Each public school district seeking to hire a temporary educator must submit a district-based training program plan for temporary educators to the department. No district shall be authorized to employ a temporary educator unless it has submitted a plan for such a program and the plan is approved by the commissioner. Each plan shall describe the key elements of the proposed temporary educator program in accordance with guidelines established and published by the department. Such guidelines shall require that temporary educators in district-based

programs meet the equivalent standards that initial educators meet in approved college and university programs. Districts shall show either evidence of joint sponsorship or collaboration of training programs with (1) colleges or universities, or (2) other districts, or (3) other programs approved by the commissioner to provide such programs. The department shall issue standard district plans which districts may implement in lieu of developing original plans. The department shall coordinate the training efforts of districts, shall insure that district programs meet fair, substantive and comprehensive professional development standards and shall establish regional programs for provisional educators. The department shall also provide orientation programs for support team members. Temporary educators shall be observed by a professional support team. The department shall devise standardized criteria for a final comprehensive evaluation of each temporary educator, conducted at the end of the temporary educator period by the professional support team. All such evaluations shall be conducted according to nationally recognized professional standard s for personnel evaluation.

At the conclusion of each year of the approved district training program for temporary educators, the chairperson of the support team shall prepare a comprehensive evaluation report of the temporary educator's performance. Such report shall be submitted by the chairperson directly to the department. The final comprehensive evaluation report on each temporary educator shall be made on forms provided by the department. Said report shall include an assessment of the individual's on the job performance and one of the following recommendations: (1) Approved: recommends that an initial license be granted upon completion of the other preparation and eligibility requirements as established by the board; (2) Insufficient: recommends that the candidate be allowed to seek entry in the future into a district training program; or a candidate found insufficient twice shall not be allowed to enter another district training program; or (3)

Disapproved: recommends that an initial license not be granted and that the candidate not be allowed to enter into a district training program.

The support team chairperson shall provide the temporary educator with a copy of the written evaluation report and licensure recommendation before submitting it to the commissioner of elementary and secondary education.

If the recommendation is to disapprove, the temporary educator may, within fifteen days, submit to the chairperson written materials documenting the reasons why the temporary educator believes his temporary license should continue to remain valid or a recommendation of insufficient granted. The chairperson shall forward all such documentation to the commissioner of elementary and secondary education along with the evaluation report and recommendation concerning licensure.

Candidates who receive a recommendation of "disapproved" or two or more recommendations of "insufficient" may appeal to the commissioner for approval of additional opportunities to seek temporary educator employment in districts other than those in which they received unfavorable recommendations. The candidate shall be responsible for demonstrating why he would be likely to succeed if granted the requested opportunity.

Licenses granted by the board prior to October 1, 2009 considered to be "preliminary licenses" so called, are hereby deemed temporary licenses which shall maintain the previously assigned expiration date, provided however that no license shall be valid for more than 3 years of employment.

To be eligible for licensure as an initial educator, the candidate shall provide evidence that he (1) holds a bachelor's degree in arts or sciences from an accredited college or university

with a major course in the arts or sciences appropriate to the instructional field or the equivalent baccalaureate degree; (2) has passed a test established by the board which shall consist of two parts: (A) a writing section which shall demonstrate the communication and literacy skills necessary for effective instruction and improved communication between school and parents; and (B) the subject matter knowledge for the certificate; (3) has satisfactorily completed a board of elementary and secondary education approved teacher preparation program; and (4) is of sound moral character. A candidate who completes the requirements of this paragraph shall be issued an initial license which will permit him to seek employment in a teaching position requiring instructional licensure.

Each public school district seeking to hire an initial educator must submit a plan to the department which details how the district will supervise and support such initial educators. No district shall be authorized to employ an initial educator with unless it has submitted a plan for the support and evaluation of such educator to the commissioner and received the approval of the commissioner. The department shall issue standard plans for initial educators which districts may implement in lieu of developing an original plan.

In not less than one year after the issuance of an initial license, the commissioner upon receipt of a proper application shall issue a professional license to such initial license holder who has provided the commissioner with evidence, in such manner and form as prescribed by the board, that he has met the preparation and eligibility requirements set by the board through a master's degree program approved by the commissioner, or through an equivalent district program for professional license approved by the commissioner, or other equivalent programs approved by the commissioner; and has met the requirements set by the commissioner for demonstration of successful performance.

Each professional license shall be valid for five years and continued ever y five years thereafter upon the successful completion of an individual professional development plan that meets the subject matter knowledge and teaching skill requirements set by the board. Such plan shall be designed to increase the ability of the person to improve student learning.

Certificates granted by the board prior to October first, nineteen hundred and ninety-four are hereby deemed professional licenses which shall be renewed every 5 years.

Any license issued by the commissioner may be revoked for cause, pursuant to standards and procedures established by the board.

The board shall have the authority to promulgate, amend and rescind such rules and regulations as may be necessary to carry out the provisions of this section. Such regulations shall be presented to the joint committee for informational purposes ninety days before implementation.

All applications for any licenses granted under this section shall be accompanied by a fee to be determined annually by the secretary of administration under the provisions of section three B of chapter seven. Said fees shall be established and limited to allow the department to carry out licensing and relicensing responsibilities but in no case shall said applications exceed one hundred dollars per year with an annual increase no greater than the consumer price index.

Notwithstanding the foregoing, the board shall establish for each licensure area alternate methods for fulfilling the professional development requirement, at least one of which shall be provided at no cost to persons employed by a school district, including paraprofessionals or assistant teachers, who are engaging in such activity for the purpose of satisfying the professional development requirement of this section.

No person shall be eligible for employment as a teacher, guidance counselor, director, school psychologist, school adjustment counselor, school social worker, school nurse, library media specialist, school business administrator, principal, supervisor, director, assistant superintendent of school, and superintendent of schools by a school district unless he has been granted by the commissioner a temporary, initial, or professional license with respect to the type of position for which he seeks employment; provided, however, that nothing herein shall be construed to prevent a school committee from prescribing additional qualifications; and provided further, that a superintendent may upon request b e exempt by the commissioner for any one school year from the requirement in this section to employ licensed personnel when compliance therewith would in the opinion of the commissioner constitute a great hardship in securing teachers for that school district. During the time that such a waiver is in effect, service of an employee of a school district to whom the waiver applies shall not be counted as service in acquiring professional teacher status or other rights under section forty-one.

In addition to any other requirements of this section, the board shall require, as a provision of an administrator’s or educator’s license, that all educators and administrators shall have training in strategies for effective inclusive schooling for children with disabilities,

instruction of students with diverse learning styles and classroom organization and management. Such training shall include, at a minimum, practical experience in the application of these strategies.

In addition to any other requirements in this section, in order to receive an initial or professional license, persons applying for such certification shall have completed such courses or training sessions as the board shall require in second language acquisition.

Competence in Braille instruction shall be a requirement for an initial and professional license as a teacher of students with vision impairments. Such competence shall be verified through a testing program which meets the standards of the Library of Congress National Library Service for the Blind or its successor.

For the purposes of licensing educators, the board shall establish policies and guidelines and the commissioner may approve preparation programs devoted to the preparation of teachers and other educational personnel. A college or university or school or district or other institution offering such an approved program shall certify to the commissioner that a student has demonstrated satisfactory competence in the skills and knowledge expected of college graduates in the most advanced nations, and has completed the program approved. The college or university or school district or other institution shall also provide the commissioner with a transcript of the student’s record.

At the end of each five-year period each professional educator shall attest to and provide appropriate supporting evidence and documentation to the department, in such form and at such time as the commissioner shall prescribe, that the professional educator has successfully completed a professional development plan which meets the standards set by the board.

In addition to any other requirements of this section, the board shall require, as a provision of an administrator's or educator's relicensure, that all educators and administrators shall have training in strategies for effective inclusive schooling for children with disabilities, instruction of students with diverse learning styles and classroom organization and management. Such training shall include, at a minimum, practical experience in the application of these strategies.

It shall be one of the objectives of all school districts' professional development plans to satisfy the individual professional development plans required by this section; provided, however, t hat this requirement shall not be construed to require that a school district or the commonwealth provide funding for the fulfillment of the professional development requirements of this section and section thirty-eight Q beyond the foundation budget.

The board shall establish policies and guidelines for approval for any continuing education units, inservice seminars, projects, courses and other activities which would be deemed sufficient to maintain the development of professional skills and the knowledge of subject matter pertinent to particular certificates in accordance with the same procedures used for initial approval of collegiate preparation programs. The commissioner shall establish for each license alternate methods for fulfilling the professional development requirement, at least one of which must be at no cost to persons employed by a school district who are engaging in such an activity for the purpose of satisfying the professional development requirements for relicensure of this section.

Such policies shall provide that a teacher who is to be employed in a position in an area of licensure in which he is not currently employed, but for which he held a license which had been valid within five years immediately preceding the starting date of employment in this position, shall be given a reasonable period, as determined by the board, to fulfill a professional development plan which demonstrates currency in the subject matter knowledge and requalify him for licensure in said area. In every instance, all evaluations and assessments shall follow nationally recognized professional standards.

Each local and regional school district shall attest to the department, in such form and at such time as the commissioner shall prescribe, that professional development activities for which credit toward license renewal is granted meet the requirements set by the board and are documented in accordance with procedures established by the board.

The board shall, in establishing said policies and criteria for profession al development, give special consideration to the best interests of the students in the commonwealth, including the need for high quality teachers of English language learners programs established under chapter 71A for limited English proficient students and the need to maintain the highest performance standards of teachers while taking into proper consideration the financial or time constraints these policies may require. In developing such policies, guidelines and assessment methods, the board shall obtain the input of teachers, administrators, educational experts, parents, business leaders and others interested in the improvement of the professional status of teachers.

Except as otherwise specifically provided in this section, no rights of any employees of a school district under the provision of this chapter shall be impaired by the provisions of this section.

Anyone granted either a temporary, initial, or professional license under this section or currently holding such a license shall be required to maintain the development of professional skills and the knowledge of subject matter pertinent to the areas of licensure.

Teachers who were authorized, permitted or approved to teach in a subject or area for which there was no license before September first , nineteen hundred and eighty-two, shall acquire and maintain the development of the skills and training required of persons licensed to teach in said subject or areas after that date.

This section shall not apply to trade, vocational, temporary substitute teachers, exchange teachers, regionally licensed or certified teachers or to teaching or administrative interns; provided, however, that approval for the employment of such personnel shall be generated by the board under such rules and regulations as it may adopt.

The requirements of this section shall not apply to the licensure of teachers of adult education. Nothing in this section or section 1H of chapter 69 shall be construed to prohibit a school committee from employing a teacher licensed under this section to teach adult education.