

SENATE No. 251

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>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>

SENATE No. 251

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 251) of Sonia Chang-Diaz, Linda Dorcena Forry, Mary S. Keefe, James B. Eldridge and other members of the General Court for legislation relative to dropout prevention and recovery. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 208 OF 2013-2014.]

The Commonwealth of Massachusetts

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

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

3 SECTION 2. Section 1B of chapter 69 of the General Laws, as appearing in the 2012
4 Official Edition, is hereby amended by inserting after the word “attendance”, in line 114, 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 is hereby amended by inserting, after line 58,
8 the following paragraph:-

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 regulations
21 relating to the implementation and use of the early warning indicator index system, or any
22 successor data collection system, consistent with this paragraph. Notwithstanding anything to
23 the contrary in this section, school districts may use data collection and tracking systems other
24 than the data collection and tracking system offered by the department, subject to the approval of
25 the department. School districts seeking to use data collection and tracking systems other than
26 the data collection and tracking system offered by the department shall apply to the department
27 for a waiver. The department shall grant a waiver to a school district if it determines that the data
28 collection and tracking system of the school district meets or exceeds the criteria of the data
29 collection and tracking system offered by the department. Any such waiver shall be contingent
30 upon the school district agreeing to submit its data to the department. The school district and the

31 department shall also determine who shall be responsible for compiling and analyzing the data
32 and the system for categorizing students as at-risk, as required by section 22 of chapter 76.

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

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

39 SECTION 5. Section 1C of Chapter 71 of the General Laws, as so appearing, is hereby
40 amended by inserting at the end thereof the following paragraph:-

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

48 SECTION 6. Section 37H of said Chapter 71 is hereby amended by striking out the first
49 sentence in the third paragraph and inserting in place thereof the following sentence:- In each
50 school building containing any of the grades six to twelve, inclusive, the principal, in
51 consultation with the school council, shall prepare and distribute to each student in grades six to

52 twelve, inclusive, a student handbook setting forth the rules pertaining to the conduct of students.
53

54 SECTION 7. Section 1 of Chapter 76 of the General Laws, as appearing in the 2012
55 Official Edition, is hereby amended in line 100 by inserting, after the word “herewith”, the
56 following 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 9. Said Chapter 76 is hereby further amended by inserting, after Section 21,
60 the following new section:-

61 Section 22. Massachusetts Graduation Coach Initiative.

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

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

69 The Massachusetts graduation coach initiative shall match at-risk students in grades 7
70 through 12 who attend schools that qualify for a graduation coach under this section with
71 graduation coaches who will monitor the students’ attendance and provide advice and
72 intervention services, or connection to intervention services, such as, but not limited to, peer

73 tutoring, credit recovery, and academic remediation. Graduation coaches shall leverage the
74 resources and assistance of community organizations working successfully in the field of dropout
75 intervention and recovery. Graduation coaches shall ensure successful transition of at-risk
76 students from middle school to high school, connecting these students with the students' new
77 school.

78 The department of elementary and secondary education shall provide resources for
79 districts to hire and place graduation coaches in every public middle school and high school that,
80 for a high school, has a total annual dropout rate of 5% or more and that, for grades 7 and 8, has
81 a total annual incidence of at-risk students of 5% or more in those grades; provided, however,
82 that a district shall not receive resources for a school with fewer than 20 students who fall into
83 the foregoing categories. The department of elementary and secondary education shall
84 promulgate regulations that set forth an appropriate trigger for graduation coach resources for
85 schools with disproportionate dropout rates and incidences of at-risk students for demographic
86 subgroups. The department of elementary and secondary education shall also promulgate
87 regulations as to an appropriate coach to student ratio, by which to guide placement of coaches in
88 the respective schools. Districts that share graduation coaches shall develop an interagency
89 services agreement that sets forth such issues as hiring, oversight and supervision, and payment.
90 The department of elementary and secondary education shall promulgate regulations on what the
91 agreement shall cover. Nothing herein shall prohibit a school district or districts from partnering
92 with an external nonprofit agency with experience and proven results in youth development to
93 staff a graduation coach in a qualifying school or schools. The department of elementary and
94 secondary may establish regulations setting forth criteria for qualifying agencies.

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

115 Each school district shall provide the graduation coach with professional development
116 opportunities and administrative and technical support in concert with existing district
117 professional development and administrative and technical support services for district staff.

118 School districts may partner together to provide professional development opportunities and
119 administrative and technical support services. The professional development and support
120 services shall include guidance for graduation coaches on how to best integrate their work with
121 the efforts of school counselors and school social workers in the schools and districts in which
122 they are placed so as to achieve efficient and effective provision of services and to avoid
123 duplication of work. School districts and school administrators shall consider existing needs and
124 programs when determining the placement of individual coaches. The department of elementary
125 and secondary education may coordinate and lead annual regional meetings to allow graduation
126 coaches to network and share best practices, strategies, and problem solving methods.

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

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

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

162 SECTION 12. Section 2 shall be effective as of September 1, 2016. From September 1,
163 2015 until August 31, 2016, all children under the age of 17 shall be required to attend school if
164 they have not graduated from high school.

165 SECTION 13. Section 3 shall apply commencing the academic school year beginning
166 2015.

167 SECTION 14. Section 9 shall apply commencing the academic school year beginning
168 2015.