

SENATE No. 289

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 re-engagement.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>	
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/1/2021</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>3/1/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/16/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>5/10/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>5/12/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>6/29/2021</i>

SENATE No. 289

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 289) of Sonia Chang-Diaz, Elizabeth A. Malia, Michael J. Barrett and Patrick M. O'Connor for legislation relative to dropout prevention and recovery. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 241 OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to dropout prevention and re-engagement.

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 Re-engagement Act.”

3 SECTION 2. Section 1B of chapter 69 of the General Laws, as appearing in the 2018
4 Official Edition, is hereby amended by inserting after the word “attendance”, in line 120, 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 chapter 69 of the General Laws, as so appearing, is hereby
8 amended by inserting, after line 61, the following paragraph:-

All individual public schools that instruct students in kindergarten through grade 12 shall use the early warning indicator index system, or any successor data collection and tracking system, developed by the department to identify and track students at risk of not graduating on time; provided that such system shall include a social emotional indicator as one of multiple measures. Individual public schools shall collect all necessary data required for the use of the early warning indicator index system, or any successor data collection and tracking system, as determined by the department. The department shall offer school districts guidance and support on the collection, review, and use of the early warning indicator index system, or any successor data collection system, to best serve the needs of students, teachers, and school staff members. On an annual basis, the department shall compile and analyze the data submitted by individual schools and shall provide the compiled data and analysis to the applicable school. The department shall also make aggregated, de-identified data and analysis available to the public online on an annual basis in a machine readable format. The board may promulgate regulations relating to the implementation and use of the early warning indicator index system, or any successor data collection system, consistent with this paragraph. Notwithstanding anything to the contrary in this section, school districts may use data collection and tracking systems other than the data collection and tracking system offered by the department, subject to the approval of the department. School districts seeking to use data collection and tracking systems other than the data collection and tracking system offered by the department shall apply to the department for a waiver. The department shall grant a waiver to a school district if it determines that the data collection and tracking system of the school district meets or exceeds the criteria of the data collection and tracking system offered by the department. Any such waiver shall be contingent upon the school district agreeing to submit its data to the department. The school district and the

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

SECTION 4. Section 2 of chapter 70 of the General Laws, as so appearing, is hereby amended by adding within the definition of “enrollment categories” the following:-

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

SECTION 5. Section 1C of chapter 71 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

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

SECTION 6. Section 37H of said chapter 71 of the General Laws, as so appearing, is hereby amended by striking out the first sentence in the third paragraph and inserting in place thereof the following sentence:-

52 In each school building containing any of the grades six to twelve, inclusive, the
53 principal, in consultation with the school council, shall prepare and distribute to each student a
54 student handbook 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 amended in line 58 by inserting, after the word “herewith”, the 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 adding the following new
60 section:-

61 Section 22. Massachusetts success 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 1I 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 success coach initiative shall match at-risk students in grades 7
70 through 12 who attend schools that qualify for a success coach under this section with success
71 coaches who will monitor the students’ attendance and provide advice and intervention services,
72 or connection to intervention services, such as, but not limited to, peer tutoring, credit recovery,

and academic remediation. Success coaches shall leverage the resources and assistance of community organizations working successfully in the field of dropout intervention and re-engagement. Success coaches shall ensure successful transition of at-risk students from middle school to high school, connecting these students with the students' new school.

The department of elementary and secondary education shall provide resources for districts to hire and place success coaches in every public middle school and high school that, for a high school, has a total annual dropout rate of 5 per cent or more and that, for grades 7 and 8, has a total annual incidence of at-risk students of 5 per cent or more in those grades; provided, however, that a district shall not receive resources for a school with fewer than 20 students who fall into the foregoing categories. The department of elementary and secondary education shall promulgate regulations that set forth an appropriate trigger for success coach resources for schools with disproportionate dropout rates and incidences of at-risk students for demographic subgroups. The department of elementary and secondary education shall also promulgate regulations as to an appropriate coach to student ratio, by which to guide placement of coaches in the respective schools. Districts that share success coaches shall develop an interagency services agreement that sets forth such issues as hiring, oversight and supervision, and payment. The department of elementary and secondary education shall promulgate regulations on what the agreement shall cover. Nothing herein shall prohibit a school district or districts from partnering with an external nonprofit agency with experience and proven results in youth development to staff a success coach in a qualifying school or schools or to train existing staff to be suitable for the role. The department of elementary and 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 success coach initiative; provided that success coaches shall
99 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 success 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 success coaches in qualifying schools. The department of elementary and secondary
104 education may provide a standardized orientation to success coaches. The responsibilities of
105 success coaches shall include, but not be limited to, the following: identifying at-risk students;
106 implementing school wide support interventions; motivating students to focus on a graduation
107 plan; negotiating extra help for at-risk students; providing academic advice and student support;
108 developing effective transition programs to aid at-risk students moving between schools;
109 connecting parents of at-risk students with appropriate school, government, and community
110 resources; connecting at-risk students with school, government, and community resources;
111 encouraging parent and community involvement; assisting in the reenrollment of students who
112 recently left school; serving, where appropriate, as a support for the student and student's parent
113 or guardian in any disciplinary hearings or actions; and identifying and addressing barriers to
114 learning resulting from specific risk factors. Districts with high numbers of dropouts may choose
115 to focus the responsibilities of a coach on outreach and re-engagement of dropouts and students
116 with five or more absences unexcused.

Each school district shall provide the success coach with professional development opportunities and administrative and technical support in concert with existing district professional development and administrative and technical support services for district staff. School districts may partner together to provide professional development opportunities and administrative and technical support services. The professional development and support services shall include, but not be limited to: guidance for success coaches on how to best integrate their work with the efforts of school counselors and school social workers in the schools and districts in which they are placed so as to achieve efficient and effective provision of services and to avoid duplication of work, as well as training in trauma-informed practices, cultural responsiveness, and creating and sustaining health youth-adult relationships in a school setting. School districts and school administrators shall consider existing needs and programs when determining the placement of individual coaches. The department of elementary and secondary education may coordinate and lead annual regional meetings to allow success coaches to network and share best practices, strategies, and problem solving methods.

The success coach shall develop and implement an individualized family engagement plan for at-risk students to identify and support practical strategies for strong family involvement in the student's academic life and in the student's school community. Where possible, the success coach shall make a good faith effort to first meet individually with the student and shall then convene and develop the plan jointly with the student; his or her parent or guardian or any other family member or caretaker involved in the student's academic life; and a representative of the student's school, which may include, but not be limited to, a general education teacher serving the student, a special education teacher serving the student, or a member of the school's administrative team. The individualized caregiver engagement plan shall describe each of the

aforementioned parties' responsibilities and expectations for supporting the student's educational progress and shall be signed by the parties. The individualized family engagement plan shall, where appropriate, include referrals to existing resources that may contribute to serving the student's and family's needs, including, but not limited to, services and programming provided by government and community-based organizations. The individualized family engagement plan may be developed in conjunction with or as part of an individual student success plan or an individualized education plan; provided, however, that the individualized family engagement plan, as required under this section, must be clearly and separately delineated.

SECTION 10. The department of elementary and secondary education shall track and study the impact on levels of parent engagement and academic success of students in an employer-sponsored pilot program that provides paid leave for employees to participate in academic activities. Any employer in the commonwealth shall be eligible for the pilot program and, if interested, shall inform the department of elementary and secondary education of its intent to participate in the pilot program. The department shall commence said pilot program upon the availability of a statistically significant number of employer and potential employee participants. Prior to implementation of a program, the department of elementary and secondary education and the employer shall enter into an agreement to outline the terms of the program and the department's study. The agreement shall specify the amount of time, on an annualized basis, to be offered to employees and any limitations or conditions on the use of time, including, but not limited to, requirements for notice, limitations in cases of emergency, and rules for evidence of attendance at an academic activity. The agreement shall also specify the length of time that the program shall run and shall outline the data reporting and collection responsibilities of each party. The agreement shall include a statement that it shall be unlawful for an employer to

163 discharge or discriminate against an employee for taking leave under the program. The
164 department of elementary and secondary education shall report the results and findings of the
165 study to the clerks of the house of representatives and the senate within six months of completion
166 of the study or at the conclusion of the second year of the study, whichever is less, who shall
167 convey the results and findings to the chairs of the joint committee on education and the chairs of
168 the joint committee on labor and workforce development.

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

170 SECTION 12. Section 2 shall be effective as of September 1, 2024. From September 1,
171 2023 until August 31, 2024, all children under the age of 17 shall be required to attend school if
172 they have not graduated from high school.

173 SECTION 13. Section 3 shall apply commencing the academic school year beginning
174 2023.

175 SECTION 14. Section 9 shall apply commencing the academic school year beginning
176 2023.