

SENATE No. 366

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

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 diversity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>3/1/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>3/1/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>3/1/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>3/2/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/8/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/8/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>3/15/2021</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	<i>3/18/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>3/25/2021</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	<i>3/29/2021</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>3/29/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>4/7/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>4/12/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>5/6/2021</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>7/13/2021</i>
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>9/2/2021</i>

SENATE No. 366

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 366) of Jason M. Lewis, Carol A. Doherty, David Henry Argosky LeBoeuf, Jack Patrick Lewis and other members of the General Court for legislation relative to educator diversity. Education.

The Commonwealth of Massachusetts

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

An Act relative to educator diversity.

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. Section 38G of chapter 71 of the General Laws is hereby amended by
2 inserting after paragraph 13, ending with the words “approved provisional educator preparation
3 program”, the following paragraph:-

4 The department shall, in consultation with relevant stakeholders, develop an alternative
5 process for granting educator licensure. This process shall include consideration of factors such
6 as whether a candidate has: obtained certification in another state approved by the department;
7 completed a satisfactory portfolio of items that may include student feedback, competency-based
8 projects, or educator evaluations; or obtained a master’s degree or doctorate. The department
9 may use the results of the alternative assessment pilot authorized by 603 CMR 7.04(e) to inform
10 the development of the alternative licensure process required by this paragraph. The department
11 shall conduct an annual evaluation of the alternative licensure process to determine its effects on
12 candidates of diverse backgrounds. This section shall take effect no later than June 1, 2024.

13 SECTION 2. Said chapter 71 of the General Laws is hereby amended by inserting after
14 section 38G ½ the following section:-

15 Section 38G ¾ (a) There shall be established within the department of elementary and
16 secondary education a Center for Strategic Initiatives, referred to in this section as the office,
17 which shall be headed by a designee of the commissioner of elementary and secondary
18 education, referred to in this section as the director. The director shall have the authority to:

19 (i) Establish guidelines for affirmative action and diversity plans to recruit, retain, and
20 advance diverse candidates for teaching and staff positions. Each district and school committee
21 shall set a corresponding policy and measurable goals that conform with the intent of the
22 department's guidelines. A school district may satisfy the requirements of this subsection if it has
23 prioritized teacher diversity in its 3-year plan required by section 1S of chapter 69 of the General
24 Laws, as amended by chapter 132 of the acts of 2019, or in any other strategic plan developed by
25 the school district.

26 (ii) Review all such plans and approve, amend, or deny them based on clearly defined
27 criteria.

28 (iii) Establish periodic reporting requirements for school districts concerning the
29 implementation of their plans and all actions taken to ensure compliance with this section and
30 applicable state and federal laws.

31 (iv) Assist school districts in complying with their plans and applicable federal and state
32 laws.

33 (b) The office shall promulgate guidelines establishing a complaint resolution process for
34 individuals who allege noncompliance by school districts with applicable federal and state laws
35 prohibiting discrimination. In instances where this process does not resolve the complaint, the
36 director of the office may refer to the Massachusetts commission against discrimination or any
37 information concerning conduct that the director believes may constitute a violation of the law.

38 (c) The Massachusetts commission against discrimination shall initiate investigations
39 and, where necessary, file complaints against school districts or persons whom the commission
40 has reason to believe are discriminating against public educator candidates based on race or
41 ethnicity.

42 (d) In performing their responsibilities under this section, the office and the
43 Massachusetts commission against discrimination shall have the full cooperation of all state
44 agencies and school districts, including compliance with all requests for information.

45 (e) The board of elementary and secondary education shall review compliance with these
46 plans and policies on a regular basis and will provide further recommendations to advance the
47 educator diversity goals of the department.

48 SECTION 3: Notwithstanding any general or special law to the contrary, the department
49 shall collect and report publicly statewide educator diversity data and set measurable educator
50 diversity goals for the state. The data shall be reported in an online dashboard created in
51 consultation with the board of elementary and secondary education and the educator diversity
52 commission. The data shall include but not be limited to the hiring and retention of diverse
53 educators, the racial demographics of educators who complete in state educator preparation
54 programs, and teacher qualification data from school and district report cards. The department

55 shall report annually to the board of elementary and secondary education on state educator
56 diversity data and goals. The department shall also submit a report on the state of educator
57 diversity to the clerks of the senate and house of representatives no later than June 30th on an
58 annual basis. Each public school district shall report its educator diversity data and goals publicly
59 and shall annually present both to the school committee.

60 SECTION 4: (a) Each school district shall appoint or hire a diversity, equity, and
61 inclusion officer(s) or establish diversity teams, referred to in this section as diversity officers or
62 teams. Diversity officers or teams shall report directly to the superintendent. Diversity officers or
63 teams shall coordinate their school district's compliance with the requirements of this section
64 and applicable federal and state laws. Should the district have an individual diversity officer or
65 team already in place, that shall satisfy the requirement of this section.

66 (b) Each school district shall develop and implement affirmative action and diversity
67 plans and set measurable goals to: (1) identify and eliminate discriminatory barriers to hiring and
68 learning in their school district; (2) remedy the effects of past discriminatory practices; (3)
69 identify, recruit, hire, develop, promote, and retain employees who are members of under-
70 represented groups; and (4) ensure diversity and equal opportunity in all facets, terms, and
71 conditions of employment for educators. A district shall be deemed to have satisfied the
72 requirements of this section if it has prioritized diversity in its 3-year plan required by section 1S
73 of chapter 69 of the General Laws, as amended by chapter 132 of the acts of 2019, or in any
74 other strategic plan developed by the district. Such plans shall set forth specific goals and
75 timetables for achievement, shall comply with all applicable state and federal laws, and shall be
76 updated, at a minimum, every 2 years.

77 (c) Each school district shall establish an educator diversity council which shall consist of
78 educators, administrators, and students, who shall meet regularly with the Superintendent or the
79 diversity officer or teams and will serve as an advisory council of the school committee to
80 address matters of diversity, equity, and inclusion in the district. The school committee may
81 appoint a member of the committee to serve as an ex-officio member of the educator diversity
82 council.

83 (d) Through the diversity officers or teams, and in compliance with the reporting
84 guidelines and requirements established by the Center for Strategic Initiatives, each school
85 district shall submit periodic reports to the director of the office concerning the status and
86 implementation of their affirmative action and diversity plans.

87 (e) Pursuant to guidelines established by the Center for Strategic Initiatives, all
88 superintendents, school committee members, district leaders, principals and school district
89 employees shall attend mandatory annual diversity training. Such training shall be mandatory for
90 employees hired by a school district after the effective date of this act.

91 (f) To ensure that districts are using the best diversity enhancing strategies for hiring and
92 promoting new leaders, all individuals involved in the hiring or promotion process shall receive
93 implicit bias training prior to the commencement of the hiring or promotion process.