HOUSE DOCKET, NO. 3400 FILED ON: 1/17/2025

HOUSE . . . . . No. 3064

The Commonwealth of Massachusetts

PRESENTED BY:

Manny Cruz and Pavel M. Payano

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 bilingual educators and dual language certification incentives.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Manny Cruz	*7th Essex*	*1/17/2025*
Pavel M. Payano	*First Essex*	*1/17/2025*

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HOUSE . . . . . No. 3064

By Representative Cruz of Salem and Senator Payano, a joint petition (accompanied by bill, House, No. 3064) of Manny Cruz and Pavel M. Payano for legislation to establish a separate fund to be known as the bilingual education trust fund in support of bilingual educators and dual language certification incentives. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *3947* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to bilingual educators and dual language certification incentives.

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 71A of the General Laws is hereby amended by striking out section 1, as so appearing, and inserting in place thereof the following section:-

Section 1. The people of Massachusetts find and declare that:

(a) The United States of America and the commonwealth of Massachusetts, in respect of multiculturalism, have established no official language. The people of the commonwealth recognize that the first amendment of the Constitution of the United States, which has its roots in the commonwealth, includes the freedom of expression of language. The vast majority of Massachusetts' residents can trace their ancestry to multilingual individuals who helped build the commonwealth. While English remains the most commonly spoken language for science,

technology and international business, it is hereby acknowledged that multilingualism is a tremendous asset for economic opportunity.

(b) All parents are eager to have their children become literate and biliterate, thereby allowing them to fully participate in the American dream of economic advancement, honoring their ancestry, and attaining social advancement.

(c) The government and the public schools of Massachusetts have a moral obligation and a constitutional duty to provide all Massachusetts' children, regardless of their ethnicity or national origins, with the skills necessary to become productive members of our society. Of these skills, literacy in multiple languages, according to leading education research, is among the most important.

(d) The public schools of Massachusetts have done an inadequate job of educating many multilingual children, requiring that they be placed in native language programs and not providing evidenced based programmatic language instruction that accelerates learning while honoring the assets of multilingual students.

(e) Multilingual children can easily acquire full fluency and literacy in multiple languages, if their native language is viewed as a strength and skill to be improved upon as soon as they enter school.

(f) Therefore it is resolved that: all children in Massachusetts' public schools shall have ample opportunities to acquire multiple languages as rapidly and effectively as possible.

SECTION 2. Said chapter 71A is hereby further amended by striking out section 10, as so appearing, and inserting in place thereof the following section:-

Section 10. (a) Teachers and administrators assigned to a language acquisition program shall be properly qualified under state law for the program type. The department shall establish endorsements for educators who have completed coursework and field-based experience to

provide instruction within sheltered English immersion programs, 2–way immersion programs, transitional bilingual programs and other programs that meet the requirements of this chapter.

(b) A bilingual education endorsement shall be awarded to educators who meet all of the following requirements:

(1) A passing score on a foreign language test acceptable to the department in the relevant foreign language.

(2) Demonstration of the subject matter knowledge and skill requirements set forth in 603 CMR 7.14(3)(b), through either: (i) the successful completion of a department approved course of study for providing bilingual education; or (ii) a passing score on a test acceptable to the department.

(3) Completion of 75 hours of field-based experience in a pre-K through 12 dual language education or 2-way immersion program, transitional bilingual education program or other bilingual education setting. A program for the required 75 hours of field-based experience may be supervised by either: (i) a department approved course of study for providing bilingual education; or (ii) the pre-K through 12 school where the field-based experience is completed.

(c) Annually, not later than June 1, the department shall provide each district with a list of all bilingual educators who have bilingual education endorsements pursuant to this section. Prior

to the beginning of each school year, districts, including charter schools shall verify that each of the bilingual educators in a multilingual learner program is properly endorsed for that program.

(d) Notwithstanding any provision in this section to the contrary, the department shall enter into reciprocity agreements with other states and territories of the United States that allows teachers in other states and territories of the United States who hold that state or territory's

equivalent of an endorsement to obtain an endorsement in the commonwealth without needing to meet the requirements of this section. The department shall promulgate rules and regulations necessary to carry out this subsection.

SECTION 3. Said chapter 71A is hereby amended by adding the following 2 section:-

Section 13. (a) The department shall establish licensure reciprocity agreements with other states and territories of the United States aimed at increasing the number of bilingual educators in Massachusetts. The department shall notify all other states and territories of the United States of its intent to enter into licensure reciprocity agreements for bilingual educators.

(b) The department shall finalize licensure reciprocity agreements that align with the departments goals of building a linguistically diverse educator workforce.

(c) There shall be a task force on the bilingual educator workforce in the commonwealth. The task force shall consist of: (i) the secretary of education or a designee, who shall serve as chair; (ii) a member of the board of higher education, appointed by the board; (iii) a member of the board of elementary and secondary education, appointed by the board; (iv) the chairs of the joint committee on education; (v) 1 current or past InSPIRED fellow of the inspired fellowship to be appointed by the department elementary and secondary education; (vi) 1 member to be

appointed by Latinos for Education, Inc.; (vii) 1 member to be appointed by Multistate Association for Bilingual Education-Northeast, Inc.; (viii) 1 member to be appointed by the Massachusetts Association of School Superintendents, Inc. Urban Superintendents; (ix) 1 member to be appointed by Massachusetts Association of School Committees, Inc.; (x) 1 member to be appointed by the American Federation of Teachers Massachusetts; (xi) 1 member to be appointed by the Massachusetts Teachers Association.

(d) The task force shall: (i) develop best practices and standards related to establishing licensure reciprocity agreements with other states and territories of the United States aimed at increasing the number of bilingual educators in Massachusetts; and (ii) recommend policies and procedures to notify states and U.S territories of the intent to enter into licensure reciprocity agreements for bilingual educators.

(e) Annually, not later than December 31, the department shall submit a report to the clerks of the house of representatives and senate and the joint committee on education. The report shall address the progress of the implementation of this section and shall develop a publicly reported data dashboard to track the percentage of certified bilingual educators. The report shall set a measurable goal to work towards by 2035 for the number of certified bilingual educators throughout the commonwealth.

Section 14. (a) The department shall establish and administer a bilingual educator incentive program that shall prioritize the recruitment and retention of racially, culturally, ethnically and linguistically diverse educators consistent with chapter 132 of the acts of 2019 to diversify the educator workforce. The bilingual educator incentive program shall prioritize districts with the highest percentages of multilingual learners served and districts with the

greatest disparities in the parity between racially, culturally, ethnically and linguistically diverse educators to students. Eligible participants for the bilingual educator incentive program shall include, but not be limited to, paraprofessionals, teachers, school leaders and district administrators. The criteria for eligibility shall be determined by an interactive process between the department and the local school district.

(b) The bilingual educator incentive program shall provide educators who have obtained the appropriate licensure or certification for a bilingual education program with an annual

stipend of $10,000. The program's annual stipend shall only be available to educators who working in an approved bilingual education program that is certified by the district and the department.

(c) The bilingual educator incentive program shall provide eligible staff who are deemed to be bilingual by a department approved process that is submitted by the district for an additional $5,000 stipend.

(d) An additional $1,000 stipend shall be provided to bilingual educators who attain a state seal of biliteracy from the department under 603 CMR 31.00.

(e) A 5 year stipend, valued at $1,000 annually, shall be provided to bilingual educator who are graduates of a public school system in the commonwealth.

(f) All bilingual educator incentive program stipends, in this section, shall be paid for by the Bilingual Educator Trust Fund pursuant to section 2BBBBBB of chapter 29 and shall count as compensation for the purposes of retirement with the Massachusetts teacher's retirement system under chapter 32.

(g) A bilingual educator who completes 10 years of service in an approved bilingual education program in the commonwealth, within the same school district, shall be eligible for $30,000 in student loan and education debt repayment assistance paid for by the Bilingual Education Trust Fund under section 2BBBBBB of chapter 29.

SECTION 4. Chapter 29 of the General Laws is hereby amended by inserting after section 2AAAAAA the following section:-

Section 2BBBBBB. (a) There shall be established and set up on the books of the commonwealth a separate fund to be known as the Bilingual Education Trust Fund. The fund shall be administered by the commissioner of elementary and secondary education. The fund shall be used for: (i) providing financial assistance to school districts and public institutions of higher education in support of the establishment and expansion of bilingual education programs in the commonwealth; and (ii) funding the bilingual educator incentive program established pursuant to section 14 of chapter 71A. The commissioner shall prioritize funding for districts with the highest percentages of multilingual learners and with persistent gaps in achievement for multilingual learners

(b) The fund shall be credited with:

(i) revenue from appropriations and other money authorized by the general court and specifically designated to be credited to the fund;

(ii) funds from public and private sources such as gifts, grants and donations which shall be considered a charitable contribution tax deduction under subparagraph (13) of paragraph (a) of Part B of section 3 of chapter 62;

(iii) funds collected from the excise tax on the retail sale of marijuana or marijuana products in accordance with section 2 of chapter 64N;

(iv) funds collected from the excise tax on sports wagering operators in accordance with section 14 of chapter 23N; and

(v) interest earned on money in the fund. Amounts credited to the fund shall not be subject to further appropriation and any money remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

(c) Annually, not later than October 1, the commissioner of elementary and secondary education shall report to the clerks of the senate and house of representatives, the joint committee on education and the house and senate committees on ways and means on the fund's activities. The report shall include, but not be limited to: (i) the source and amount of funds received; (ii) the expenditures made from the fund and the purposes of such expenditures; (iii) any anticipated remaining revenue from awards; and (vi) the number municipal K though 12 school districts and public institutions of higher education who received funding.

(d) The department of elementary and secondary education shall establish rules and regulations that are necessary to implement this section and section 14 of chapter 71A.

SECTION 5. Subsection (a) of section 14 of chapter 23N of the General Laws, as appearing in by section 5 of chapter 173 of the acts of 2022, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

An excise is hereby imposed upon sports wagering operators in the commonwealth at the rate of: (i) 15 per cent of the operator's adjusted gross sports wagering receipts from the

operation of in-person sports wagering, with 5 per cent to be deposited into the Bilingual Education Trust Fund established in section 2BBBBBB of chapter 29 and 10 per cent to be deposited into the Sports Wagering Fund established in section 17; (ii) 20 per cent of the operator's adjusted gross sports wagering receipts from the operation of sports wagering through mobile applications and other digital platforms approved by the commission, with 5 per cent to be deposited into the Bilingual Education Trust Fund established in said section 2BBBBBB of said chapter 29 and 15 per cent to be deposited into the Sports Wagering Fund established in said section 17; and (iii) 15 per cent of the adjusted gross fantasy wagering receipts of a person or entity that offers fantasy contests, as defined in section 11M1/2, with 5 per cent to be deposited into the Bilingual Education Trust Fund established in said section 2BBBBBB of said chapter 29 and 10 per cent to be deposited into the Sports Wagering Fund established in said section 17.

SECTION 6. Chapter 64N of the General Laws is hereby by amended by striking out section 2, as amended by section 5 of chapter 180 of the acts of 2022, and inserting in place thereof the following section:-

Section 2. (a) An excise tax is hereby imposed upon the sale of marijuana or marijuana products by a marijuana retailer to anyone other than a marijuana establishment at a rate of 10.75 per cent of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana products. The excise tax shall be levied in addition to state tax imposed upon the sale of property or services as provided in section 2 of chapter 64H and shall be paid by a marijuana retailer to the commissioner at the time provided for filing the return required by section 16 of chapter 62C.

(b) Two per cent of the excise tax rate imposed pursuant to the previous paragraph shall be collected and deposited into the Bilingual Education Trust Fund established in section 2BBBBBB of chapter 29 and the remaining 8.75 per cent shall be collected and deposited pursuant to section 5.

SECTION 7. Section 5 of said chapter 64N is hereby amended by inserting after the words “than revenue”, in lines 2 and 3, as appearing in the 2022 Official Edition, the following words:- deposited into the Bilingual Education Trust Fund pursuant to subsection (b) of section 2 and revenue.

SECTION 8 This act shall take effect on January 1, 2027.