

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Frank A. Moran and Alice Hanlon Peisch

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 maintaining equal access to public education for all children in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>1/13/2025</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>1/13/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relative to maintaining equal access to public education for all children in the Commonwealth.

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 5 of chapter 76 is hereby amended by inserting after the word
2 “national origin” the following words: – “, immigration or citizenship status”.

3 SECTION 2. Chapter 69 of the General Laws is hereby amended by inserting, in Section
4 1B, after the thirteenth paragraph in line XXX the following sentence: --

5 To ensure meaningful communication with parents and legal guardians of all students
6 receiving educational services pursuant to Chapters 69, 71, 71A, and 71B, the Board shall ensure
7 that interpreters and translators used in public school settings are bilingual, have knowledge in
8 both languages of any specialized terms or concepts to be used in the communication at issue,
9 and that interpreters are trained on the role of an interpreter and translator, the ethics of
10 interpreting and translating, and the need to maintain confidentiality.

11 SECTION 3. Section 3 of chapter 71B, as so appearing is hereby amended by inserting
12 in the sixth paragraph after the word “development” in line XXX the following sentences: -

13 When conducting an evaluation for a child who is an English learner as defined pursuant
14 to MGL Chapter 71A Section 3, school committees shall consider the English language
15 proficiency of the student. Assessments and other evaluation materials used to evaluate said
16 child shall be provided and administered in the child’s native language and in the form most
17 likely to yield accurate information on what the child knows and can do academically,
18 developmentally, and functionally. The Individualized Education Program (IEP) team, as defined
19 by the regulations of the department, that is convened for said English learner shall include a
20 participant who has requisite knowledge of the student’s language needs and shall also include
21 participants with training and expertise in second language acquisition and an understanding of
22 how to differentiate between the student’s limited English proficiency and the student’s
23 disability. Whenever an evaluation indicates that a child who is an English learner is also a
24 school aged child with a disability, the Individualized Education Program (IEP) team shall
25 ensure that the IEP includes services to meet both the English language and special education
26 needs of the child.

27 SECTION 4. Said Chapter 71A is hereby further amended by inserting, in Section 5,
28 after the words “explanation of the denial”, the following words:

29 (c) School districts shall not recommend that parents decline all or some services within
30 an English learner program for any reason, including facilitating scheduling of special education
31 services or other scheduling reasons.

32 SECTION 5. Chapter 71A is hereby amended by inserting, in Section 4, after the words
33 “English language acquisition component” in line XXX the following words:

34 --, including but not limited to addressing any academic deficits resulting from focusing
35 on English language acquisition within a reasonable amount of time

36 SECTION 6. Section 3 of chapter 71B, is hereby amended by inserting in the ninth
37 paragraph after the word “available ” in line XXX the following sentence:-

38 --The department shall promulgate regulations to continue in effect and enforce the
39 provisions of 20 USC sec.1415(K) in effect on January 1, 2025.

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