

SENATE No. 327

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Cronin

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 enabling all students to thrive: protecting a high quality, diverse educator workforce.

PETITION OF:

NAME:

John J. Cronin

DISTRICT/ADDRESS:

Worcester and Middlesex

SENATE No. 327

By Mr. Cronin, a petition (accompanied by bill, Senate, No. 327) of John J. Cronin for legislation to enable all students to thrive by protecting a high quality, diverse educator workforce. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2709 OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act enabling all students to thrive: protecting a high quality, diverse educator workforce.

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 42 of chapter 71 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking the seventh paragraph, and inserting in the place
3 thereof the following:

4 Nothing in this section or section 41 shall affect the right of a superintendent to lay off
5 teachers pursuant to reductions in force or reorganization resulting from declining enrollment or
6 other budgetary reasons.

7 Except as herein provided, no teacher with professional teacher status shall be laid off
8 pursuant to a reduction in force or reorganization if there is a teacher without professional
9 teacher status for whose position the covered employee is currently certified or if there is a less

qualified teacher with professional teacher status holding the same or similar position for which the covered employee is currently certified. No teacher with professional teacher status shall be displaced in accordance with the terms of a collective bargaining agreement or otherwise by a more senior teacher with such status unless the more senior teacher is currently certified pursuant to section 38G and is at least as qualified for the position as the junior teacher holding the position. The criteria for determining a qualified teacher under this paragraph shall be subject to the collective bargaining provisions of chapter 150E; provided, however, that any such collectively bargained for qualifications shall include, as the primary factors, indicators of job performance, including overall ratings resulting from comprehensive evaluations conducted consistent with section 38 and the best interests of the students in the school or district; and provided further, that for the purposes of this paragraph, no distinction shall be made between the overall performance ratings established by the board of elementary and secondary education finding that the teacher has met or exceeded acceptable performance standards developed under said section 38 and that are defined by the board as proficient and exemplary.

A teacher meeting one of the following criteria and who has not received an unsatisfactory performance evaluation in the school year immediately prior to the school year in which a layoff is announced shall be exempted without regard to professional teacher status:

(a) a teacher who graduated from an in-district secondary school or a so-called grow your own teacher preparation program of the district if the district has higher than the state percentage of high-needs students, as defined by the department;

(b) a teacher who works in a school that is among the top 20 percent of schools with the highest percentage of high-needs students in the district, as defined by the department;

(c) a teacher who works in a school that is among the top 20 percent of schools with the lowest staff retention in the district;

(d) a teacher deemed by the department as a Teacher of the Year;

(e) a teacher who received the highest rating on a performance evaluation delivered in either or both of the school years immediately prior to the school year in which a layoff is announced; or

(f) a teacher with linguistic proficiency in relation to an in-district language or dialect.

For purposes of this paragraph, linguistic proficiency shall mean: (a) holding the state's Bilingual Education Endorsement, (b) achieving a passing score on the Massachusetts Tests for Educator Licensure foreign language subject matter test, (c) achieving at least an Advanced Low score on the Oral Proficiency Interview or Writing Proficiency Test proficiency tests offered through the American Council for the Teaching of Foreign Languages, or (d) another method of verification or attestation of proficiency as determined by the district superintendent. In relation to an in-district language or dialect shall mean proficiency specifically in a language or dialect other than English that is spoken by the greater of (a) five percent or more of the students enrolled at the school where a teacher is assigned or, if the teacher is not assigned to a school, of the students enrolled in the district or (b) at five percent or more of the homes of the students enrolled at the school where a teacher is assigned or, if the teacher is not assigned to a school, of the homes of the students enrolled in the district.

Among the remaining teachers without professional teacher status, no teacher shall be laid off pursuant to a reduction in force or reorganization if there is a less qualified teacher

without such status holding the same or similar position for which the covered employee is currently certified.

The school committee and the collective bargaining representative may negotiate for seniority or length of service only as a tie-breaker in personnel actions under this paragraph among teachers whose qualifications are no different using the qualifications collectively bargained for in accordance with this paragraph.

SECTION 2. The department of elementary and secondary education shall evaluate the extent to which this act contributed to its goal of increasing the percentage of Massachusetts public school teachers of color and shall report its findings along with any recommendations not later than June 30, 2031. The department shall submit such report to the clerks of the senate and the house of representatives, who shall forward the same to the chairs of the joint committee on education.

SECTION 3. Section 1 shall take effect on April 30, 2026.

SECTION 4. Section 1 is hereby repealed.

SECTION 5. Section 4 shall take effect on December 31, 2032.