

SENATE No. 380

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia D. Jehlen

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 requiring accountability for inequities in suspension and expulsion or RAISE Act.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/10/2025</i>

SENATE No. 380

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 380) of Patricia D. Jehlen and James B. Eldridge for legislation to establish statewide targets for addressing persistent disparities in achievement and suspension and expulsion in public schools. Education.

The Commonwealth of Massachusetts

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

An Act requiring accountability for inequities in suspension and expulsion or RAISE Act.

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 1S of chapter 69 of the General Laws, added by section 5 of chapter
2 132 of the acts of 2019, is hereby amended by striking out paragraphs (a) and (b) and inserting in
3 place thereof the following 2 paragraphs:-

4 (a) The commissioner shall establish statewide targets for addressing persistent disparities
5 in achievement and suspension and expulsion including, but not limited to, disparities in annual
6 days of lost instruction among student subgroups in the aggregate and within subcategories,
7 including, but not limited to, subject matter and relevant grade levels. The targets shall include
8 annual benchmarks on the progress expected to be achieved in the aggregate and by subcategory.

9 (b) Each district shall establish targets for addressing persistent disparities in achievement
10 and suspension and expulsion among student subgroups consistent with the targets established by
11 the department. Each district shall develop an evidence-based 3-year plan to meet its targets.
12 Each district’s plan shall be developed by the superintendent in consultation with the school

13 committee and shall consider input and recommendations from parents and other relevant
14 community stakeholders, including but not limited to, special education and English learner
15 parent advisory councils, school improvement councils and educators in the school district.

16 SECTION 2. Paragraph (c) of said section 1S of said chapter 69, as so appearing, is
17 hereby amended by striking out clauses (ii) and (iii) and inserting in place thereof the following 2
18 clauses:-

19 (ii) a description of the evidence-based programs, supports and interventions that the
20 school district will implement to reduce persistent disparities in achievement, to reduce
21 suspension and expulsion of students, and to reduce disparities of suspension and expulsion,
22 including but not limited to annual days of lost instruction among student subgroups, including,
23 but not limited to: (A) expanded learning time in the form of a longer school day or school year;
24 (B) increased opportunity for common planning time for teachers; (C) social services to support
25 students' social-emotional and physical health; (D) hiring school personnel that best support
26 improved student performance; (E) increased or improved professional development; (F)
27 purchase of curriculum materials and equipment that are aligned with the statewide curriculum
28 frameworks; (G) expanding early education and pre-kindergarten programming within the
29 district in consultation or in partnership with community-based organizations; (H) diversifying
30 the educator and administrator workforce; (I) developing additional pathways to strengthen
31 college and career readiness; (J) implementing evidence-based disciplinary and educational
32 models, including, but not limited to: positive behavioral interventions and supports, response to
33 intervention, restorative justice, and trauma sensitive learning models; (K) implementing
34 intermediary disciplinary steps before the use of suspension or expulsion including, but not
35 limited to: mediation, conflict resolution, restorative justice, or collaborative problem solving;

36 and (L) any other program determined to be evidence-based by the commissioner; provided,
37 however, that if a district elects not to implement the evidence-based programs described in
38 clauses (A) to (L), inclusive, the district plan shall specify the reasons for electing not to
39 implement said programs including a description of why said programs would not effectively
40 address persistent disparities in achievement and suspensions and expulsions among student
41 subgroups;

42 (iii) identification of outcome metrics to be used by the district to measure success in
43 addressing persistent disparities in achievement and suspension and expulsion among student
44 subgroups; provided, however, that the department shall develop standard metrics that may be
45 incorporated in district plans and may include: (A) results from the statewide student assessment
46 including student growth; (B) results from the English proficiency assessment administered to
47 English learners; (C) grade-level completion and attendance data; (D) participation in advanced
48 coursework; and (E) rates of suspension, expulsion and lost instruction; and (F) other indicators
49 of district and school climate, diversity and performance; and.

50 SECTION 3. Said section 1S of said chapter 69, as so appearing, is hereby further
51 amended by striking out paragraphs (d) and (e) and inserting in place thereof the following 2
52 paragraphs:-

53 (d) Each district shall submit its plan to the department every 3 years. Upon receipt of a
54 district plan, the commissioner shall review the plan to ensure that it sets forth clear, appropriate
55 and achievable goals and measurable standards for student improvement that comply with the
56 requirements of this section; provided, however, that the district shall amend any plan deemed
57 not to conform with the requirements of this section. Following the submission of a 3-year plan,

58 each district shall annually, not later than April 1, submit to the department and to the public: (i)
59 relevant data, pursuant to its plan, to assess success in addressing persistent disparities in
60 achievement and suspension and expulsion among student subgroups; and (ii) amendments to the
61 plan that reflect changes deemed necessary to improve district performance in meeting plan
62 goals. Each plan shall be made publicly available on both the submitting district's website and
63 the department's website.

64 (e) Annually, not later than December 31, the commissioner shall submit a report to the
65 clerks of the house of representatives and the senate and the chairs of the joint committee on
66 education on the progress made in addressing persistent disparities in achievement and
67 suspension and expulsion among student subgroups in the aggregate and within subcategories on
68 a statewide basis; provided, however, that district and school-level data shall be made available
69 on the department's website along with the report.

70 SECTION 4. Section 37H of chapter 71 of the General Laws, as appearing in the 2020
71 Official Edition, is hereby amended by inserting before the first paragraph the following
72 definitions:-

73 As used in this section, the following words shall, unless the context clearly requires
74 otherwise, have the following meanings:-

75 "Disparate rate of lost instruction," an aggregate rate of lost instruction per 100 students
76 in a particular subgroup which deviates from the aggregate rate of lost instruction per 100
77 students in a school or district by greater than or equal to 1½ standard deviations;

78 "Disproportionate number of students," a rate of suspension and expulsion per 100
79 students in a specific subgroup in a school or district which deviates from the aggregate rate of

80 suspension and expulsion per 100 students in a school or district, by greater than or equal to 1½
81 standard deviations;

82 “Expulsion,” the removal of a student from the school premises, regular classroom
83 activities and school activities for more than 90 school days, indefinitely or permanently, as
84 permitted pursuant to this section or section 37H½;

85 “Homeless children and youths,” students who lack a fixed, regular and adequate
86 nighttime residence as defined in 42 USC Chapter 119, Subchapter VI, Part B, §11434a.

87 “Rate of lost instruction,” a rate of days of exclusion for all students or for a particular
88 student subgroup derived by taking the cumulative number of days of instruction lost due to
89 exclusion in a school year, dividing by the total number of students or total number of students in
90 a subgroup, and multiplying by 100

91 “Significant number of students,” a percentage of students in a given school that is
92 greater than the Commonwealth’s aggregate rate of suspension and expulsion per 100 students as
93 calculated annually by the department of elementary and secondary education;

94 “Standard deviations,” the square root of the average of the squares of the differences
95 between each adjusted composite rate for a student subgroup in a school or district and the
96 average adjusted composite rate for all students in a school or district.

97 SECTION 5. Clause (f) of said fourth paragraph of said section 37H of said chapter 71,
98 as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof
99 the following sentence:-

100 This report shall include district level data disaggregated and cross-tabulated by student
101 status and categories established by the commissioner including, but not limited to: (a) race and
102 ethnicity; (b) gender; (c) socioeconomic status; (d) English language learner status; (e) disability;
103 (f) homeless children and youths.

104 SECTION 6. Said fourth paragraph of said section 37H of said chapter 71, as so
105 appearing, is hereby further amended by striking out clause (g) and inserting in place thereof the
106 following 2 clauses:-

107 (g) Under the regulations promulgated by the department, for each school that: (a)
108 suspends or expels a significant number of students for more than 10 cumulative days in a school
109 year; (b) suspends or expels a disproportionate number of students from any of the subgroups
110 named in paragraph (f) or designated by the commissioner; or (c) displays disparate rates of lost
111 instruction between subgroups, the commissioner shall investigate and shall recommend models
112 that incorporate intermediary steps prior to the use of suspension or expulsion and address
113 disproportionate discipline, in both incidence and duration, of any subgroup. The commissioner
114 shall publicly identify and categorize schools that fall into 1 or more of the following categories:
115 (a) the school has suspended or expelled a significant number of students for more than 10 days;
116 (b) the school has suspended or expelled a disproportionate number of students from any of the
117 subgroups named in paragraph (f) or designated by the commissioner; or (c) the school has
118 displayed disparate rates of lost instruction for any subgroup. The results of this analysis shall be
119 made publicly available on both the district's website and the department's website.

120 (h) Annual reports and accountability plans submitted by charter schools pursuant to
121 regulations promulgated by the department shall contain data consistent with the requirements
122 set forth in this section.