

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Pavel 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:

Pavel Payano

DISTRICT/ADDRESS:

First Essex

SENATE No.

[Pin Slip]

[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:

1 SECTION 1. Chapter 71A of the General Laws is hereby amended by striking out section
2 1, as so appearing, and inserting in place thereof the following section:-

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

4 (a) The United States of America and the commonwealth of Massachusetts, in respect of
5 multiculturalism, have established no official language. The people of the commonwealth
6 recognize that the first amendment of the Constitution of the United States, which has its roots in
7 the commonwealth, includes the freedom of expression of language. The vast majority of
8 Massachusetts' residents can trace their ancestry to multilingual individuals who helped build the
9 commonwealth. While English remains the most commonly spoken language for science,
10 technology and international business, it is hereby acknowledged that multilingualism is a
11 tremendous asset for economic opportunity.

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

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

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

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

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

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

31 Section 10. (a) Teachers and administrators assigned to a language acquisition program
32 shall be properly qualified under state law for the program type. The department shall establish

33 endorsements for educators who have completed coursework and field-based experience to
34 provide instruction within sheltered English immersion programs, 2-way immersion programs,
35 transitional bilingual programs and other programs that meet the requirements of this chapter.

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

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

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

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

49 (c) Annually, not later than June 1, the department shall provide each district with a list of
50 all bilingual educators who have bilingual education endorsements pursuant to this section. Prior
51 to the beginning of each school year, districts, including charter schools shall verify that each of
52 the bilingual educators in a multilingual learner program is properly endorsed for that program.

53 (d) Notwithstanding any provision in this section to the contrary, the department shall
54 enter into reciprocity agreements with other states and territories of the United States that allows
55 teachers in other states and territories of the United States who hold that state or territory's
56 equivalent of an endorsement to obtain an endorsement in the commonwealth without needing to
57 meet the requirements of this section. The department shall promulgate rules and regulations
58 necessary to carry out this subsection.

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

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

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

66 (c) There shall be a task force on the bilingual educator workforce in the commonwealth.
67 The task force shall consist of: (i) the secretary of education or a designee, who shall serve as
68 chair; (ii) a member of the board of higher education, appointed by the board; (iii) a member of
69 the board of elementary and secondary education, appointed by the board; (iv) the chairs of the
70 joint committee on education; (v) 1 current or past InSPIRED fellow of the inspired fellowship
71 to be appointed by the department elementary and secondary education; (vi) 1 member to be
72 appointed by Latinos for Education, Inc.; (vii) 1 member to be appointed by Multistate
73 Association for Bilingual Education-Northeast, Inc.; (viii) 1 member to be appointed by the
74 Massachusetts Association of School Superintendents, Inc. Urban Superintendents; (ix) 1

75 member to be appointed by Massachusetts Association of School Committees, Inc.; (x) 1
76 member to be appointed by the American Federation of Teachers Massachusetts; (xi) 1 member
77 to be appointed by the Massachusetts Teachers Association.

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

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

89 Section 14. (a) The department shall establish and administer a bilingual educator
90 incentive program that shall prioritize the recruitment and retention of racially, culturally,
91 ethnically and linguistically diverse educators consistent with chapter 132 of the acts of 2019 to
92 diversify the educator workforce. The bilingual educator incentive program shall prioritize
93 districts with the highest percentages of multilingual learners served and districts with the
94 greatest disparities in the parity between racially, culturally, ethnically and linguistically diverse
95 educators to students. Eligible participants for the bilingual educator incentive program shall
96 include, but not be limited to, paraprofessionals, teachers, school leaders and district

97 administrators. The criteria for eligibility shall be determined by an interactive process between
98 the department and the local school district.

99 (b) The bilingual educator incentive program shall provide educators who have obtained
100 the appropriate licensure or certification for a bilingual education program with an annual
101 stipend of \$10,000. The program's annual stipend shall only be available to educators who
102 working in an approved bilingual education program that is certified by the district and the
103 department.

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

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

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

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

115 (g) A bilingual educator who completes 10 years of service in an approved bilingual
116 education program in the commonwealth, within the same school district, shall be eligible for

117 \$30,000 in student loan and education debt repayment assistance paid for by the Bilingual
118 Education Trust Fund under section 2BBBBBB of chapter 29.

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

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

130 (b) The fund shall be credited with:

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

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

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

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

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

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

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

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

155 An excise is hereby imposed upon sports wagering operators in the commonwealth at the
156 rate of: (i) 15 per cent of the operator's adjusted gross sports wagering receipts from the
157 operation of in-person sports wagering, with 5 per cent to be deposited into the Bilingual
158 Education Trust Fund established in section 2BBBBBB of chapter 29 and 10 per cent to be
159 deposited into the Sports Wagering Fund established in section 17; (ii) 20 per cent of the

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

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

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

178 (b) Two per cent of the excise tax rate imposed pursuant to the previous paragraph shall
179 be collected and deposited into the Bilingual Education Trust Fund established in section
180 2BBBBBB of chapter 29 and the remaining 8.75 per cent shall be collected and deposited
181 pursuant to section 5.

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

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