HOUSE DOCKET, NO. 2256 FILED ON: 1/20/2011

HOUSE . . . . . No. 1963

The Commonwealth of Massachusetts

PRESENTED BY:

Martha M. Walz

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 technical corrections of the achievement gap law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Martha M. Walz	*8th Suffolk*

HOUSE DOCKET, NO. 2256 FILED ON: 1/20/2011

HOUSE . . . . . No. 1963

By Ms. Walz of Boston, a petition (accompanied by bill, House, No. 1963) of Martha M. Walz for legislation to make certain technical corrections to statutes relative to achievement gaps in the public schools. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to technical corrections of the achievement gap law.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify the Achievement Gap law, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Section 4E of Chapter 40 of the general laws, as appearing in section 2 of chapter 12 of the acts of 2010, is hereby amended by inserting, after the words "department of" in the fourth sentence of the second paragraph, the following:-

elementary and secondary

SECTION 2. Said section 4E, as so appearing, is hereby further amended by inserting, after the words "commissioner of" in the last sentence of the third paragraph, the following:-

elementary and secondary

8 SECTION 3. Said section 4E, as so appearing, is hereby further amended by striking the
9 word “educational” in the first sentence of the seventh paragraph and inserting in place thereof
10 the following:-

11 education

12 SECTION 4. Said section 4E, as so appearing, is hereby further amended by striking the
13 word “educational” in the second sentence of the seventh paragraph and inserting in place
14 thereof the following:-

15 education

16 SECTION 5. Said section 4E, as so appearing, is hereby further amended by striking the
17 words “board of education” in the second sentence of the ninth paragraph and inserting in place
18 thereof the following:-

19 board of elementary and secondary education

20 SECTION 6. Said section 4E, as so appearing, is hereby further amended by striking the
21 words “board of education” in the third sentence of the ninth paragraph and inserting in place
22 thereof the following:-

23 board of elementary and secondary education

24 SECTION 7. Subsection a of section 1J of chapter 69, as appearing in section 3 of
25 chapter 12 of the acts of 2010, is hereby amended by inserting after the word “based” in the first
26 sentence of the second paragraph the following:-

27 on

28 SECTION 8. Subsection c of said section 1J, as so appearing, is hereby further amended
29 by striking the word “rates” the first time it appears in clause 6 of the first paragraph.

30 SECTION 9. Said subsection c, as so appearing, is hereby further amended by striking
31 the word “and” at the end of clause 4 in the second paragraph.

32 SECTION 10. Said subsection c, as so appearing, is hereby further amended by striking
33 the word “rates” the first time it appears in clause 1 of the fourth paragraph.

34 SECTION 11. Said subsection c, as so appearing, is hereby further amended by striking
35 the words “promotion and graduation” in clause 3 of the fourth paragraph and inserting in place
36 thereof the following:-

37 promotion, graduation

38 SECTION 12. Subsection d of said section 1J, as so appearing, is hereby amended by
39 striking “,” in clause 4 the third, fifth, and sixth time it appears.

40 SECTION 13. Said subsection d, as so appearing, is hereby further amended by striking
41 “reapplications.” in clause 7 and inserting in place thereof the following:-

42 reapplications;

43 SECTION 14. Said subsection d, as so appearing, is hereby further amended by
44 inserting, after the word “superintendent” in clause 8 the following:-

45 or, if one has been appointed pursuant to subsection (h), the school’s receiver,

46 SECTION 15. Said subsection d, as so appearing, is hereby further amended by
47 inserting, after the word “superintendent” in the first sentence of the second paragraph, the
48 following:-

49 or receiver

50 SECTION 16. Said subsection d, as so appearing, is hereby further amended by
51 inserting, after the word “superintendent” in the first sentence of the third paragraph, the
52 following:-

53 or receiver

54 SECTION 17. Subsection g of said section 1J, as so appearing, is hereby amended by
55 inserting after the word “issues” in the last sentence of the first paragraph the following:-

56 to

57 SECTION 18. Said subsection g, as so appearing, is hereby further amended by inserting
58 after the word “for” in the last sentence of the first paragraph the following:-

59 a

60 SECTION 19. Said subsection g, as so appearing, is hereby further amended by striking
61 the word “who” in the first sentence of the second paragraph and inserting in place thereof the
62 following:-

63 of whom

64 SECTION 20. Said subsection g, as so appearing, is hereby further amended by striking
65 “circumstance,” in the third sentence of the third paragraph and inserting in place thereof the
66 following:-

67 circumstance

68 SECTION 21. Subsection k of said section 1J, as so appearing, is hereby amended by
69 striking the words “(b) to (g) inclusive” in the second sentence of the second paragraph and
70 inserting in place thereof the following:-

71 (b) to (g), inclusive

72 SECTION 22. Subsection l of said section 1J, as so appearing, is hereby amended by
73 striking the words “(a),the” in the second sentence and inserting in place thereof the following:-

74 (a), the

75 SECTION 23. Subsection n of said section 1J, as so appearing, is hereby amended by
76 striking the words “attendance ,dismissal rates” in clause 6 of the first paragraph and inserting in
77 place thereof the following:-

78 attendance, dismissal

79 SECTION 24. Said subsection n, as so appearing, is hereby further amended by striking
80 the words “attendance ,dismissal rates” in clause 1 of the fourth paragraph and inserting in place
81 thereof the following:-

82 attendance, dismissal

83 SECTION 25. Said subsection n, as so appearing, is hereby further amended by striking
84 the words “promotion and graduation” in clause 3 of the fourth paragraph and inserting in place
85 thereof the following:-

86 promotion, graduation

87 SECTION 26. Subsection o of section 1J, as so appearing, is hereby amended by
88 striking “an administrator ,or” in clause 4 of the first paragraph and inserting in place thereof the
89 following:-

90 an administrator or

91 SECTION 27. Said subsection o, as so appearing, is hereby further amended by striking
92 the words “administrators,. or” in clause 4 of the first paragraph and inserting in place thereof the
93 following:-

94 administrators or

95 SECTION 28. Said subsection o, as so appearing, is hereby further amended by striking
96 the word “superintendent” in clause 8 in the first paragraph and inserting in place thereof the
97 following:-

98 commissioner or, if one has been appointed pursuant to subsection (r), the school’s
99 receiver,

100 SECTION 29. Said subsection o, as so appearing, is hereby further amended by striking
101 the words “the common core” in clause 13 and inserting in place thereof the following words:-

102 a common core

103 SECTION 30. Said subsection o, as so appearing, is hereby further amended by
104 inserting, after the word "commissioner" in the first sentence of the second paragraph:-

105 or receiver

106 SECTION 31. Said subsection o, as so appearing, is hereby further amended by striking
107 the figure "(7)" in the second paragraph and inserting in place thereof the following:-

108 (8)

109 SECTION 32. Said subsection o, as so appearing, is hereby further amended by striking
110 the word "superintendent" in the first sentence of the third paragraph and inserting in place
111 thereof the following word:-

112 receiver

113 SECTION 33. Subsection q of section 1J, as so appearing, is hereby amended by striking
114 the words "majority of the board," in the second sentence and inserting in place thereof the
115 following:-

116 majority of the board

117 SECTION 34. Subsection v of section 1J, as so appearing, is hereby amended by striking
118 "(1)if" in the first sentence of the third paragraph and inserting in place thereof the following:-

119 (1) if

120 SECTION 35. Subsection b of section 1K of chapter 69, as appearing in section 3 of
121 chapter 12 of the acts of 2010, is hereby amended by striking the word "an" in the first sentence
122 and inserting in place thereof the following:-

123 a

124 SECTION 36. Said subsection b, as so appearing, is hereby further amended by striking
125 the word “meetings.” in the fifth sentence of the second paragraph in inserting in place thereof
126 the following:-

127 meeting.

128 SECTION 37. Subsection c of section 1K, as so appearing, is hereby amended by
129 striking “commissioner,;” in clause 3 of the first sentence of the first paragraph and inserting in
130 place thereof the following:-

131 commissioner;

132 SECTION 38. Said subsection c, as so appearing, is hereby further amended by striking
133 the word “an” in the first sentence of the second paragraph and inserting in place thereof the
134 following:-

135 a

136 SECTION 39. Said subsection c, as so appearing, is hereby further amended by striking
137 the words “student attendance , dismissal rates” in clause 1 of the third paragraph and inserting
138 in place thereof the following:-

139 student attendance, dismissal

140 SECTION 40. Said subsection c, as so appearing, is hereby further amended by striking
141 the words “promotion and” in clause 3 of the third paragraph and inserting in place thereof the
142 following:-

143 promotion,

144 SECTION 41. Subsection d of section 1K, as so appearing, is hereby amended by striking
145 the "," the third and fifth time it appears in clause 3 of the first paragraph.

146 SECTION 42. Said subsection d, as so appearing, is hereby further amended by striking
147 the words "reapplications. turnaround plan;" in clause 7 and inserting in place thereof the
148 following:-

149 reapplications;

150 SECTION 43. Said subsection d, as so appearing, is hereby further amended by striking
151 the words "the common core" in clause 12 and inserting in place thereof the following words:-

152 a common core

153 SECTION 44. Said subsection d, as so appearing, is hereby further amended by striking
154 the words "commissioner/superintendent" in the first sentence of the third paragraph and
155 inserting in place thereof the following:-

156 commissioner

157 SECTION 45. Subsection e of said section 1K, as so appearing, is hereby amended by
158 striking the word "if" in the first sentence of the first paragraph and inserting in place thereof the
159 following:-

160 If

161 SECTION 46. Said subsection e, as so appearing, is hereby further amended by striking
162 the words “for dispute resolution process” in the last sentence of the first paragraph and inserting
163 in place thereof the following:-

164 for a dispute resolution process

165 SECTION 47. Said subsection e, as so appearing, is hereby further amended by striking
166 the words “1 who” in the first sentence of the second paragraph and inserting in place thereof the
167 following:-

168 1 of whom

169 SECTION 48. Said subsection e, as so appearing, is hereby further amended by striking
170 “circumstance,” in the third sentence of the third paragraph and inserting in place thereof the
171 following:-

172 circumstance

173 SECTION 49. Subsection f of said section 1K, as so appearing, is hereby amended by
174 striking the words “subsection (g).” and inserting in place thereof the following:-

175 subsection (h).

176 SECTION 50. Subsection g of said section 1K, as so appearing, is hereby amended by
177 striking the words “subsection (g).” in the second sentence and inserting in place thereof the
178 following:-

179 subsection (h).

180 SECTION 51. Subsection h of said section 1K, as so appearing, is hereby amended by
181 striking the words “in manner consistent” in the second sentence of the third paragraph and
182 inserting in place thereof the following:-

183 in a manner consistent

184 SECTION 52. Subsection j of said section 1K, as so appearing, is hereby amended by
185 striking the words “subsection (h)” and inserting in place thereof the following:-

186 subsection (i)

187 SECTION 53. Subsection c of section 89 of chapter 71, as appearing in section 7 of
188 chapter 12 of the acts of 2010, is hereby amended by striking the word “conversion” the second
189 time it appears in the third sentence of the second paragraph, the following:-

190 conversions

191 SECTION 54. Subsection e of said section 89, as so appearing, is hereby further
192 amended by striking the word “bylaws” in clause (viii) and inserting in place thereof the
193 following:-

194 by-laws

195 SECTION 55. Subsection h of said section 89, as so appearing, is hereby further
196 amended by striking the word “subdivisions,” in the last sentence of the first paragraph and
197 inserting in place thereof the following:-

198 subdivisions

199 SECTION 56. Said subsection h, as so appearing, is hereby further amended by striking
200 the words “, the applicant, in support of, or in opposition to, the school submitted” in the last
201 sentence of the first paragraph, and inserting in place thereof the following:-

202 and the applicant

203 SECTION 57. Subsection i(3) of said section 89, as so appearing, is hereby further
204 amended by inserting after the figure “1I” in the first sentence of the second paragraph, the
205 following:-

206 of chapter 69

207 SECTION 58. Said subsection i(3), as so appearing, is hereby further amended by
208 striking the words “but not limited to: (i)” in the first sentence and inserting in place thereof the
209 following:-

210 but not be limited to:

211 SECTION 59. Said subsection i(3), as so appearing, is hereby further amended by
212 striking the words “comparable or greater percentage of special education” in the first sentence
213 of the second paragraph and inserting in place thereof the following:-

214 comparable or greater percentage of: (i) special education

215 SECTION 60. Said subsection i(3), as so appearing, is hereby further amended by
216 striking the words “Assessment examination and 2 or more” in the first sentence of the second
217 paragraph and inserting in place thereof the following:-

218 Assessment examination and (ii) 2 or more

219 SECTION 61. Said subsection i(3), as so appearing, is hereby further amended by
220 striking the figure “(ii)” in the second paragraph.

221 SECTION 62. Said subsection i(3), as so appearing, is hereby further amended by
222 striking the figure “(iii)” in the second paragraph.

223 SECTION 63. Said subsection i(3), as so appearing, is hereby further amended by
224 striking the figure “(iv)” in the second paragraph.

225 SECTION 64. Said subsection i(3), as so appearing, is hereby further amended by
226 striking the figure “(v)” in the second paragraph.

227 SECTION 65. Said subsection i(3), as so appearing, is hereby further amended by
228 striking the word “previous” in the third paragraph, and inserting in place thereof the following:-

229 previously

230 SECTION 66. Subsection n of said section 89, as so appearing, is hereby further
231 amended by striking the words “preference of” in the last sentence of the second paragraph, and
232 inserting in place thereof the following:-

233 preference to

234 SECTION 67. Said subsection n, as so appearing, is hereby further amended by inserting
235 after the word “vacant” the second time it appears in the third sentence of the fifth paragraph the
236 following:-

237 seats

238 SECTION 68. Subsection s of said section 89, as so appearing, is hereby further
239 amended by striking the word “the” in the second sentence, the first time it appears.

240 SECTION 69. Subsection jj of said section 89, as so appearing, is hereby amended by
241 striking the word “on” in the last sentence of the second paragraph and inserting in place thereof
242 the following:-

243 and

244 SECTION 70. Subsection kk of said section 89, as so appearing, is hereby further
245 amended by striking the word “learners” in the second sentence and inserting in place thereof the
246 following:-

247 learner

248 SECTION 71. Subsection f of section 92 of chapter 71, as appearing in section 8 of
249 chapter 12 of the acts of 2010, is hereby amended by striking the figure “(xii)” the second time it
250 appears and inserting in place thereof the following:-

251 (xiii)

252 SECTION 72. Subsection j of said section 92, as so appearing, is hereby amended by
253 striking the word “and” after clause (v) in the fourth sentence of the first paragraph.

254 SECTION 73. Said subsection j, as so appearing, is hereby further amended by striking
255 the figure “(7)” in the fourth sentence of the first paragraph and inserting in place thereof the
256 following:-

257 and (vii)

258 SECTION 74. Subsection l of said section 92, as so appearing, is hereby further
259 amended by striking the "," in the first sentence, the third time it appears.

260 SECTION 75. Said subsection l, as so appearing, is hereby further amended by striking
261 the word "schoolcommittee" in the third sentence and inserting in place thereof the following:-

262 school committee

263 SECTION 76. Said subsection l, as so appearing, is hereby further amended by striking
264 the word "members" in the third sentence of the first paragraph and inserting in place thereof the
265 following:-

266 members,

267 SECTION 77. Subsection m of said section 92, as so appearing, is hereby further
268 amended by inserting, after the words "pursuant to subsection (l);" in the fourth sentence, the
269 following:-

270 and