HOUSE No. 418

The Commonwealth of Massachusetts
PRESENTED BY:
Patricia A. Haddad
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 bil
An Act relative to educator licensure.
PETITION OF:

NAME:	DISTRICT/ADDRESS:
Patricia A. Haddad	5th Bristol

HOUSE No. 418

By Mrs. Haddad of Somerset, a petition (accompanied by bill, House, No. 418) of Patricia A. Haddad relative to educator licensure. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to educator licensure.

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 71 of the General Laws, as appearing in the 2010 Official Edition,
2	is hereby amended by striking out section 38G and inserting in place thereof the following
3	section:-
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5	□ Section 38G. As used in this section the following words shall have the following meanings:
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7	□"Board", the board of elementary and secondary education established by chapter fifteen.
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9	"Commissioner", the commissioner of elementary and secondary education established by
10	chapter fifteen.
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12	"Department", the department of elementary and secondary education established by chapter
13	fifteen.
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15	□"Initial educator", a person who holds an initial license.
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17	□"Initial license", a license to teach issued to a person who has successfully met the preparation
18	and eligibility requirements stipulated herein and as established by the board. Said license shall
19	be valid for five years of employment as an educator in the schools of the commonwealth and
20	may be extended for an additional five years of employment in accordance with regulations
21	adopted by the board.
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23	"Professional educator", a person who holds a professional license.

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of passing the tests required for said license; or (c) Hold an active teaching license or certificate
 65 from another state and has been employed under said license or certificate for a minimum of
 66 three years. Candidates who complete the requirements in this paragraph shall be issued
    temporary licenses which shall permit them to seek employment in teaching positions requiring
     instructional licenses in districts which have a program, approved by the department, to train,
    support and supervise temporary educators.
 70 □
 71 The board shall design a process for any licensure tests required in this section that provides all
 72 failing candidates a comprehensive summary of their test results, including areas of strengths and
 73 weaknesses, as well as a list of potential resources the candidate may consult in attempting to
     achieve a passing score on their tests. This process shall be annually referred by the board to the
    education personnel advisory council established in section 1G of Chapter 15 of the general laws
     and said council shall annually provide recommendations, if any, on changing this process in
     order to better assist candidates failing certification tests.
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     The commissioner shall establish standards for the training, support and supervision of
     temporary educators in accordance with the provisions of this section. During the period of
    employment, a person holding a temporary license pursuant to this section shall be under the
     direct supervision of the principal or other appropriate supervisor who shall regularly observe
     and evaluate the performance of assigned duties by such holder of a temporary license. Such
     evaluation shall be according to relevant to nationally recognized professional standards for
    personnel evaluation.
 86
    Each public school district seeking to hire a temporary educator must submit a district-based
     training program plan for temporary educators to the department. No district shall be authorized
     to employ a temporary educator unless it has submitted a plan for such a program and the plan is
     approved by the commissioner. Each plan shall describe the key elements of the proposed
     temporary educator program in accordance with guidelines established and published by the
 92 department. Such guidelines shall require that temporary educators in district-based programs
 93 meet the equivalent standards that initial educators meet in approved college and university
     programs. Districts shall show either evidence of joint sponsorship or collaboration of training
     programs with (1) colleges or universities, or (2) other districts, or (3) other programs approved
 96 by the commissioner to provide such programs. The department shall issue standard district plans
 97 which districts may implement in lieu of developing original plans. The department shall
    coordinate the training efforts of districts, shall insure that district programs meet fair,
     substantive and comprehensive professional development standards and shall establish regional
     programs for provisional educators. The department shall also provide orientation programs for
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     support team members. Temporary educators shall be observed by a professional support team.
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    The department shall devise standardized criteria for a final comprehensive evaluation of each
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     temporary educator, conducted at the end of the temporary educator period by the professional
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104	support team. All such evaluations shall be conducted according to nationally recognized
105 106	professional standard s for personnel evaluation.
107	☐ At the conclusion of each year of the approved district training program for temporary
108	educators, the chairperson of the support team shall prepare a comprehensive evaluation report of
109	the temporary educator's performance. Such report shall be submitted by the chairperson directly
110	to the department. The final comprehensive evaluation report on each temporary educator shall
111	be made on forms provided by the department. Said report shall include an assessment of the
112	individual's on the job performance and one of the following recommendations: (1) Approved:
113	recommends that an initial license be granted upon completion of the other preparation and
114	eligibility requirements as established by the board; (2) Insufficient: recommends that the
115	candidate be allowed to seek entry in the future into a district training program; or a candidate
116	found insufficient twice shall not be allowed to enter another district training program; or (3)
117	Disapproved: recommends that an initial license not be granted and that the candidate not be
118	allowed to enter into a district training program.
119 120	☐ The support team chairperson shall provide the temporary educator with a copy of the written
120	evaluation report and licensure recommendation before submitting it to the commissioner of
122	elementary and secondary education.
123	□ If the recommendation is to disapprove, the temporary educator may, within fifteen days,
124	submit to the chairperson written materials documenting the reasons why the temporary educator
125	believes his temporary license should continue to remain valid or a recommendation of
126	insufficient granted. The chairperson shall forward all such documentation to the commissioner
127	of elementary and secondary education along with the evaluation report and recommendation
128	concerning licensure.
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130	□ Candidates who receive a recommendation of "disapproved" or two or more recommendations
131	of "insufficient" may appeal to the commissioner for approval of additional opportunities to seek
	temporary educator employment in districts other than those in which they received unfavorable
133	recommendations. The candidate shall be responsible for demonstrating why he would be likely
134 135	to succeed if granted the requested opportunity. Licenses granted by the board prior to October 1, 2009 considered to be "preliminary licenses"
136	so called, are hereby deemed temporary licenses which shall maintain the previously assigned
137	expiration date, provided however that no license shall be valid for more than 3 years of
138	employment.
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140	☐ To be eligible for licensure as an initial educator, the candidate shall provide evidence that he
141	(1) holds a bachelor's degree in arts or sciences from an accredited college or university with a
142	major course in the arts or sciences appropriate to the instructional field or the equivalent
143	baccalaureate degree; (2) has passed a test established by the board which shall consist of two

parts: (A) a writing section which shall demonstrate the communication and literacy skills
necessary for effective instruction and improved communication between school and parents;
and (B) the subject matter knowledge for the certificate; (3) has satisfactorily completed a board
of elementary and secondary education approved teacher preparation program; and (4) is of
sound moral character. A candidate who completes the requirements of this paragraph shall be
issued an initial license which will permit him to seek employment in a teaching position
requiring instructional licensure.
□ Each public school district seeking to hire an initial educator must submit a plan to the
department which details how the district will supervise and support such initial educators. No
district shall be authorized to employ an initial educator with unless it has submitted a plan for
the support and evaluation of such educator to the commissioner and received the approval of the
commissioner. The department shall issue standard plans for initial educators which districts may
implement in lieu of developing an original plan.
☐ In not less than one year after the issuance of an initial license, the commissioner upon receipt
of a proper application shall issue a professional license to such initial license holder who has
provided the commissioner with evidence, in such manner and form as prescribed by the board,
that he has met the preparation and eligibility requirements set by the board through a master's
degree program approved by the commissioner, or through an equivalent district program for
professional license approved by the commissioner, or other equivalent programs approved by
the commissioner; and has met the requirements set by the commissioner for demonstration of
successful performance.
□ Each professional license shall be valid for five years and continued ever y five years thereafter
upon the successful completion of an individual professional development plan that meets the
subject matter knowledge and teaching skill requirements set by the board. Such plan shall be
designed to increase the ability of the person to improve student learning.
☐ Certificates granted by the board prior to October first, nineteen hundred and ninety-four are
hereby deemed professional licenses which shall be renewed every 5 years.
☐ Any license issued by the commissioner may be revoked for cause, pursuant to standards and
procedures established by the board.
☐ The board shall have the authority to promulgate, amend and rescind such rules and regulations
as may be necessary to carry out the provisions of this section. Such regulations shall be
presented to the joint committee for informational purposes ninety days before implementation.
□ All applications for any licenses granted under this section shall be accompanied by a fee to be

184	determined annually by the secretary of administration under the provisions of section three B of
185	chapter seven. Said fees shall be established and limited to allow the department to carry out
186	licensing and relicensing responsibilities but in no case shall said applications exceed one
187	hundred dollars per year with an annual increase no greater than the consumer price index.
188	
189	Notwithstanding the foregoing, the board shall establish for each licensure area alternate
190	methods for fulfilling the professional development requirement, at least one of which shall be
191	provided at no cost to persons employed by a school district, including paraprofessionals or
192	assistant teachers, who are engaging in such activity for the purpose of satisfying the
193	professional development requirement of this section.
194	
195	□No person shall be eligible for employment as a teacher, guidance counselor, director, school
196	psychologist, school adjustment counselor, school social worker, school nurse, library media
197	specialist, school business administrator, principal, supervisor, director, assistant superintendent
198	of school, and superintendent of schools by a school district unless he has been granted by the
199	commissioner a temporary, initial, or professional license with respect to the type of position for
200	which he seeks employment; provided, however, that nothing herein shall be construed to
201	prevent a school committee from prescribing additional qualifications; and provided further, that
202	a superintendent may upon request be exempt by the commissioner for any one school year from
203	the requirement in this section to employ licensed personnel when compliance therewith would
204	in the opinion of the commissioner constitute a great hardship in securing teachers for that school
205	district. During the time that such a waiver is in effect, service of an employee of a school district
206	to whom the waiver applies shall not be counted as service in acquiring professional teacher
207	status or other rights under section forty-one.
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209	☐ In addition to any other requirements of this section, the board shall require, as a provision of
210	an administrator's or educator's license, that all educators and administrators shall have training
211	in strategies for effective inclusive schooling for children with disabilities, instruction of students
212	with diverse learning styles and classroom organization and management. Such training shall
213	include, at a minimum, practical experience in the application of these strategies.
214	
215	In addition to any other requirements in this section, in order to receive an initial or
216	professional license, persons applying for such certification shall have completed such courses or
217	training sessions as the board shall require in second language acquisition.
218	Competence in Draille instruction shall be a requirement for an initial and professional license.
219	□ Competence in Braille instruction shall be a requirement for an initial and professional license as a teacher of students with vision impairments. Such competence shall be verified through a
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221	testing program which meets the standards of the Library of Congress National Library Service
222223	for the Blind or its successor.
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224	□For the purposes of licensing educators, the board shall establish policies and guidelines and
225	the commissioner may approve preparation programs devoted to the preparation of teachers and
226	other educational personnel. A college or university or school or district or other institution
227	offering such an approved program shall certify to the commissioner that a student has
228	demonstrated satisfactory competence in the skills and knowledge expected of college graduates
229	in the most advanced nations, and has completed the program approved. The college or
230	university or school district or other institution shall also provide the commissioner with a
231	transcript of the student's record.
232	
233	☐ At the end of each five-year period each professional educator shall attest to and provide
234	appropriate supporting evidence and documentation to the department, in such form and at such
235	time as the commissioner shall prescribe, that the professional educator has successfully
236	completed a professional development plan which meets the standards set by the board.
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238	□ In addition to any other requirements of this section, the board shall require, as a provision of
239	an administrator's or educator's relicensure, that all educators and administrators shall have
240	training in strategies for effective inclusive schooling for children with disabilities, instruction of
241	students with diverse learning styles and classroom organization and management. Such training
242	shall include, at a minimum, practical experience in the application of these strategies.
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244	☐ It shall be one of the objectives of all school districts' professional development plans to
245	satisfy the individual professional development plans required by this section; provided,
246	however, t hat this requirement shall not be construed to require that a school district or the
247	commonwealth provide funding for the fulfillment of the professional development requirements
248	of this section and section thirty-eight Q beyond the foundation budget.
249	
250	☐ The board shall establish policies and guidelines for approval for any continuing education
251	units, inservice seminars, projects, courses and other activities which would be deemed sufficient
	to maintain the development of professional skills and the knowledge of subject matter pertinent
253	to particular certificates in accordance with the same procedures used for initial approval of
254	collegiate preparation programs. The commissioner shall establish for each license alternate
255	methods for fulfilling the professional development requirement, at least one of which must be at
256	no cost to persons employed by a school district who are engaging in such an activity for the
257	purpose of satisfying the professional development requirements for relicensure of this section.
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259260	Such policies shall provide that a teacher who is to be employed in a position in an area of
260 261	licensure in which he is not currently employed, but for which he held a license which had been valid within five years immediately preceding the starting date of employment in this position,
262	shall be given a reasonable period, as determined by the board, to fulfill a professional
263	development plan which demonstrates currency in the subject matter knowledge and requalify
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264	him for licensure in said area. In every instance, all evaluations and assessments shall follow
265	nationally recognized professional standards.
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267	□ Each local and regional school district shall attest to the department, in such form and at such
268	time as the commissioner shall prescribe, that professional development activities for which
269	credit toward license renewal is granted meet the requirements set by the board and are
270	documented in accordance with procedures established by the board.
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272	☐ The board shall, in establishing said policies and criteria for profession al development, give
273	special consideration to the best interests of the students in the commonwealth, including the
274	need for high quality teachers of English language learners programs established under chapter
275	71A for limited English proficient students and the need to maintain the highest performance
276	standards of teachers while taking into proper consideration the financial or time constraints
277	these policies may require. In developing such policies, guidelines and assessment methods, the
278	board shall obtain the input of teachers, administrators, educational experts, parents, business
279	leaders and others interested in the improvement of the professional status of teachers.
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281	□ Except as otherwise specifically provided in this section, no rights of any employees of a
282	school district under the provision of this chapter shall be impaired by the provisions of this
283	section.
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285	☐ Anyone granted either a temporary, initial, or professional license under this section or
286	currently holding such a license shall be required to maintain the development of professional
287	skills and the knowledge of subject matter pertinent to the areas of licensure.
288	
289	☐ Teachers who were authorized, permitted or approved to teach in a subject or area for which
290	there was no license before September first, nineteen hundred and eighty-two, shall acquire and
291	maintain the development of the skills and training required of persons licensed to teach in said
292	subject or areas after that date.
293	
294	☐ This section shall not apply to trade, vocational, temporary substitute teachers, exchange
295	teachers, regionally licensed or certified teachers or to teaching or administrative interns;
296	provided, however, that approval for the employment of such personnel shall be generated by the
297	board under such rules and regulations as it may adopt.
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299	The requirements of this section shall not apply to the licensure of teachers of adult education.
300	Nothing in this section or section 1H of chapter 69 shall be construed to prohibit a school
301	committee from employing a teacher licensed under this section to teach adult education.
302	