

HOUSE No. 01964

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 passage of the accompanying bill:

An Act relative to dropout prevention.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Martha M. Walz</i>	<i>8th Suffolk</i>
<i>Geraldo Alicea</i>	<i>6th Worcester</i>
<i>Carlo Basile</i>	<i>1st Suffolk</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Linda Dorcena Forry</i>	<i>12th Suffolk</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>

HOUSE No. 01964

By Ms. Walz of Boston, a petition (accompanied by bill, House, No. 1964) of Swan and others for legislation to reduce the dropout rate of students in the public schools Joint Committee on Education.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to dropout prevention.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is forthwith to decrease high school dropout rates, 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:

1 SECTION 1. Section 1B of chapter 69 of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by inserting after the word “attendance”, in line 114, the following
3 words:- ; provided, however, that all children under the age of 18 shall be required to attend
4 school if they have not graduated from high school.

5

6 SECTION 2. Section 1 of chapter 76 of the General Laws, as so appearing, is hereby amended
7 by striking out, in lines 2 to 13, inclusive, the words “by the board of education, except a child

8 between fourteen and sixteen who meets the requirements for the completion of the sixth grade
9 of the public school as established by said board and who holds a permit for employment in
10 private domestic service or service on a farm, under section eighty-six of chapter one hundred
11 and forty-nine, and is regularly employed there under for at least six hours per day, or a child
12 between fourteen and sixteen who meets said requirements and has the written permission of the
13 superintendent of schools of the town where he resides to engage in non-wage-earning
14 employment at home, or a child over fourteen who holds a permit for employment in a
15 cooperating employment, as provided in said section eighty-six.”.

16

17 SECTION 3. Said section 1 of said chapter 76, as so appearing, is hereby further amended by
18 striking out, in line 14, the word “said” and inserting in place thereof the word:- his.

19

20 SECTION 4. Said section 1 of said chapter 76, as so appearing, is hereby further amended by
21 striking out, in lines 20-25, inclusive, the words “a child whose physical or mental condition is
22 such as to render attendance inexpedient or impracticable subject to the provisions of section
23 three of chapter seventy-one B or of a child granted an employment permit by the superintendent
24 of schools when such superintendent determines that the welfare of such child will be better
25 served through the granting of such permit, or of”.

26 SECTION 5. Said section 1 of said chapter 76, as so appearing, is hereby further amended by
27 inserting at the end of the third paragraph the following sentence:- Notwithstanding the
28 expectations that school districts set for student attendance and the manner in which districts
29 hold students accountable for their attendance, each district shall ensure students have the

30 opportunity within the same academic term to make up assignments and earn credits for
31 assignments missed due to unexcused and excused absences.

32

33 SECTION 6. Said section 1 of said chapter 76, as so appearing, is hereby further amended by
34 striking out the fourth paragraph.

35

36 SECTION 7. Said chapter 76 is hereby amended by adding after section 1A the following
37 section:-

38 Section 1B. The school committee of each city, town or regional school district shall have a pupil
39 absence notification program in each of its schools. The program shall be designed to ensure
40 that each school notifies a parent or guardian of his child's absence if the school has not received
41 notification of the absence from the parent or guardian within three days of said absence.

42

43 Each school committee shall have a policy of notifying the parent or guardian of a student who
44 has 5 or more unexcused absences in a school year. The notification policy shall require that the
45 school principal or his designee make a reasonable effort to meet with the parent or guardian of a
46 student who has 5 or more unexcused absences to develop a student attendance plan. Said plan
47 shall be developed jointly by the school principal or his designee, the student, and the student's
48 parent or guardian, and with input from other relevant school personnel and officials from
49 relevant public safety, health and human service, housing and nonprofit agencies.

50 SECTION 8. Section 18 of said chapter 76, as so appearing, is hereby amended by striking out
51 the first three sentences and inserting in place thereof the following:- No student who is 18 years
52 of age or older and who has not graduated from high school shall be considered to have
53 permanently left public school unless an administrator of the school which such student last
54 attended has sent notice within a period of 5 days from the student's tenth consecutive absence to
55 the student and the parent or guardian of such student in both the primary language of such
56 parent or guardian, to the extent practicable, and English. Such notice shall require that the
57 student and his parent or guardian meet with the superintendent or his designee for an exit
58 interview prior to the student permanently leaving school, provided that said exit interview shall
59 occur within 10 days after the sending of the notice. The time for said exit interview may be
60 extended at the request of the parent or guardian, provided no extension shall be for longer than
61 14 days. The exit interview shall be for the purpose of discussing the reasons for the student
62 permanently leaving school and to consider alternative education or other placements.

63 The superintendent or his designee shall convene a team of school personnel, such as the
64 principal, guidance counselor, teachers, attendance officer and other relevant school staff, to
65 participate in the exit interview with the student and his parent or guardian. During the exit
66 interview, the student shall be given information about the detrimental effects of early
67 withdrawal from school, the benefits of earning a high school diploma and the alternative
68 education programs and services available to the student.

69 The department of elementary and secondary education shall: (i) publish a model protocol for
70 conducting exit interviews with students; and (ii) compile and maintain a list of research and
71 information relative to the consequences of dropping out, the benefits of earning a high school

72 diploma and a list of alternative education resources and programs available to the student that
73 schools may present at the exit interview.

74 SECTION 9. Said section 18 of said chapter 76, as so appearing, is hereby further amended by
75 striking out, in line 17, the word “sixteen” and inserting in place thereof the word:- eighteen.

76

77 SECTION 10. Said chapter 76 is hereby amended by adding after section 18 the following
78 section:-

79 Section 18A. The superintendent of a city, town or regional school district or his designee shall
80 notify the registrar of motor vehicles whenever a student 16 years of age or older withdraws from
81 school. Withdrawal shall be defined as more than 10 consecutive unexcused absences.

82 The registrar shall suspend or revoke the learner’s permit or driver’s license of the student 30
83 days following the date the notice of withdrawal was received by the registrar unless the registrar
84 receives documentation proving that the student: (i) is enrolled and making satisfactory progress
85 in a course leading to a general educational development certificate or has obtained the
86 certificate; (ii) is a parent with the care and custody of a minor; or (iii) has a physician certify
87 that a parent of the student depends on him as the parent’s sole source of transportation. The
88 suspension shall continue until the student reaches the age of 18 or until the registrar receives
89 notification from the superintendent or his designee that the student is attending school.

90 Whenever the withdrawal from school by the student is beyond the control of the student, or is
91 for the purpose of transfer to another school as confirmed in writing by the parent or guardian of

92 the student, no notice shall be sent by the school to the registrar to suspend the license of the
93 student.

94 SECTION 11. Said chapter 76 is hereby amended by adding after section 20 the following two
95 sections:-

96 Section 21. Principals shall ensure that students who are suspended from school for 10 or fewer
97 consecutive days, whether in or out of school, shall have an opportunity to make academic
98 progress during the period of their suspension, to make up assignments and earn credits missed,
99 including, but not limited to, homework, quizzes, exams, papers, and projects missed. Principals
100 shall develop a school-wide education service plan for all students who are suspended from
101 school for more than 10 consecutive school days. Principals shall ensure these students have an
102 opportunity to make academic progress during the period of their suspension, to make up
103 assignments and earn credits missed, including, but not limited to, homework, quizzes exams,
104 papers, and projects missed. Education service plans may include, but are not limited to,
105 tutoring, alternative placement, Saturday school, and online or distance learning. In developing
106 the education service plan, principals may seek the cooperation or input of relevant public safety,
107 health and human service, housing and nonprofit agencies, and other service providers.

108

109 Districts shall report to the department of elementary and secondary education the specific
110 reasons for all suspensions, regardless of duration or type, and all permanent exclusions if the
111 student's infraction is unrelated to controlled substances, violence or possession or sale of a
112 firearm. The department of elementary and secondary education shall use its existing data

113 collection tools to obtain this information from districts and shall modify those tools, as
114 necessary, to obtain the information.

115 Section 22. Every school district with an annual dropout rate greater than 2% shall develop a
116 district-wide action plan designed to reduce the dropout rate and to assist students who have
117 dropped out of school and want to return to complete their high school education. Action plans
118 shall be submitted to the department of elementary and secondary education and shall include,
119 but not be limited to, the following content:

120 (i) the percentage by which the school district anticipates reducing the student dropout rate
121 and the timeline for achieving the reductions;

122 (ii) the percentage by which the school district anticipates increasing the graduation rate and
123 student attendance rates in grades 8-12 and the timeline for achieving the increases;

124 (iii) other objectives that the school district identifies that are designed to result in improved
125 dropout prevention, improved student attendance, and improved student engagement and re-
126 engagement within the school district;

127 (iv) how the school district will measure success in achieving the goals and objectives of the
128 district-wide action plan;

129 (v) what steps school staff and parents will take to address the factors that indicate a student
130 is at risk of dropping out of school;

131 (vi) a description of the outreach and referral strategies the school district will use for students
132 at risk of dropping out and for those who have dropped out of school; and

133 (vii) a comprehensive listing of alternative education options and other opportunities to earn a
134 diploma offered by the school district.

135 Districts shall work with teams of community stakeholders to develop a comprehensive approach
136 to address the dropout issue. The comprehensive approach shall include the district offering
137 alternative options that enable students who have dropped out to return and receive a full high
138 school diploma. Such options may be delivered directly by the school district or by non-profits
139 approved by the school district. The department of elementary and secondary education shall
140 publish guidance for school districts to consider when creating their plans and provide technical
141 assistance to enhance the districts' ability to meet the diverse needs of its student population.
142 Technical assistance should include several research-based alternative options and strategies.

143 SECTION 12. Chapter 741 of the Acts of 1965 is hereby repealed.

144

145 SECTION 13. Section 1 shall be effective as of September 1, 2014. From the effective date of
146 this act until August 31, 2012 all children under the age of 16 ½ shall be required to attend
147 school if they have not graduated from high school. From September 1, 2012 until August 31,
148 2014 all children under the age of 17 shall be required to attend school if they have not graduated
149 from high school.