

**HOUSE . . . . . No. 418**

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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 passage of the accompanying bill:

An Act relative to educator licensure.

PETITION OF:

NAME:

*Patricia A. Haddad*

DISTRICT/ADDRESS:

*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:-

4   
5 Section 38G. As used in this section the following words shall have the following meanings:

6   
7 “Board”, the board of elementary and secondary education established by chapter fifteen.

8   
9 “Commissioner”, the commissioner of elementary and secondary education established by  
10 chapter fifteen.

11   
12 “Department”, the department of elementary and secondary education established by chapter  
13 fifteen.

14   
15 “Initial educator”, a person who holds an initial license.

16   
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.

22   
23 “Professional educator”, a person who holds a professional license.

24

25 “Professional license”, a license to teach issued to a person who has successfully met the  
26 preparation and eligibility requirements stipulated herein and as established by the board. The  
27 professional license shall be valid for renewable terms of five years. An inactive license shall  
28 become invalid after five years.

29

30 “Regionally licensed or certified educator”, an applicant for a teacher’s license in  
31 Massachusetts who has been granted a regional license or certificate by another state jurisdiction  
32 under terms of a contract entered into pursuant to chapter seven hundred and forty-eight of the  
33 acts of nineteen hundred and sixty-eight, the Interstate Agreement on Certification of  
34 Educational Personnel. Such certificate shall be equivalent to the initial license.

35

36 “Reciprocity of certified educators”, the process and requirements established by the  
37 commissioner for candidates to obtain a license who have completed a college preparation  
38 program included in the alternative certification reciprocity system of the National Association  
39 of State Directors of Teacher Education and Certification (NASDTEC); or a performance-based  
40 approval. Such license shall be equivalent to the initial license.

41

42 “Temporary educator”, a person who holds a temporary license.

43

44 “Temporary license”, a license to teach issued to a person who has successfully met the  
45 preparation and eligibility requirements stipulated herein and as established by the board. Said  
46 license shall be valid for one year of employment and renewable for not more than two  
47 additional years of employment in accordance with regulations promulgated by the board. Said  
48 license shall thereafter be renewable for not more than two additional years at the discretion of  
49 the Commissioner.

50

51 The commissioner of education shall have authority to grant, upon application, temporary,  
52 initial, and professional licenses to persons who have satisfied the requirements for such licenses  
53 as established herein and by the board. The board shall define the knowledge of subject matter  
54 and demonstration of competencies commensurate with attainment and renewal of such licenses.

55

56 To be eligible for a license as a temporary educator, the candidate shall (1) hold a bachelor’s  
57 degree in arts or sciences from an accredited college or university with a major course in the arts  
58 or sciences appropriate to the instructional field; (2) be of sound moral character; and (3) provide  
59 evidence of one of the following: (a) Has passed a test established by the board which shall  
60 consist of two parts: (i) a writing section which shall demonstrate the communication and  
61 literacy skills necessary for effective instruction and improved communication between school  
62 and parents; and (ii) the subject matter knowledge for the certificate; (b) Has completed all  
63 requirements of an educator preparation program approved by the department with the exception

64 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  
67 temporary licenses which shall permit them to seek employment in teaching positions requiring  
68 instructional licenses in districts which have a program, approved by the department, to train,  
69 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  
74 achieve a passing score on their tests. This process shall be annually referred by the board to the  
75 education personnel advisory council established in section 1G of Chapter 15 of the general laws  
76 and said council shall annually provide recommendations, if any, on changing this process in  
77 order to better assist candidates failing certification tests.

78

79 The commissioner shall establish standards for the training, support and supervision of  
80 temporary educators in accordance with the provisions of this section. During the period of  
81 employment, a person holding a temporary license pursuant to this section shall be under the  
82 direct supervision of the principal or other appropriate supervisor who shall regularly observe  
83 and evaluate the performance of assigned duties by such holder of a temporary license. Such  
84 evaluation shall be according to relevant to nationally recognized professional standards for  
85 personnel evaluation.

86

87 Each public school district seeking to hire a temporary educator must submit a district-based  
88 training program plan for temporary educators to the department. No district shall be authorized  
89 to employ a temporary educator unless it has submitted a plan for such a program and the plan is  
90 approved by the commissioner. Each plan shall describe the key elements of the proposed  
91 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  
94 programs. Districts shall show either evidence of joint sponsorship or collaboration of training  
95 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  
98 coordinate the training efforts of districts, shall insure that district programs meet fair,  
99 substantive and comprehensive professional development standards and shall establish regional  
100 programs for provisional educators. The department shall also provide orientation programs for  
101 support team members. Temporary educators shall be observed by a professional support team.  
102 The department shall devise standardized criteria for a final comprehensive evaluation of each  
103 temporary educator, conducted at the end of the temporary educator period by the professional

104 support team. All such evaluations shall be conducted according to nationally recognized  
105 professional standards for personnel evaluation.

106

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  
121 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.

129

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  
132 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 to succeed if granted the requested opportunity.

135 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.

139

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

144 parts: (A) a writing section which shall demonstrate the communication and literacy skills  
145 necessary for effective instruction and improved communication between school and parents;  
146 and (B) the subject matter knowledge for the certificate; (3) has satisfactorily completed a board  
147 of elementary and secondary education approved teacher preparation program; and (4) is of  
148 sound moral character. A candidate who completes the requirements of this paragraph shall be  
149 issued an initial license which will permit him to seek employment in a teaching position  
150 requiring instructional licensure.

151

152  Each public school district seeking to hire an initial educator must submit a plan to the  
153 department which details how the district will supervise and support such initial educators. No  
154 district shall be authorized to employ an initial educator with unless it has submitted a plan for  
155 the support and evaluation of such educator to the commissioner and received the approval of the  
156 commissioner. The department shall issue standard plans for initial educators which districts may  
157 implement in lieu of developing an original plan.

158

159  In not less than one year after the issuance of an initial license, the commissioner upon receipt  
160 of a proper application shall issue a professional license to such initial license holder who has  
161 provided the commissioner with evidence, in such manner and form as prescribed by the board,  
162 that he has met the preparation and eligibility requirements set by the board through a master's  
163 degree program approved by the commissioner, or through an equivalent district program for  
164 professional license approved by the commissioner, or other equivalent programs approved by  
165 the commissioner; and has met the requirements set by the commissioner for demonstration of  
166 successful performance.

167

168  Each professional license shall be valid for five years and continued every five years thereafter  
169 upon the successful completion of an individual professional development plan that meets the  
170 subject matter knowledge and teaching skill requirements set by the board. Such plan shall be  
171 designed to increase the ability of the person to improve student learning.

172

173  Certificates granted by the board prior to October first, nineteen hundred and ninety-four are  
174 hereby deemed professional licenses which shall be renewed every 5 years.

175

176  Any license issued by the commissioner may be revoked for cause, pursuant to standards and  
177 procedures established by the board.

178

179  The board shall have the authority to promulgate, amend and rescind such rules and regulations  
180 as may be necessary to carry out the provisions of this section. Such regulations shall be  
181 presented to the joint committee for informational purposes ninety days before implementation.

182

183  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.

208

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

219 Competence in Braille instruction shall be a requirement for an initial and professional license  
220 as a teacher of students with vision impairments. Such competence shall be verified through a  
221 testing program which meets the standards of the Library of Congress National Library Service  
222 for the Blind or its successor.

223

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.

237

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.

243

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, that 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  
252 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.

258

259  Such policies shall provide that a teacher who is to be employed in a position in an area of  
260 licensure in which he is not currently employed, but for which he held a license which had been  
261 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



264 him for licensure in said area. In every instance, all evaluations and assessments shall follow  
265 nationally recognized professional standards.

266

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.

271

272  The board shall, in establishing said policies and criteria for professional 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.

280

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.

284

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.

298

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