

**HOUSE . . . . . No. 447**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Kay Khan**

*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 establishing the Massachusetts education professional standards board.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kay Khan	11th Middlesex
Benjamin Swan	11th Hampden
John P. Fresolo	16th Worcester
Pam Richardson	6th Middlesex
Robert L. Rice, Jr.	2nd Worcester
Christine E. Canavan	10th Plymouth
Tom Sannicandro	7th Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT ESTABLISHING THE MASSACHUSETTS EDUCATION PROFESSIONAL STANDARDS BOARD.

*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 15 of the Massachusetts General Laws, as appearing in the 2006 Official  
2 Edition, is hereby amended by adding the following new section at the end thereof:-

3 Section 66. There shall be in the department of elementary and secondary education, but not  
4 subject to the jurisdiction thereof, a board of educator preparation and licensing, to be called the  
5 Massachusetts Education Professional Standards Board. The Board shall have the authority to  
6 establish standards and procedures for the preparation, licensure, license renewal and license  
7 revocation of education personnel in order to be employed in the public schools. This authority  
8 shall include the review and approval of programs at public and independent colleges and  
9 universities designed to prepare teachers and other educational personnel. To carry out these  
10 responsibilities, the Board shall have the authority to make, amend, and rescind such rules and  
11 regulations as may be necessary to carry out the provisions of this section.

12 The Massachusetts Education Professional Standards Board shall consist of fifteen voting  
13 members who shall be residents of the Commonwealth, as follows:

14 (1) Eight persons currently employed as public school classroom teachers or within the previous  
15 five years, six of whom shall be appointed by the Governor from a list of no fewer than twelve  
16 submitted by the Massachusetts Teachers Association and two of whom shall be appointed by  
17 the Governor from a list of no fewer than four submitted by the American Federation of  
18 Teachers/Massachusetts; of the eight appointments, at least one member shall be appointed with  
19 experience or expertise in each of the following areas: special education; and, vocational-  
20 technical education.

21 (2) Two persons employed as faculty of institutions of higher education in Massachusetts,  
22 whose duties involve direct contact with students preparing for teaching, appointed by the  
23 Governor from a list of no fewer than four submitted by the Massachusetts Association of  
24 Colleges of Teacher Education.

25 (3) Two persons employed as public school administrators, one of whom shall be appointed by  
26 the Governor from a list of no fewer than two submitted by the Massachusetts Elementary  
27 School Principals Association and one of whom shall be appointed by the Governor from a list of  
28 no fewer than two submitted by the Secondary School Administrators Association.

29 (4) One superintendent of schools, appointed by the Governor from a list of no fewer than two,  
30 submitted by the Massachusetts Association of School Superintendents.

31 (5) One school committee member, appointed by the Governor from a list of no fewer than two  
32 submitted by the Massachusetts Association of School Committees.

33 (6) One representative of the general public, appointed by the Governor, who shall not be a  
34 member of, or employed by, a school committee or board of trustees of an institution of higher  
35 education.

36 In addition to the fifteen voting members, the commissioner of early education and care, the  
37 commissioner of elementary and secondary education and the commissioner of higher education,  
38 or their designees, shall serve as ex-officio members without vote in the proceedings of the  
39 board.

40 Except for the members appointed as representatives of the general public and school  
41 committees, members shall have been employed as teachers, administrators or higher education  
42 faculty for a period of at least seven years; said employment shall have been within twelve years  
43 prior to appointment to the board.

44 Five of the initial appointments shall serve for a term of five years, four of the initial  
45 appointments shall serve for a term of four years, three of the initial appointments shall serve for  
46 a term of three years, two of the initial appointments shall serve for a term of two years, and one  
47 of the initial appointments shall serve for a term of one year, as follows: the representative of the  
48 general public, the representative of the superintendents, the representative of the school  
49 committees and two teacher representatives shall initially serve for five years; one representative  
50 of higher education, one representative of the principals and two teacher representatives shall  
51 initially serve for five years; one representative of higher education and two teacher  
52 representatives shall serve for three years; one representative of the principals and one teacher  
53 representative shall serve for two years; and, one teacher representative shall serve for one year.

54 Thereafter, all terms shall be for a period of five years. No members shall serve for more than  
55 two terms. Service on the board for a term of three years or more resulting from an initial  
56 appointment or an appointment for the remainder of an unexpired term shall be counted as a full  
57 term.

58 All members of the board shall serve without compensation but shall be reimbursed for their  
59 necessary expenses actually incurred in the performance of their duties.

60 The Massachusetts Education Professional Standards Board shall, by a majority vote of all its  
61 voting members, elect a chairperson and vice-chairperson annually from among its membership.

62 The board shall hold regular meetings at least once each month except that the board may vote to  
63 omit meetings in July and August and the chairperson may call additional meetings at other  
64 times. The chairperson may call a special meeting of the board at any time and shall call a  
65 special meeting upon the written request of seven or more members of the board.

66 The board shall appoint an executive director, who shall serve at the pleasure of the board. The  
67 executive director shall receive an annual salary equivalent to that of a deputy commissioner of  
68 elementary and secondary education and such expenses as are approved by the board and which  
69 are incurred in the discharge of his or her duties. The board may delegate its authority or any  
70 portion thereof to the executive director whenever in its judgment such delegation may be  
71 necessary or desirable. The executive director shall exercise any such powers or duties delegated  
72 with the full authority of the board in any matter concerning educator preparation and licensing  
73 subject to the direction and approval of the board.

74 The board shall be provided with adequate offices and shall appoint such other employees, to  
75 include but not be limited to a general counsel, as it deems necessary to carry out its duties and  
76 responsibilities.

77 SECTION 2. Section 38G of Section 71 of the Massachusetts General Laws, as appearing in the  
78 2006 Official Edition, is hereby amended by striking the second paragraph and inserting in place  
79 thereof the following:-

80           “Board”, the Massachusetts Education Professional Standards Board established by  
81 chapter fifteen, section 66.

82 SECTION 3. Section 38G of Chapter 71, as so appearing, is hereby further amended by striking  
83 out the word “commissioner”, the words “department of education”, and the word “department”,  
84 wherever they appear and inserting in place thereof the word, “board”.

85 SECTION 4. Paragraph 31 of section 38G of Chapter 71 is hereby amended by adding at the  
86 end thereof the following sentence:-

87 Said fees shall go directly into a special account within the Treasurer’s office and shall be  
88 available without appropriation to the board to carry out the purposes of this section and Chapter  
89 15, Section 66.