

SENATE No. 267

The Commonwealth of Massachusetts

PRESENTED BY:

Robert A. O'Leary

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 to Reform Educator Licensure in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Robert A. O'Leary	Cape and Islands
Christine E. Canavan	10th Plymouth
Timothy Madden	Barnstable, Dukes and Nantucket
Gale D. Candaras	First Hampden and Hampshire

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO REFORM EDUCATOR LICENSURE IN THE COMMONWEALTH.

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 Notwithstanding any general or special law to the contrary, the board of elementary
2 and secondary education is hereby authorized and directed to promulgate regulations to replace
3 all “Massachusetts Tests for Educator Licensure”, so-called, with the “Praxis I and II”, so-called,
4 not later than January 1, 2011.

5 SECTION 2 The board shall promulgate regulations to develop licenses in all core subject areas
6 that are consistent with the following grade spans: PreK-2, K-6 and 5-12. Special education, art
7 and performing arts, health and family and consumer sciences, instructional technology, music,
8 library, physical education, specialist, education support professional licenses and any others
9 deemed necessary by the commissioner of education, shall be valid for grades Pre-K through 12.

10 SECTION 3 Chapter 71 of the general laws, as appearing in the 2006 official edition, is hereby
11 amended by striking out section 38G and inserting in place thereof the following section:-

12 Section 38G. As used in this section the following words shall have the following meanings
13 unless the context clearly indicates otherwise:

14 “Board”, the board of elementary and secondary education established by chapter 15 of the
15 general laws, herein referred to as the board.

16 “Commissioner”, the commissioner of the department of elementary and secondary education,
17 herein referred to as the commissioner.

18 “Endorsement”, - an addition to an initial or professional license to indicate completion of
19 coursework and practical experience as established by the board. Said endorsement will allow
20 the holder to assume instructional leadership positions as defined by individual school districts,
21 and including the role of new teacher developer.

22 “Field experience”, – a combination of observation of practitioners and planning and delivering
23 classroom instruction in the full range of grade levels covered by the licenses sought. Both
24 observation and instruction should occur in both urban and suburban school districts. Rural
25 districts shall be included if proximate to and partnered with an approved teacher preparation
26 program. Field experience will be a requirement for attainment of an initial license.

27 “Initial license” –a license issued to a person who has successfully completed an approved
28 educator preparation program and passed Praxis I and II. Said license shall be valid for 10 years
29 of employment as an educator in the public schools of the commonwealth and may not be
30 renewed.

31 “New Teacher Developer”, – a teacher employed in a district who holds a professional license
32 and has professional teacher status as defined by section 41 of chapter 71 of the general laws.
33 This person may conduct on-site seminars for pre-service teachers’ field experiences and may
34 serve as a mentor for teachers who hold preliminary or initial licenses and are in their first,
35 second and third years of employment.

36 “Preliminary license”, a license issued to a person to teach an area of high need, as identified by
37 the commissioner. High need areas shall be reviewed and updated every 3 years. This license
38 shall be valid for 3 years of employment in the public schools of the commonwealth and may not
39 be renewed.

40 “Professional license”, a license to teach issued to a person with an Initial License in the same
41 area who has completed 3 years of successful teaching under the initial license as certified by the
42 superintendent of schools; and (1) a masters program, approved by the board of education for the
43 preparation of teachers; or (2) attained certification by the national board of professional
44 teaching standards; or (3) attained an additional educator license as defined by this section; or (4)
45 completed another program approved by the board. The professional license shall be valid for
46 renewable terms of 5 years.

47 “Regionally licensed or certified educator”, a person who has been granted a regional license by
48 another state jurisdiction under terms of a contract entered into pursuant to chapter 748 of the
49 acts of 1968, the interstate agreement on certification of educational personnel. Said regional
50 license shall be considered equivalent to an initial license.

51 “Reciprocity of licensed educators”, the process and requirements established by the
52 commissioner for candidates who have attained the equivalent of a professional license issued by
53 another state or who have attained certification by the national board of professional teaching
54 standards to obtain a Massachusetts educator license. Such license or certificate shall be
55 equivalent to the professional license.

56 “Support Team”, the supervisors of teacher candidates participating in an approved educator
57 preparation program. Said supervisors shall include a new teacher developer, an academic
58 advisor from the educator preparation program and anyone else deemed appropriate by the
59 participants in the teacher residency partnership.

60 “Teacher Residency Partnership”, each teacher preparation program must enter into a formal
61 association with at least two types of school districts: urban, suburban and/or rural. Teacher
62 residency partnerships are collaborations between the preparation programs and the school
63 district which share decision-making about candidate progression and the content of in-district
64 field experiences and seminars. All field experiences and seminars must occur in the partnership
65 districts.

66 The commissioner shall have the authority to grant, upon application, preliminary licenses, initial
67 licenses and professional licenses to persons who have satisfied the requirements for such
68 licenses as established by the board. The board shall define the knowledge of subject matter and
69 demonstration of competencies commensurate with attainment and renewal of such licenses.

70 To be eligible for a preliminary license, the candidate shall (1) hold a bachelor’s degree in arts or
71 sciences from an accredited college or university with a major course in the arts or sciences
72 appropriate to the instructional field; (2) pass a test established by the board which shall consist
73 of three parts: a pre-service test of reading, writing and mathematics; a subject matter test; and a
74 test of pedagogical knowledge; (3) be of sound moral character; and (4) be approved by the
75 commissioner to teach in an area of high need as identified by the commissioner.

76 To be eligible for an initial license, the candidate shall (1) hold a bachelor’s degree in arts or
77 sciences from an accredited college or university with a major course in the arts or sciences
78 appropriate to the instructional field; (2) pass a test established by the board which shall consist
79 of three parts: a pre-service test of reading, writing and mathematics; a subject matter test; and a
80 test of pedagogical knowledge; (3) complete an approved educator preparation program and (4)
81 be of sound moral character. Candidates who complete the requirements in this paragraph shall
82 be issued an initial license which will permit them to seek employment in teaching positions
83 requiring an educator license in public school districts in the commonwealth.

84 Districts seeking to employ a teacher with a preliminary license shall have an in-district program
85 of support and mentoring; or shall partner with a college or university to provide such a program;
86 or shall be a member of a regional collaborative as defined by section 4E of chapter 40 of the
87 general laws, which shall provide a support and mentoring program. Each program must be
88 approved by the department. The board shall establish professional standards for the training,
89 support and supervision of teachers with preliminary licenses, which must be met before
90 department approval is granted for said program.

91 During the period of employment, a person holding a preliminary license pursuant to this section
92 shall be under the direct supervision of the principal or other appropriate supervisor who shall
93 regularly observe and evaluate the educator’s performance of assigned duties, in conjunction
94 with the support and mentoring program. Such evaluation shall be according to relevant,
95 nationally recognized professional standards for personnel evaluation.

96 After 3 years of employment with a preliminary license, a teacher must have obtained an initial
97 license in order to continue to be employed in the public schools of the commonwealth.

98 Each professional license shall be valid for 5 years and continued every 5 years thereafter upon
99 the successful completion of an individual professional development plan that meets the subject
100 matter knowledge and teaching skill requirements set by the board. Such plan shall be designed
101 to increase the ability of the person to improve student learning. All professional licenses must
102 be renewed by their expiration date, or they will be considered invalid.

103 Certificates granted by the board prior to October 1, 1994 are hereby deemed professional
104 certificates which shall be renewed every 5 years. All such certificates must be renewed.

105 The commissioner shall develop alternative paths for licensing school management and
106 educational leadership personnel which shall facilitate a process whereby persons with
107 significant managerial experience can obtain such licensure.

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

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

114 All applications for any licenses granted under this section shall be accompanied by a fee to be
115 determined annually by the commissioner of administration and finance under the provisions of
116 section 3B of chapter 7 of the general laws. Said fees shall be established and limited to allow
117 the department to carry out the licensure and license renewal responsibilities but in no case shall
118 said applications exceed \$100 per year with an annual increase no greater than the consumer
119 price index.

120 No person shall be eligible for employment as a teacher, guidance counselor, director, school
121 psychologist, school adjustment counselor, school social worker, school nurse, library teacher,
122 school business administrator, principal, supervisor, director, assistant superintendent of school,
123 and superintendent of schools by a school district unless he has been granted by the
124 commissioner a provisional, or standard certificate with respect to the type of position for which
125 he seeks employment; provided, however, that nothing herein shall be construed to prevent a
126 school committee from prescribing additional qualifications; and provided further, that a
127 superintendent may upon request be exempt by the commissioner for any one school year from
128 the requirement in this section to employ licensed personnel when compliance therewith would
129 in the opinion of the commissioner constitute a great hardship in securing teachers for that school
130 district. During the time that such a waiver is in effect, service of an employee of a school district
131 to whom the waiver applies shall not be counted as service in acquiring professional teacher
132 status or other rights under section 41 of the general laws.

133 In addition to any other requirements of this section, the board shall require, as a provision of an
134 administrator's or educator's initial license, that all educators and administrators shall have
135 training in strategies for effective inclusive schooling for children with disabilities, instruction of

136 students with diverse learning styles and classroom organization and management. Such training
137 shall include, at a minimum, practical experience in the application of these strategies.

138 In addition to any other requirements in this section, in order to receive an initial license, persons
139 applying for such license shall have completed such courses or training sessions as the board
140 shall require in second language acquisition.

141 Competence in braille instruction shall be a requirement for initial licensure as a teacher of
142 students with vision impairments. Such competence shall be verified through a testing program
143 which meets the standards of the library of congress national library service for the blind or its
144 successor.

145 For the purposes of granting an initial license to educators, the board shall establish policies and
146 guidelines and the commissioner may approve preparation programs devoted to the preparation
147 of teachers and other educational personnel. A college or university or school or district or other
148 institution offering such an approved program, in conjunction with the district residency
149 program, shall certify to the commissioner that a student has demonstrated satisfactory
150 competence in the skills and knowledge expected of college graduates in the most advanced
151 nations, and has completed the program approved. The college or university or school district or
152 other institution shall also provide the commissioner with a transcript of the student's record.

153 At the end of each five-year period each professional educator shall attest to and provide
154 appropriate supporting evidence and documentation to the department, in such form and at such
155 time as the commissioner shall prescribe, that the educator has successfully completed a
156 professional development plan which meets the standards set by the board.

157 In addition to any other requirements of this section, the board shall require, as a provision of an
158 administrator's or educator's license renewal, that all educators and administrators shall have
159 training in strategies for effective inclusive schooling for children with disabilities, instruction of
160 students with diverse learning styles and classroom organization and management. Such training
161 shall include, at a minimum, practical experience in the application of these strategies.

162 It shall be one of the objectives of all school districts' professional development plans to satisfy
163 the individual professional development plans required by this section; provided, however, that
164 this requirement shall not be construed to require that a school district or the commonwealth
165 provide funding for the fulfillment of the professional development requirements of this section
166 and section 38Q beyond the foundation budget.

167 The board shall establish policies and guidelines for approval for any continuing education units,
168 inservice seminars, projects, courses and other activities which would be deemed sufficient to
169 maintain the development of professional skills and the knowledge of subject matter pertinent to
170 particular licenses in accordance with the same procedures used for initial approval of teacher
171 preparation programs.

172 The board shall establish for each license alternate methods for fulfilling the professional
173 development requirement, at least one of which must be at no cost to persons employed by a

174 school district, including paraprofessionals or assistant teachers, who are engaging in such an
175 activity for the purpose of satisfying the professional development requirements for license
176 renewal of this section.

177 Such policies shall provide that a teacher who is to be employed in a position in an area of
178 licensure in which he is not currently employed, but for which he held a certificate which had
179 been valid within five years immediately preceding the starting date of employment in this
180 position, shall be given a reasonable period, as determined by the board, to fulfill a professional
181 development plan which demonstrates currency in the subject matter knowledge and requalify
182 him for licensure in said area. In every instance, all evaluations and assessments shall follow
183 nationally recognized professional standards.

184 Each local and regional school district shall attest to the department, in such form and at such
185 time as the commissioner shall prescribe, that professional development activities for which
186 credit toward license renewal is granted meet the requirements set by the board and are
187 documented in accordance with procedures established by the board.

188 The board shall, in establishing said policies and criteria for professional development, give
189 special consideration to the best interests of the students in the commonwealth, including the
190 need for high quality teachers of english language learners programs established under chapter
191 71A for limited english proficient students and the need to maintain the highest performance
192 standards of teachers while taking into proper consideration the financial or time constraints
193 these policies may require. In developing such policies, guidelines and assessment methods, the
194 board shall obtain the input of teachers, administrators, educational experts, parents, business
195 leaders and others interested in the improvement of the professional status of teachers.

196 Except as otherwise specifically provided in this section, no rights of any employees of a school
197 district under the provision of this chapter shall be impaired by the provisions of this section.

198 Anyone granted either an initial or professional license under this section shall be required to
199 maintain the development of professional skills and the knowledge of subject matter pertinent to
200 the areas of licensure.

201 This section shall not apply to trade, vocational, temporary substitute teachers, exchange
202 teachers, regionally licensed or certified teachers or to teaching or administrative interns;
203 provided, however, that approval for the employment of such personnel shall be generated by the
204 board under such rules and regulations as it may adopt.

205 The requirements of this section shall not apply to the licensure of teachers of adult education.
206 Nothing in this section or section 1H of chapter 69 shall be construed to prohibit a school
207 committee from employing a teacher licensed under this section to teach adult education.

208 SECTION 4 The board shall promulgate regulations for the development and oversight of the
209 field experience requirement. There shall be three field experience requirements as follows: (1)
210 weekly classroom observations and participation in on-site seminars led by a new teacher
211 developer totaling 150 hours; (2) classroom observation, weekly teaching experiences and on-

212 site seminars totaling 150 hours; and (3) a 300-hour internship coupled with 100 hours of on-site
213 seminars that increases in responsibility for the teacher candidate.

214 SECTION 5 Chapter 71 of the general laws, as so appearing, is hereby amended by inserting
215 after section 38G the following new section:-

216 Section 38G ½. The secretary of education, in conjunction with the boards of elementary and
217 secondary education and higher education shall promulgate regulations for approval of teacher
218 preparation programs. To be approved, teacher preparation programs must enter into residency
219 partnerships with school districts as a means for offering pre-service field experiences and for
220 reporting between the two entities for the purpose of collaboration and assessment of the
221 candidate's qualifications. Each approved teacher preparation program must partner with at least
222 two demographically different districts.

223 In order to qualify as a district with a teacher residency program, a district must partner with an
224 approved teacher preparation program. A district residency program shall provide pre-service
225 opportunities to students in the teacher preparation programs through the three specified field
226 experiences. A district with a residency program shall employ a teacher in the role of new
227 teacher developer to assist pre-service students in their field experiences. Each residency district
228 must collaborate with the teacher preparation program to evaluate teacher candidates throughout
229 the field experiences.

230 At the conclusion of each field experience of the approved educator preparation program, the
231 chairperson of the support team shall prepare a comprehensive evaluation report of the teacher
232 candidate's performance. The teacher candidate, the district and the educator preparation
233 program shall receive a copy of the report. The final comprehensive evaluation report on each
234 teacher candidate, after the completion of all required field experiences, shall be made on forms
235 provided by the department. Said report shall include an assessment of the individual's
236 competence and one of the following recommendations:

237 (1) Approved: recommends that the initial license be granted upon completion of the other
238 preparation and eligibility requirements as established by the board;

239 (2) Insufficient: recommends that the candidate be allowed to continue participation in an
240 approved educator preparation program for a time to be determined by the support team; or a
241 candidate found insufficient twice shall not be allowed to continue participation in an approved
242 educator preparation program; or

243 (3) Disapproved: recommends that the initial license not be granted and that the candidate not be
244 allowed to continue in an approved educator preparation program.

245 The support team chairperson shall provide the teacher candidate with a copy of the written
246 evaluation report and licensure recommendation before submitting it to the department.

247 If the recommendation is to disapprove, the teacher candidate may, within 15 days, submit to the
248 chairperson written materials documenting the reasons why the teacher candidate believes a
249 recommendation of insufficient should be granted.