

HOUSE No.

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:

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

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

13

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

16

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

24

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

29

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

34

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

37

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

40

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

44

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

49

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

54

55 Five of the initial appointments shall serve for a term of five years, four of the initial
56 appointments shall serve for a term of four years, three of the initial appointments shall serve for
57 a term of three years, two of the initial appointments shall serve for a term of two years, and one
58 of the initial appointments shall serve for a term of one year, as follows: the representative of the
59 general public, the representative of the superintendents, the representative of the school
60 committees and two teacher representatives shall initially serve for five years; one representative
61 of higher education, one representative of the principals and two teacher representatives shall
62 initially serve for five years; one representative of higher education and two teacher
63 representatives shall serve for three years; one representative of the principals and one teacher
64 representative shall serve for two years; and, one teacher representative shall serve for one year.
65 Thereafter, all terms shall be for a period of five years. No members shall serve for more than
66 two terms. Service on the board for a term of three years or more resulting from an initial
67 appointment or an appointment for the remainder of an unexpired term shall be counted as a full
68 term.

69

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

72

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

75

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

80

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

89

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

93

94 SECTION 2. Section 38G of Section 71 of the Massachusetts General Laws, as appearing in the
95 2006 Official Edition, is hereby amended by striking the second paragraph and inserting in place
96 thereof the following:-

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

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

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

104 Said fees shall go directly into a special account within the Treasurer’s office and shall be
105 available without appropriation to the board to carry out the purposes of this section and Chapter
106 15, Section 66.