

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 to establish the Massachusetts Educational Professional Standards Board.

PETITION OF:

NAME:

Kay Khan

DISTRICT/ADDRESS:

11th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 485 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO ESTABLISH THE MASSACHUSETTS EDUCATIONAL 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 is hereby amended by adding the
2 following new section at the end thereof:-

3 Section 66. There shall be in the department of education, but in no respect subject to the
4 jurisdiction thereof, a board of educator preparation and licensing, to be called the Massachusetts
5 Education Professional Standards Board. The Board shall have the authority to establish
6 standards and procedures for the preparation, provisional and permanent licensure,
7 recertification, renewal and revocation of licensure of education personnel in regular education,
8 special education, occupational education, vocational education, bilingual education and
9 administration. This authority shall include the review and approval of programs at public and
10 independent colleges and universities devoted to the preparation of teachers and other
11 educational personnel. To carry out these responsibilities, the Board shall have the authority to

12 make, amend, and rescind such rules and regulations as may be necessary to carry out the
13 provisions of this section.

14

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

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
19 fewer than twelve submitted by the Massachusetts Teachers Association and two of
20 whom shall be appointed by the Governor from a list of no fewer than four submitted by
21 the American Federation of Teachers/Massachusetts; of the eight appointments, at least
22 one member shall be appointed with experience or expertise in each of the following
23 areas: early childhood; special education; and, occupational or vocational education.

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

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

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

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

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

40 The secretary of education and the chancellor of higher education, or their designees, shall serve
41 as ex-officio participants without vote in the proceedings of the board.

42

43 Except for the members appointed as representatives of the general public and school
44 committees, members shall have been employed as teachers, administrators or faculty for a
45 period of at least seven years prior to appointment to the board.

46

47 Five of the initial appointments shall serve for a term of five years, four of the initial
48 appointments shall serve for a term of four years, three of the initial appointments shall serve for
49 a term of three years, two of the initial appointments shall serve for a term of two years, and one
50 of the initial appointments shall serve for a term of one year. Thereafter, all terms shall be for a
51 period of five years. No members shall serve for more than two terms. Service on the board for
52 a term of three years or more resulting from an initial appointment or an appointment for the
53 remainder of an unexpired term shall be counted as a full term.

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

56

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

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

63

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

72

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

75 responsibilities. The board shall also establish the salaries of said employees as indicated in the
76 salary schedules approved by the house and senate committees on ways and means.

77

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

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

82

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

86

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

89 Said fees shall go directly into a special account within the Treasurer’s office and shall be
90 available without appropriation to the board to carry out the purposes of this section and Chapter
91 15, Section 66.