

HOUSE No. 76

The Commonwealth of Massachusetts

DEPARTMENT OF EDUCATION

182 TREMONT STREET, BOSTON 02111, OCTOBER 31, 1972

The Honorable John F. X. Davoren, *Secretary of the Commonwealth*,
State House, Boston, Massachusetts 02133

Attention: Legislative Division

DEAR SECRETARY DAVOREN: — I submit herewith, for the Board of Education, recommendations for legislative action in the 1973 session of the General Court.

This is done pursuant to the provisions of General Laws, Tercentenary Edition, Section 33 of Chapter 30, as amended by Chapter 67 of the Acts of 1948.

Sincerely yours,

THOMAS J. CURTIN,
Commissioner of Education.

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RECOMMENDATIONS

1. AN ACT REGULATING THE ISSUANCE OF EDUCATIONAL CERTIFICATES AND ESTABLISHING A COMMISSION FOR THE DIVISION OF EDUCATIONAL PERSONNEL.

Under present statute, a graduate of any college is entitled to a permanent teaching certificate if he satisfies certain course and other requirements. The purpose of this act is to eliminate the practice of granting a permanent certificate before any demonstrated ability. Instead, a temporary certificate would be granted for two years. The teacher would then be evaluated by a special committee who would recommend that the teacher be granted a permanent or another temporary certificate. The Board of Education believes that such revision of the procedures of certification is a necessary step toward the upgrading of statewide educational personnel.

2. AN ACT GRANTING SALARY FLEXIBILITY TO THE DEPARTMENT OF EDUCATION.

The purpose of the bill is to grant salary flexibility to the department of education in the hiring and placement of personnel.

It is impossible for the department and the board to compete in the professional marketplace in spite of the fact that responsibilities are mandated for supervising all education supported in whole or in part by the commonwealth. The constraints of existing state personnel practices seriously hamper the department in a keenly competitive market where the supply of specialists is limited and where there is growing disparity in rates of compensation for comparable positions.

This bill, if enacted into law, would enable the department to attract and retain highly qualified personnel by putting the department in a position to pay said personnel according to worth.

With the passage of chapter 572 of the acts of 1965, i.e., "An Act To Improve And Extend Educational Facilities In The Commonwealth," the strengthening of the department in the matter of personnel was authorized. A flexible operation represents the first step in the strengthening process. This bill would be highly beneficial in enabling the department to carry out the many important and vital purposes of chapter 572 of the acts of 1965.

3. AN ACT RELATIVE TO THE SALARY OF THE COMMISSIONER OF EDUCATION.

The present salary of the Commissioner is \$30,000. Higher salaries are received by at least twelve Massachusetts superintendents of schools and by at least fourteen commissioners of education in other states. The Board of Education feels an adjustment on the Commissioner's salary is clearly needed.

4. AN ACT RELATING TO DEPUTY COMMISSIONERS OF EDUCATION.

The Board of Education has voted to re-organize the Department of Education to serve more efficiently and effectively elementary and secondary education in the Commonwealth. This bill would help to implement that re-organization by authorizing appointment of a second Deputy Commissioner of Education and by assigning responsibilities in the event of absence or disability of the Commissioner of Education.

5. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO CERTAIN QUESTIONS IN THE SCHOOL BUILDING ASSISTANCE LAW, CHAPTER 645 OF THE ACTS OF 1948, AS AMENDED.

This resolve would provide for a Recess Commission to study the formula in chapter 645 of the Acts of 1948. Chapter 645 has been amended many times with the final amendment (chapter 1010 of the acts of 1971) eliminating the equalization concept and also removing the financial incentive for regionalization.

6. AN ACT RELATIVE TO STATE SCHOOL CONSTRUCTION GRANTS FOR PROJECTS OF CITIES, TOWNS, REGIONAL SCHOOL DISTRICTS, AND COUNTIES.

Chapter 1010 of the Acts of 1971 provides 65% school construction aid to cities and towns that are classified as depressed areas. Inasmuch as 283 of the total 351 cities and towns are classified, as depressed areas, this leaves only 68 towns not so classified. The Board of Education feels that in order to correct this inequity, school construction grants to all 351 cities and towns to be sixty-five percent of the final approved cost.

7. AN ACT MAKING A CORRECTIVE CHANGE IN THE SCHOOL BUILDING ASSISTANCE LAW, CHAPTER 645 OF THE ACTS OF 1948, AS AMENDED, RELATING TO GRANTS FOR RECONSTRUCTION, REMODELING, REHABILITATION, AND MODERNIZATION.

Chapter 754 of the Acts of 1968 (so called Rehab Law) amended Chapter 645 of the Acts of 1948 but did not allow equipment to be included in the approved cost. This proposed legislation would correct this inconsistency.

8. AN ACT TO LIMIT THE AMOUNTS OF MONEY THAT REGIONAL SCHOOL DISTRICTS MAY RETAIN IN THEIR SURPLUS ACCOUNTS.

This is a technical change in the law that would prevent regional district school committees from accumulating excessive amounts in surplus accounts. In the few cases where the problem has occurred it has been used by the opponents of regionalization as an example of the "blank check" criticism of regionalization.

9. AN ACT IMPLEMENTING THE MEALS FOR ELDERLY PROGRAM IN ORDER TO MAKE EFFECTIVE USE OF AVAILABLE FEDERAL FUNDS.

This act makes technical changes in existing statutes which provide for school lunch programs for elderly persons. These changes are necessary to provide for maximum use of the additional federal funds which will be made available in fiscal year 1973 for programs to feed elderly persons.

10. AN ACT PROVIDING FOR THE ATTENDANCE OF CERTAIN CHILDREN IN PUBLIC SCHOOLS OF TOWNS OTHER THAN THE TOWNS IN WHICH THEY RESIDE.

Chapter 506, acts of 1966, provides for the payment of tuition and transportation by the Department of Education to towns which present plans approved by the Board of Education for attendance in the public schools of said town of children residing in other towns in which racial imbalance, as defined in section thirty-seven D of Chapter 71, exists in a public school.

In order further to eliminate or reduce racial imbalance as required by chapter 71, cities or towns in which racial imbalance exists in a public school are including in their plans to comply with this statute new school construction which contains extra spaces to be reserved for white children within or without said city or town. These schools have been described as "magnet schools" because of their innovative curricula or other special educational features.

The purpose of this petition is to facilitate attendance in these schools by children from without the city or town where racial imbalance exists by having the commonwealth, instead of their parents, provide the tuition and transportation payments.

11. AN ACT TO PROVIDE FINANCIAL ASSISTANCE TO CITIES AND TOWNS TO ELIMINATE RACIAL IMBALANCE AND TO ASSURE THE CONTINUATION OF VOLUNTARY SUBURBAN CONTRIBUTIONS TO THE ELIMINATION OF RACIAL IMBALANCE.

This proposal would strengthen the financial incentives in the Racial Imbalance Act. Section 1 would raise the construction incentive to eighty percent plus interest; this change is necessary because the sixty-five percent figure is now paid for all construction in affected cities. Section 2 would also enable the Commonwealth to pay for transportation required to reduce racial imbalance for distances under one and one half miles when such transportation is needed to assure the safety of children. Finally, section 3 would assure the continuation of voluntary suburban contributions to the elimination of the racial imbalance problem even after racial imbalance no longer technically exists in the central cities.

12. AN ACT TO IDENTIFY LEARNING DISABILITIES PRIOR TO SCHOOL ENTRANCE.

The learning disabilities of many children are not diagnosed until they enter elementary school. The purpose of this act is to provide for the examination of children prior to their entry into regular school programs in order to reduce the incidence of school failure due to undiagnosed, correctable learning disabilities and to enable school personnel to design programs which meet the needs of these students.

13. AN ACT RELATING TO THE LICENSING OF PRIVATE SCHOOLS.

The present law which licenses private business schools indicates that the State Auditor shall certify the financial stability of the schools. However, the law is not explicit as to who should continue the financial certification after the initial year of licensing. The Department is recommending that the State Auditor certify the financial stability of a school at the renewal process of a license.

14. AN ACT MAKING A CORRECTIVE CHANGE IN APPRENTICESHIP TRAINING PROGRAMS.

Questions have been raised as to whether section seven B enacted last year has changed the traditional reimbursement obligations for apprenticeship programs. The department believes it has not, but also believes this proposed technical change would clarify the matter.