

By Mr. Constantino of Clinton, petition of William Constantino, Jr., that provision be made for an appeal procedure for teachers who were discharged from employment. Education.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Five.

AN ACT RELATIVE TO THE APPEAL PROCEDURE FOR TEACHER DISCHARGE.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 71 of the General Laws is hereby amended by striking  
2 out Section 43A, and inserting in place thereof the following  
3 section: —

4 *Section 43A.* Any teacher or principal or superintendent of  
5 schools employed at discretion of any superintendent employed  
6 under a contract, for the duration of contract, or any principal or  
7 supervisor who has been dismissed, demoted or removed from a  
8 position by vote of a school committee under the provisions of  
9 section forty-two A or section sixty-three may, within thirty days  
10 after such vote appeal therefrom to the superior court in the county  
11 in which the person was or is employed. The court shall within  
12 forty-five days from the commencement of the appeal appoint a  
13 court master. The court appointed master shall within ninety days  
14 issue a finding based upon substantial evidence, which must be  
15 affirmed or denied by a justice of the superior court. If the court  
16 finds such action was justifiable, the action of the school committee  
17 shall be affirmed; otherwise, it shall be reversed and the appellant  
18 shall be reinstated to the position without loss of compensation.  
19 The decision of the court shall be final, except as to matters of law.

