

By Mr. Havern, a petition (accompanied by bill, Senate, No. 318) of Robert A. Havern, Brian A. Joyce, Christine E. Canavan, Deborah D. Blumer and other members of the General Court for legislation to improve the recruitment and retention of qualified teachers. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT TO IMPROVE THE RECRUITMENT AND RETENTION OF QUALIFIED TEACHERS.

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 General Laws, as appearing in
2 the 2002 Official Edition, is hereby amended by adding the
3 following new sections:—

4 Section 66. The board shall establish a grant program for
5 public school teachers in the commonwealth to pay the costs asso-
6 ciated with the attainment of National Board Certification as
7 developed by the National Board for Professional Teaching Stan-
8 dards. Public school teachers who seek national board certifica-
9 tion shall receive the following: the total cost of the certification
10 fee paid in advance as provided in this section; all applicants who
11 complete the national board certification process shall have his or
12 her fees paid in advance; provided, that failure to receive national
13 board certification shall not be grounds for the state to recoup the
14 grant allowed under this section. Other costs associated with the
15 application or attainment of national board certification that may
16 be paid by the grant program as established by this section
17 include, but are not limited to: travel, materials, printing, copying,
18 postage, audio or video recordings, workshops and forums.
19 Public school districts shall also be eligible for grants under this
20 section for the costs associated with support and assistance to the
21 teacher applicants. Such district costs may include, but shall not
22 be limited to: hiring of substitutes to allow teacher candidates

23 release time to prepare for national board assessment or to prepare
24 portfolios or videos for the application.

25 Section 67. The board shall establish a grant program to public
26 school teachers in the commonwealth to pay the costs associated
27 with the attainment of advanced academic degrees. Costs that
28 may be paid by this section shall include, but not be limited to:
29 tuition and fees for courses at public higher education institutions
30 in the commonwealth; room, board and living stipend while
31 attending a public higher education institution in the common-
32 wealth; books and materials as needed for courses taken while
33 attending a public higher education institution in the common-
34 wealth.

1 SECTION 2. Section 1J of Chapter 69 of the General Laws, as
2 appearing in the 2002 Official Edition, is hereby amended by
3 striking the word “good” in line 60 and substituting in place
4 thereof the word “just”.

1 SECTION 3. Section 38G of said chapter 71, as appearing in
2 the 2002 Official Edition, is hereby amended by striking the last
3 sentence of the twentieth paragraph and inserting in place thereof
4 the following new sentence:—

5 During the time that such a waiver is in effect, service of an
6 employee of a school district to whom the waiver applies shall be
7 counted as service in acquiring professional teacher status or other
8 rights under section forty-one.

1 SECTION 4. Chapter 71, as so appearing, is hereby amended
2 by adding the following new section:—

3 Section 38S. Each public school district seeking to hire a
4 beginning teacher must submit a mentor teacher program plan to
5 the department of education. Said plan shall include: the process
6 for selecting mentor teachers; the process for matching mentor
7 teachers with beginning teachers; the training that will be required
8 for mentor teachers; the proposed agreements between mentor and
9 beginning teachers; proposed release time and other compensation
10 for mentor teachers; proposed release time for beginning teachers;
11 and, such other additional information as established by the
12 department. Each mentor teacher program shall be at least two

13 school years in duration. Such plan shall be submitted no later
14 than June 1, 2003 for any school district that plans to hire a begin-
15 ning teacher for the school year 2003-2004. Thereafter, any
16 school district that plans to hire a beginning teacher for any
17 school year must submit its mentor teacher program plan no later
18 than March 1 of the previous school year. The department shall
19 ensure that all school districts file their plans in a timely manner
20 and shall ensure that school districts implement their mentor
21 teacher plans as approved. For the purposes of this section, a
22 beginning teacher shall mean either an educator who holds a stan-
23 dard certificate or a provisional certificate with advanced standing
24 who is serving as a teacher of record for the first time. Districts
25 are not required to provide a mentor teacher program for provi-
26 sionally certified teachers or for teachers holding standard certifi-
27 cates who have taught in previous years.

28 The department shall set guidelines and standards for approval
29 of mentor teacher programs, shall provide training and technical
30 assistance to districts in planning and implementing such pro-
31 grams, shall provide training for mentor teacher candidates, and
32 shall administer the mentor teacher grant program. The mentor
33 teacher grant program shall provide a financial grant annually to
34 every public school district of \$10,000 for each first year begin-
35 ning teacher who is provided with a mentor and \$5,000 for each
36 second year beginning teacher who is provided with a mentor.
37 The grant monies shall be used to compensate the district for
38 release time for the mentor or beginning teacher, for a stipend to
39 the mentor teacher, or for other costs associated with the program.

40 Every mentor teacher program shall provide that: every begin-
41 ning teacher shall be assigned a mentor teacher; to the extent fea-
42 sible, the mentor teacher assigned to the beginning teacher shall
43 be a teacher of the same grade, subject or specialty whose assign-
44 ment is in close proximity to the beginning teacher; the mentor
45 teacher shall be selected through a process designated by the dis-
46 trict, which process shall involve teachers and shall be approved
47 by the recognized bargaining agent of the teachers in the district;
48 the mentor teacher shall complete state-approved mentor training;
49 the district, beginning teacher, mentor and other program staff
50 shall reach agreement on their roles and responsibilities and this
51 agreement must: allot the beginning teacher and the mentor a rea-

52 sonable amount of release time for the mentor program and for
53 other professional development activities; provide for regular
54 observation of the beginning teacher by the mentor and the mentor
55 by the beginning teacher; and be put in writing and signed by all
56 relevant parties; and, the district must compensate the mentor for
57 his or her services.

58 Mentor teachers shall be selected through a process designated
59 by the district as described above. At a minimum, mentor
60 teachers must hold a standard certificate and have teaching experi-
61 ence in the district. The specific form and amount of compensa-
62 tion for mentor teachers shall be determined through the collective
63 bargaining process; provided, however, that stipends for mentor
64 teachers shall not be less than \$2,000 per school year. The mentor
65 teacher shall not be the evaluator of the beginning teacher.

1 SECTION 5. Section 41 of chapter 71 of the General Laws, as
2 appearing in the 2002 Official Edition, is hereby amended by
3 striking the first sentence and inserting in place thereof the
4 following:—

5 For purposes of this section, a teacher holding any certificate
6 issued under section 38G who has served in the public schools of
7 a school district for three previous consecutive school years shall
8 be considered a teacher, and shall be entitled to professional
9 teacher status as provided in section forty-two.

1 SECTION 6. Section 42 of said chapter 71, as so appearing, is
2 hereby amended by deleting the last sentence of the second para-
3 graph.

1 SECTION 7. Section 42 of said chapter 71 is hereby further
2 amended by deleting the second paragraph in its entirety and
3 inserting in place thereof the following new paragraph:—

4 A teacher who has been teaching in a school system for at least
5 ninety days shall not be dismissed except for inefficiency, incom-
6 petency, incapacity, conduct unbecoming a teacher, insubordina-
7 tion, failure on the part of the teacher to satisfy teacher
8 performance standards developed pursuant to section thirty-eight
9 of this chapter or other good cause.

1 SECTION 8. The board of education and the department of
2 education is hereby prohibited from using the term “nonprofes-
3 sional teacher” or “nonprofessional teachers” to refer to teachers
4 or other professionals who have not attained professional teacher
5 status under section 41 of chapter 71 of the general laws.

1 SECTION 9. Section 8 of this act shall take effect as of the
2 effective date of chapter 71 of the acts of 1993.

1 SECTION 10. The Public Employee Retirement Administra-
2 tion Commission in consultation with the state teacher’s retire-
3 ment board shall analyze, study, and evaluate the costs and
4 actuarial liabilities attributable to reducing the required years of
5 total service from 30 years to 25 years for those participating in
6 the teacher RetirementPlus program and, further, by reducing the
7 time requirement for being a member of the state teacher’s or the
8 State-Boston retirement system from 20 years to 15 years in equal
9 one year increments over a period of five years. In order to effec-
10 tuate the funding for these changes in eligibility, the Commission
11 shall prepare appropriate pension funding schedules which shall
12 be designed to reduce the actuarial unfunded liability, attributable
13 to these changes, to 0 on or before June 30, 2028 and shall pro-
14 vide 2 alternative schedules providing the option of reducing the
15 unfunded liabilities to 0 by June 30, 2033 and June 30, 2038,
16 respectively; provided, that in preparing such schedules, the Com-
17 mission shall consider the actuarial value and the market value of
18 the system’s assets and liabilities, the long-term investment rate of
19 return on the system’s assets and the system’s unfunded actuarial
20 liability. The commission shall file the study together with its rec-
21 ommendations and proposed funding schedules to the house and
22 senate committees on ways and means, along with the joint com-
23 mittee on public service on or before December 31, 2005.

1 SECTION 11. The Public Employee Retirement Administration
2 Commission in consultation with the state teacher’s retirement
3 board shall analyze, study, and evaluate the costs and actuarial lia-
4 bilities attributable to reducing the vesting period from 10 years to
5 5 years for members of the state teacher’s and State-Boston retire-
6 ment systems. The Commission shall file their findings together

7 with its recommendations and proposed funding schedule to the
8 house and senate committees on ways and means, along with the
9 joint committee on public service on or before December 31,
10 2005.

