

By Ms. O'Brien of Hanover, petition of Janet W. O'Brien, Richard T. Moore, Carol C. Cleven and another that school committees approve or disapprove the hiring of all school personnel upon recommendation of the superintendent and the principal. Education, Arts and Humanities.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Seven.

AN ACT RELATING TO THE HIRING OF SCHOOL PERSONNEL.

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 71 of the Acts of 1993 is hereby amended
2 by adding at the end of Section Thirty-five thereof the following new
3 paragraph:

4 Upon the recommendation of the superintendent, and for full-time
5 building-based personnel upon the recommendation of the principal,
6 the school committee in the city, town, regional school district includ-
7 ing vocational/technical schools shall approve or disapprove the hir-
8 ing of all school personnel. Such approval by the school committee
9 of the recommendation shall not be unreasonably withheld; provided
10 that upon the request of either the superintendent or school principal,
11 the school committee shall provide an explanation of disapproval.

1 SECTION 2. Chapter 71 of the Acts of 1993 is hereby amended at
2 Section Forty-three by striking the second sentence thereof and
3 inserting the following:

4 The school committee, upon the recommendation of the superin-
5 tendent and of the building principal, may award such status to any
6 teacher who has served in the principal's school for not less than one
7 year or to a teacher who has obtained such status in any other public
8 school district in the commonwealth.

1 SECTION 3. Chapter 71 of the Acts of 1993 is hereby amended
2 at Section Fifty-three by deleting Section Fifty-nine B and inserting
3 in place thereof the following:—

4 Section 59B. The school committee of a school district shall by a
5 majority vote appoint a principal upon the recommendation of the
6 superintendent. The superintendent shall, in determining such rec-
7 ommendation, conduct an open consultation process with the school
8 council established pursuant to section fifty-nine C. Principals
9 employed under this section shall be the educational administrators
10 and managers of their schools and shall supervise the operation and
11 management of their schools and school property, subject to the
12 supervision and direction of the superintendent. Principals employed
13 under this section shall be responsible, consistent with district per-
14 sonnel policies and budgetary restrictions for recommending all
15 teachers, instructional or administrative aides, and other personnel
16 assigned to the school. Upon the recommendation of the superinten-
17 dent and school principal, the school committee in said city, town,
18 regional school district including vocational/technical schools shall
19 approve or disapprove the hiring of all teachers instructional or
20 administrative aides and other personnel assigned to the school.
21 Such approval by the school committee of the recommendation shall
22 not be unreasonably withheld; provided that upon the request of
23 either the superintendent or school principal, the school committee
24 shall provide an explanation of disapproval. This section shall not
25 prevent one person from serving as the principal of two or more ele-
26 mentary schools or the use of teaching principals in such schools.

27 It shall be the responsibility of the principal in consultation with
28 professional staff of the building to promote participatory decision
29 making among all professional staff for the purposes of developing
30 educational policy.

31 Upon the recommendation of the school superintendent, the
32 school committee of said city or town or regional school district
33 including vocational/technical schools, may appoint administrators
34 and other personnel not assigned to particular schools, at levels of
35 compensation determined in accordance with policies established by
36 the school committee. The school committee shall approve or disap-
37 prove the hiring of said personnel. Such approval by the school com-
38 mittee of the recommendation shall not be unreasonably withheld;
39 provided that upon the request of the superintendent the school com-
40 mittee shall provide an explanation of disapproval.