

HOUSE No. 4619

By Mr. Cahir of Bourne, petition of Thomas S. Cahir relative to collective bargaining rights of school principals. Public Service.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO SCHOOL PRINCIPALS.

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 41 of Chapter 71 of the General Laws is hereby amended
2 by striking out the second and third paragraphs as added by
3 Section 43 of Chapter 71 of the Acts of 1993 and inserting in place
4 thereof the following two paragraphs: —

5 School principals, by whatever title their position may be
6 known, shall not be represented in collective bargaining, but shall
7 meet and discuss the terms and conditions of their employment
8 with their superintendents and may be represented by an attorney
9 or other representative, and shall be employed under written
10 contracts of employment. Such contracts shall be for terms
11 of up to five years in length. Failure of the superintendent to
12 notify a principal of the proposed non-renewal of his contract at
13 least ninety days prior to the expiration date of the contract shall
14 automatically renew the contract for an additional one year
15 period.

16 Except as provided herein, section forty-two shall not apply
17 to school principals, assistant principals or department heads,
18 although nothing in this section shall deny to a principal, assistant
19 principal or department head or other professional teacher status
20 to which he shall otherwise be entitled. A principal, assistant
21 principal or department head or other supervisor who has served
22 in that position in the public schools of the district for three
23 consecutive years shall not be non-renewed, dismissed or demoted
24 except for inefficiency, incompetency, incapacity, conduct
25 unbecoming an administrator, insubordination, or other good
26 cause. Only a superintendent may dismiss a principal. A principal,

27 assistant principal or department head or other supervisor shall
28 not be dismissed unless he has been furnished with a written notice
29 of intent to dismiss with an explanation of the grounds for the
30 dismissal, and, if he so requests, shall be given a reasonable, and
31 timely opportunity within thirty days after receiving such notice
32 to review the decision with the superintendent at which meeting
33 such employee may be represented by an attorney or other
34 representative to present information pertaining to the bases for
35 the decision and to such employee's status.