

SENATE No. 683

[Senate, No. 683. — Substituted by amendment by the Senate (Powers) for House Bill No. 1600, as amended by the Senate.]

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Eight.

AN ACT PROVIDING THAT CERTAIN TEACHERS OR SUPERINTENDENTS DISMISSED BY ACTION OF A SCHOOL COMMITTEE MAY APPEAL THEREFROM TO THE SUPERIOR COURT.

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 insert-
2 ing after section 43, as appearing in the Tercentenary Edition,
3 the following section: — *Section 43A.* Any teacher or superin-
4 tendent of schools employed at discretion who has been dis-
5 missed by vote of a school committee under the provisions of
6 section forty-two or section sixty-three may, within thirty days
7 after the vote of dismissal, appeal therefrom to the superior
8 court in the county in which he was employed. The court shall
9 advance the appeal for a speedy hearing, and after such notice
10 to the parties as it deems reasonable hear the cause “de novo.”
11 If the court finds in favor of the school committee, the vote of
12 the school committee shall be affirmed; otherwise it shall be
13 reversed and the appellant shall be reinstated to his position
14 without loss of compensation. The decision of the court shall
15 be final, except as to matters of law.

