

SENATE No. 184

To accompany the petition of the American Federation of Teachers, State branch, by Helen M. Leonard, and Leslie B. Cutler for legislation relative to the discharge of teachers or superintendents of schools. Education.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE DISCHARGE OF TEACHERS OR SUPERINTENDENTS OF SCHOOLS.

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 42 of chapter 71 of the General Laws, as
2 most recently amended by chapter 597 of the acts
3 of 1947, is hereby further amended by striking out
4 the second sentence and inserting in place thereof the
5 following sentence:— In every such town a teacher
6 or superintendent employed at discretion under the
7 preceding section shall not be dismissed, except for
8 inefficiency, incapacity, conduct unbecoming a teacher
9 or superintendent, insubordination or other good
10 cause; provided, however, that the change of marital
11 status of a female teacher or superintendent shall not
12 be considered cause for dismissal; nor unless at least
13 thirty days, exclusive of customary vacation periods,
14 prior to the meeting at which the vote is to be taken,
15 he shall have been notified of such intended vote; nor

16 unless, if he so requests, he shall have been furnished
17 by the committee with a written charge or charges of
18 the cause or causes for which his dismissal is proposed;
19 nor unless, if he so requests, he has been given a hear-
20 ing before the school committee which may be either
21 public or private at the discretion of the school com-
22 mittee and at which he may be represented by counsel,
23 present evidence and call witnesses to testify in his
24 behalf and examine them; nor unless the charge or
25 charges shall have been substantiated; nor unless, in
26 the case of a teacher, the superintendent shall have
27 given the committee his recommendations thereon.