SENATE DOCKET, NO. 1489 FILED ON: 1/18/2013

SENATE . . . . . No. 208

The Commonwealth of Massachusetts

PRESENTED BY:

Sonia Chang-Diaz

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to dropout prevention and recovery.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Sonia Chang-Diaz	*Second Suffolk*
Michael R. Knapik	*Second Hampden and Hampshire*
Harriette L. Chandler	*First Worcester*
Karen E. Spilka	*Second Middlesex and Norfolk*
Jennifer L. Flanagan	*Worcester and Middlesex*
Michael D. Brady	*9th Plymouth*
William N. Brownsberger	*Second Suffolk and Middlesex*
James B. Eldridge	*Middlesex and Worcester*
Sal N. DiDomenico	*Middlesex and Suffolk*
Michael F. Rush	*Norfolk and Suffolk*
Anthony W. Petruccelli	*First Suffolk and Middlesex*
David M. Rogers	*24th Middlesex*
Elizabeth A. Malia	*11th Suffolk*
Mary S. Keefe	*15th Worcester*
Patricia D. Jehlen	*Second Middlesex*
Frank A. Moran	*17th Essex*
Linda Dorcena Forry	*12th Suffolk*
Katherine M. Clark	*Fifth Middlesex*

Michael O. Moore	*Second Worcester*
James J. O'Day	*14th Worcester*
Thomas M. McGee	*Third Essex*
Michael Barrett	*Third Middlesex*
Carl M. Sciortino, Jr.	*34th Middlesex*
Barry R. Finegold	*Second Essex and Middlesex*
John P. Fresolo	*16th Worcester*

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By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 208) of Sonia Chang-Diaz, Michael R. Knapik, Harriette L. Chandler, Karen E. Spilka and other members of the General Court for legislation relative to dropout prevention and recovery. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *2173* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to dropout prevention and recovery.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. SHORT TITLE

This act may be cited as the "Dropout Prevention and Recovery Act."

SECTION 2. Section 1B of chapter 69 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word "attendance", in line 113, the following words:- ; provided, however, that all children under the age of 18 shall be required to attend school if they have not graduated from high school.

SECTION 3. Section 1I of said chapter 69, as appearing in the 2010 Official Edition, is hereby amended by inserting, after line 58, the following paragraphs:-

All individual public schools that instruct students in kindergarten through grade 12 shall use the early warning indicator index system, or any successor data collection and tracking system, developed by the department to identify and track students at risk of not graduating on time. Individual public schools shall collect all necessary data required for the use of the early warning indicator index system, or any successor data collection and tracking system, as determined by the department. The department shall offer school districts guidance and support on the collection, review, and use of the early warning indicator index system, or any successor data collection system, to best serve the needs of students, teachers, and school staff members.

17 On an annual basis, the department shall compile and analyze the data submitted by individual
18 schools and shall provide the compiled data and analysis to the applicable school. The
19 department shall also make aggregated, de-identified data and analysis available to the public
20 online on an annual basis in a machine readable format. The board may promulgate
21 regulations relating to the implementation and use of the early warning indicator index system,
22 or any successor data collection system, consistent with this paragraph. Notwithstanding
23 anything to the contrary in this section, school districts may use data collection and tracking
24 systems other than the data collection and tracking system offered by the department, subject to
25 the approval of the department. School districts seeking to use data collection and tracking
26 systems other than the data collection and tracking system offered by the department shall apply
27 to the department for a waiver. The department shall grant a waiver to a school district if it
28 determines that the data collection and tracking system of the school district meets or exceeds the
29 criteria of the data collection and tracking system offered by the department. Any such waiver
30 shall be contingent upon the school district agreeing to submit its data to the department. The
31 school district and the department shall also determine who shall be responsible for compiling
32 and analyzing the data and the system for categorizing students as at-risk, as required by section
33 22 of chapter 76.

34 SECTION 4. Section 2 of Chapter 70 of the General Laws, as appearing in the 2010
35 Official Edition, is hereby amended by inserting after subparagraph (G) the following:-

36 (H) "At-risk enrollment", the number of students between the ages of sixteen and
37 eighteen enrolled in the district who are identified as "at-risk students" according to the early
38 warning indicator index system, or any successor data collection and tracking system, as set forth
39 in section 1I of chapter 69

40 SECTION 5. Section 1C of chapter 71 of the General Laws, as appearing in the 2010
41 Official Edition, is hereby amended by inserting at the end thereof the following paragraph:-

42 Each school shall conduct, in cooperation with parents and teachers on the school
43 advisory council, at least one workshop annually for parents and teachers on effective strategies
44 for involving parents in the education of their child and parental involvement in the education of
45 at-risk students. Each school district shall provide a model or guidance to its schools on carrying
46 out the workshops, including, but not limited to, guidance on topics to be covered, outside parties
47 who may be available to assist in the workshops, and strategies to involve parents with economic
48 or linguistic barriers to full participation in the school community.

49 SECTION 6. Section 37H of chapter 71 of the General Laws, as appearing in the 2010
50 Official Edition, is hereby amended by striking out the first sentence in the third paragraph and
51 inserting in place thereof the following sentence:- In each school building containing any of the
52 grades six to twelve, inclusive, the principal, in consultation with the school council, shall

53 prepare and distribute to each student in grades six to twelve, inclusive, a student handbook
54 setting forth the rules pertaining to the conduct of students.

55 SECTION 7. Section 1 of Chapter 76 of the General Laws, as so appearing, is hereby
56 further amended by inserting, at the end of the third paragraph, the following new words:-

57 ; provided that no student, regardless of age, shall face criminal liability or be subject to
58 criminal penalties for failure to attend school through the mandatory age for school attendance

59 SECTION 8. Section 18 of Chapter 76 of the General Laws, as appearing in the Official
60 2010 edition, is hereby further amended by striking out, in lines 1 and 17, the word "sixteen" and
61 inserting in place thereof the following word:- eighteen.

62 SECTION 9. Chapter 76 of the General Laws, as appearing in the Official 2010 edition,
63 is hereby further amended by inserting, after Section 21, the following new section:-

64 Section 22. Massachusetts Graduation Coach Initiative.

65 As used in this section, the following term shall have the following meaning:

66 "Students-at-risk of dropping out of school" are any students deemed borderline, high
67 risk, or very high risk, or students that fall under corresponding risk levels in any successor
68 system, according to the early warning indicator index system used by the department of
69 elementary and secondary education, or any successor data collection and tracking system, as set
70 forth in section 1I of chapter 69. For purposes of this act, "students at-risk of dropping out of
71 school" may also be referred to as "at-risk students."

72 The Massachusetts graduation coach initiative shall match at-risk students in grades 7
73 through 12 who attend schools that qualify for a graduation coach under this section with
74 graduation coaches who will monitor the students' attendance and provide advice and
75 intervention services, or connection to intervention services, such as, but not limited to, peer
76 tutoring, credit recovery, and academic remediation. Graduation coaches shall leverage the
77 resources and assistance of community organizations working successfully in the field of dropout
78 intervention and recovery. Graduation coaches shall ensure successful transition of at-risk
79 students from middle school to high school, connecting these students with the students' new
80 school.

81 The department of elementary and secondary education shall provide resources for
82 districts to hire and place graduation coaches in every public middle school and high school that,
83 for a high school, has a total annual dropout rate of 5% or more and that, for grades 7 and 8, has
84 a total annual incidence of at-risk students of 5% or more in those grades; provided, however,
85 that a district shall not receive resources for a school with fewer than 20 students who fall into
86 the foregoing categories. The department of elementary and secondary education shall
87 promulgate regulations that set forth an appropriate trigger for graduation coach resources for

88 schools with disproportionate dropout rates and incidences of at-risk students for demographic
89 subgroups. The department of elementary and secondary education shall also promulgate
90 regulations as to an appropriate coach to student ratio, by which to guide placement of coaches in
91 the respective schools. Districts that share graduation coaches shall develop an interagency
92 services agreement that sets forth such issues as hiring, oversight and supervision, and payment.
93 The department of elementary and secondary education shall promulgate regulations on what the
94 agreement shall cover. Nothing herein shall prohibit a school district or districts from partnering
95 with an external nonprofit agency with experience and proven results in youth development to
96 staff a graduation coach in a qualifying school or schools. The department of elementary and
97 secondary may establish regulations setting forth criteria for qualifying agencies.

98 The department of elementary and secondary education shall establish employment
99 qualifications and program design criteria, including guidance department and social services
100 maintenance of effort guidelines, with which districts must comply as a condition of receiving
101 funding through the Massachusetts graduation coach initiative; provided that graduation coaches
102 shall meet employment qualifications equal to or greater than minimum state employment
103 qualifications and shall hold at least a four year bachelor's degree from an accredited institution.
104 Candidates for employment as a graduation coach also shall have some past experience working
105 effectively with youth. Districts that meet these conditions shall have the authority to hire and
106 place graduation coaches in qualifying schools. The department of elementary and secondary
107 education may provide a standardized orientation to graduation coaches. The responsibilities of
108 graduation coaches shall include, but not be limited to, the following: identifying at-risk
109 students; implementing school wide support interventions; motivating students to focus on a
110 graduation plan; negotiating extra help for at-risk students; providing academic advice and
111 student support; developing effective transition programs to aid at-risk students moving between
112 schools; connecting parents of at-risk students with appropriate school and community resources;
113 connecting at-risk students with school and community resources; encouraging parent and
114 community involvement; assisting in the reenrollment of students who recently left school; and
115 identifying and addressing barriers to learning resulting from specific risk factors. Districts with
116 high numbers of dropouts may choose to focus the responsibilities of a coach on outreach and re-
117 engagement of dropouts and students with five or more absences unexcused.

118 Each school district shall provide the graduation coach with professional development
119 opportunities and administrative and technical support in concert with existing district
120 professional development and administrative and technical support services for district staff.
121 School districts may partner together to provide professional development opportunities and
122 administrative and technical support services. The professional development and support
123 services shall include guidance for graduation coaches on how to best integrate their work with
124 the efforts of school counselors and school social workers in the schools and districts in which
125 they are placed so as to achieve efficient and effective provision of services and to avoid
126 duplication of work. School districts and school administrators shall consider existing needs and

127 programs when determining the placement of individual coaches. The department of elementary
128 and secondary education may coordinate and lead annual regional meetings to allow graduation
129 coaches to network and share best practices, strategies, and problem solving methods.

130 The graduation coach shall develop and implement an individualized family engagement
131 plan for at-risk students to identify and support practical strategies for strong family involvement
132 in the student's academic life and in the student's school community. The graduation coach shall
133 convene and develop the plan jointly with the student; his or her parent or guardian or any other
134 family member or caretaker involved in the student's academic life; and a representative of the
135 student's school, which may include, but not be limited to, a general education teacher serving
136 the student, a special education teacher serving the student, or a member of the school's
137 administrative team. The individualized family engagement plan shall describe each of the
138 aforementioned parties' responsibilities and expectations for supporting the student's educational
139 progress and shall be signed by the parties. The individualized family engagement plan may be
140 developed in conjunction with or as part of an individual student success plan or an
141 individualized education plan; provided, however, that the individualized family engagement
142 plan, as required under this section, must be clearly and separately delineated.

143 SECTION 10. The department of elementary and secondary education shall track and
144 study the impact on levels of parent engagement and academic success of students in an
145 employer-sponsored pilot program that provides paid leave for employees to participate in
146 academic activities. Any employer in the Commonwealth shall be eligible for the pilot program
147 and, if interested, shall inform the department of elementary and secondary education of its intent
148 to participate in the pilot program. The department shall commence said pilot program upon the
149 availability of a statistically significant number of employer and potential employee participants.
150 Prior to implementation of a program, the department of elementary and secondary education
151 and the employer shall enter into an agreement to outline the terms of the program and the
152 department's study. The agreement shall specify the amount of time, on an annualized basis, to
153 be offered to employees and any limitations or conditions on the use of time, including, but not
154 limited to, requirements for notice, limitations in cases of emergency, and rules for evidence of
155 attendance at an academic activity. The agreement shall also specify the length of time that the
156 program shall run and shall outline the data reporting and collection responsibilities of each
157 party. The agreement shall include a statement that it shall be unlawful for an employer to
158 discharge or discriminate against an employee for taking leave under the program. The
159 department of elementary and secondary education shall report the results and findings of the
160 study to the clerks of the House of Representatives and the Senate within six months of
161 completion of the study or at the conclusion of the second year of the study, whichever is less,
162 who shall convey the results and findings to the chairs of the joint committee on education and
163 the chairs of the joint committee on labor and workforce development.

164 SECTION 11. Chapter 741 of the Acts of 1965 is hereby repealed.

SECTION 12. Section 2 shall be effective as of September 1, 2014. From September 1, 2013 until August 31, 2014, all children under the age of 17 shall be required to attend school if they have not graduated from high school.

SECTION 13. Section 3 shall apply commencing the academic school year beginning 2013.

SECTION 14. Section 9 shall apply commencing the academic school year beginning 2013.