



May 1, 2017

To: Tonya Stafford, Educator Licensure Office  
Massachusetts Department of Elementary and Secondary Education

From: Barbara Madeloni, MTA President  
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Subject: Public Comment on Proposed Amendments to Regulations for Educator Licensure  
Renewal 603 CMR 44.00

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Attached are public comments submitted on behalf of the 110,000 members of the Massachusetts Teachers Association regarding the proposed amendments to 603 CMR 44.00. The MTA has reached out to its members to gather input on the proposed amendments through in-person meetings with educators who are impacted by these changes, as well as through surveys and presentations to local associations and their representatives. MTA staff appreciate the accessibility of Department of Elementary and Secondary Education staff members throughout this process.

## Definitions 603 CMR 44.02

### DESE-Proposed Amendments

- New definition of the term *Additional license*.
- Modification of definitions of *Content Area*, *Educator Plan*, *License* and *Primary License*.
- Eliminates the terms *Low-Performing Mathematics Program*, *Mathematics Content Assessment* and *Mathematics Teacher*.

### MTA Response

The MTA agrees with the proposed amendments.

### Additional MTA-Proposed Amendments

Current Language with Red Line Change	MTA Comment
<b>Advanced Academic Study:</b> A course of study in the <del>content area-subject matter knowledge of the license field</del> that is equivalent to an upper-level undergraduate course or a graduate-level course. <del>Department guidelines will provide that upper-level undergraduate courses may qualify for advanced academic study where the content is substantially new to the educator (e.g., elementary teachers addressing content of Curriculum Frameworks).</del>	The MTA proposes deleting language related to defining advanced academic study. Either a course is an upper-level undergraduate or graduate course that is in the subject matter knowledge of the license, or it is not. It is assumed that the subject matter knowledge of the license would include pedagogical practices related to the license.
<b>Guidelines:</b> All Guidelines identified in these regulations shall be developed in consultation with subject matter experts and experienced educators who are licensed in the field of the guidelines. Guidelines will be issued by the Department and approved by the commissioner following a 60-day period of public comment.	The MTA recommends that DESE use the same regulatory definition of <i>Guidelines</i> in the definitions of 603 CMR 44.02 that is used in 603 CMR 7.02. The requirement for a 60-day public comment period prior to issuing guidelines should be consistent across all regulations pertaining to educator licensure.

## General Provisions 603 CMR 44.03

### DESE-Proposed Amendments

- Removes regulatory language that awards 20 Professional Development Points to educators who take a mathematics content assessment.
- Clarifies existing language that pertains to the accrual of PDPs by completing a performance assessment.

### MTA Response

The MTA agrees with the proposed amendments.

# Options for Educators Employed in Massachusetts Public Schools 603 CMR 44.04

## DESE-Proposed Amendments

- Adds new section of regulations.
- Expands existing language to allow educators to utilize an Educator Plan for the purposes of educator evaluation for the Individual Professional Development Plan (IPDP) required for licensure renewal.

## MTA Response

The MTA supports this proposal in concept. The MTA is suggesting alternative language that adds clarity for educators and administrators.

## Additional MTA-Proposed Amendments

MTA-Proposed Amendments in <b>Blue</b> DESE-Proposed Amendments in <b>Red</b>	MTA Comment
<p><b>603 CMR 44.04</b> <b>Individual Professional Development Plans</b></p> <p>For each Professional license issued to an educator, an Individual Professional Development Plan (IPDP) shall be developed by the educator and be subject to approval pursuant to 603 CMR 44.05.</p> <ol style="list-style-type: none"> <li>1. An IPDP must be in place for each of the five years of validity for each Professional license issued to an educator.</li> <li>2. Educators who are employed in the role of a Professional license may use the Educator Plan and associated professional development points (PDPs) earned as related activities to the Educator Plan in lieu of a separate IPDP. Any PDPs accrued under an Educator Plan are not subject to additional approvals pursuant to 603 CMR 44.05.</li> <li>3. An educator may choose to develop a second IPDP to supplement the Educator Plan if the activities under the Educator Plan will not satisfy the requirement for licensure renewal.</li> <li>4. Educators who hold multiple Professional licenses are required to develop an IPDP and obtain approval under 603 CMR 44.05 for each additional license.</li> <li>5. Educators who are not employed in the role of one or more of the Professional</li> </ol>	<p>The MTA proposes a name for this section that accurately reflects the content of the regulations contained here within.</p> <p>The MTA proposes alternative language pursuant to the section to improve clarity and implementation of this provision. This includes a proposed name change to the section that indicates these provisions apply to all educators regardless of their current employment status.</p> <p>The MTA-proposed language adds clarification to the existing requirements for educators to hold an IPDP for each Professional license and to obtain approval for the activities under the IPDP, where required.</p> <p>The MTA is not proposing any new provisions that were not previously set forth under 603 CMR 44.00.</p>

licenses are nevertheless required to maintain an IPDP. However, the IPDP is not subject to administrator approval under 603 CMR 44.05.

~~44.04: Options for Educators Employed in Massachusetts Public Schools:~~

- ~~(1) An Educator employed in a Massachusetts public school may choose to use the use the Educator Plans covering the five years of employment prior to the date of application for license renewal to constitute the Individual Professional Development Plan required by these regulations. If the Educator chooses to use Educator Plans to constitute a Professional Development Plan, the Educator plans:~~
- ~~(a) Shall reflect all professional development activities for which the Educator claims professional development points toward license renewal. If such Educator Plans document fewer Professional Development Points than are required for license renewal, the Educator shall also maintain an Individual Professional Development Plan document to record any additional required Professional Development Points, pursuant to 603-CMR-44.04(2)~~
  - ~~(b) Do not require additional approvals pursuant to 603-CMR-44.05.~~
- ~~(2) An Educator employed in Massachusetts public schools for fewer than five years prior to license renewal may choose to use any Educator Plans in effect during the five year license period along with an Individual Professional Development Plan document to record any additional Professional Development Points required for license renewal. The provisions of 603-CMR-44.05 shall apply to the Individual Professional Development Plan document.~~
- ~~(3) An Educator employed in Massachusetts public schools may choose to create and maintain a Professional Development Plan document entirely separate from any Educator Plans, in which case the provisions of 603-CMR-44.05 shall apply.~~

# Approval of Professional Development Plans 603 CMR 44.05

## DESE-Proposed Amendments

- Clarifies language and removes timelines related to the approval of Individual Professional Development Plans.
- Eliminates language requiring that additional conditions be placed on IPDPs for math teachers in certain schools and districts.

## MTA Response

The MTA agrees with the proposed amendments. The MTA recommends additional amendments in the section below.

## Additional MTA-Proposed Amendments

MTA Proposed Amendments in <b>Blue</b> DESE Proposed Amendments in <b>Red</b>	MTA Comment
<p><b>44.05: Approval of Professional Development Plans</b></p> <p>(1) In accordance with G.L. c. 71, § 38G, educators working in a Massachusetts public school must obtain approval of their proposed professional development plans from their <del>supervisors by the timelines set out in 603 CMR 44.05 (2), and 44.06 (2).</del> <del>Licensed educators working in schools other than Massachusetts public schools are encouraged to seek such approval.</del></p> <p>(a) Supervisors shall approve plans that include proposed activities that are consistent the educational needs of the school or district.</p> <p>(b) Educators are not required to obtain supervisor approval of proposed activities as part of an Individual Professional Development Plan to renew any license under which the educator is not employed.</p> <p>(c) Educators shall obtain supervisor approval of the activities proposed under an Individual Professional Development Plan if such a plan is required to supplement activities set forth under an Educator Plan. The approval should be obtained within a reasonable time period.</p> <p><del>(a) Approval for proposed individual professional</del></p>	<p>The MTA is proposing new language for 44.05 that aligns the process for developing and approving Individual Professional Development Plans with current practice and satisfies the requirements of M.G.L Chapter 71, Section 38G.</p> <p>The MTA-proposed amendment clarifies the role of the educator and supervisor in the development and approval of the IPDP. These amendments also reduce the regulatory burden placed on educators for a requirement that is not enforced by school administrators or DESE.</p> <p>The MTA strongly recommends the removal of language that is unquantifiable and impossible to implement with fidelity. Simplifying the language will allow greater flexibility for educators to apply school-based professional development as part of an Educator Plan to licensure renewal requirements.</p> <p>The MTA recommends a reasonable and flexible timeline for educators to seek approval for an IPDP. For example, a one-year window of time to obtain approval for an IPDP will allow educators to evaluate any gaps that may exist between the activities related to an Educator Plan and the</p>

development plans shall be from the educator's direct supervisor or an appropriate designee. In most instances, this will mean that the plans of teachers and other educators who report to the principal will be approved by the principal, a principal's plan will be approved by the superintendent of schools, and a superintendent's plan will be approved by the chairperson of the school committee.

(b) Professional development activities shall be identified by the educator and supervisor during the development of, and review of, the Individual Professional Development Plan in order to better support student achievement. Approval of a plan shall be based on whether the 80% of the PDPs in the plan that are subject to supervisor approval are consistent with the educational needs of the school and/or district and whether the plan is designed to enhance the ability of the educator to improve student learning, and is based on evidence that it contributes to increased student achievement and growth. A supervisor may consider whether the plan requires an educator to earn PDPs regularly throughout the five year period when evaluating a plan.

The supervisor and educator may determine that Supervisor approval is not required for the same individual PDPs required to renew any additional licenses not used by the Educator at the time of the approval of the Professional Development Plan.

~~(d) Educators working in Massachusetts public schools must obtain initial approval of their professional development plan will be used to satisfy both plans pursuant to 603 CMR 44.00 (educator05 (1) within three months of issuance of the license renewal) and 603 CMR 35.00 (educator evaluation).to be renewed~~

~~(e)~~ Approval of individual professional development plans shall not be unreasonably withheld. In the event that a plan is rejected by a supervisor, teachers and other educators who report to the principal may seek review of the

licensure renewal requirements.

<p>denial from the superintendent of schools, principals may seek review from the school committee chairperson, and superintendents may seek review from the Department. An educator may then seek additional review from the Department, according to the provisions of 603 CMR 44.10.</p>	
<p><del>(2) A supervisor shall review each individual professional development plan at least every two years. A supervisor shall review the professional development plan of any educator new to the district or school within three months of the educator's beginning employment in the new position. A supervisor may require an educator to amend the plan or may withdraw approval for a plan that had been previously approved, provided, however, that any PDPs that were earned consistently with an approved plan shall be deemed approved in applying for license renewal. Any PDPs that are earned prior to the approval of a plan may be subject to disapproval, if in the opinion of the educator's supervisor, the PDPs are not consistent with the educational improvement goals of the school and/or district.</del></p>	<p>This provision has not been enforced by DESE policies or practices. School administrators are not required to demonstrate an understanding of the requirements of this provision, nor are they held accountable for educator's Individual Professional Development Plans in any capacity. This provision is not required under M.G.L. Chapter 71 Section 38G.</p> <p>The MTA recommends eliminating this language. The rationale for eliminating the language is further bolstered by the option of using the Educator Plan for licensure renewal requirements.</p>
<p>(3) Prior to applying to renew a Professional license, educators shall obtain a signature from a supervisor confirming that activities completed toward licensure renewal are consistent with the plan. The educator remains responsible for the final accounting of professional development points applied towards licensure renewal.</p> <p><del>A supervisor's signature will indicate that the supervisor has reviewed the log of professional development activities maintained by the educator to ensure that the reported activities are consistent with the approved professional development plan.</del></p> <p>An educator whose supervisor refuses to sign a professional development plan may follow the review procedures set out in 603 CMR 44.04(1)(d) and 44.10.</p>	<p>The MTA-proposed language simplifies and clarifies the requirements for a final signature.</p>

## Provisions Applicable to Licenses Renewed Before July 1, 2016

### DESE-Proposed Amendments

- Eliminates sections of regulations that are no longer applicable.

### MTA Response

The MTA agrees with these proposed amendments.

## Provisions Applicable to Licenses Renewed on or After July 1, 2016 603

### CMR 44.06

### DESE-Proposed Amendments

- Changes regulatory language to align with other amendments proposed by DESE.
- Changes the distribution requirements of Professional Development Points to a total of 150 PDPs, with a minimum of 15 PDPs in the content area of the license, 15 PDPs in pedagogy, 15 PDPs in strategies for teaching students with disabilities, and 15 PDPs in English as a second language or Sheltered English Immersion.
- Adds regulatory language to require active licensure as a Registered Nurse or a Speech Language Pathologist as part of the renewal requirements of related professional licenses.

### MTA Response

The MTA agrees with the changes to the distribution of PDPs. The MTA proposes additional clarifying language below.

### Additional MTA-Proposed Amendments

MTA Proposed Amendments in <b>Blue</b> DESE Proposed Amendments in <b>Red</b>	MTA Comment
<p><b>44.06: Provisions applicable to licenses renewed on or after July 1, 2016</b></p> <p><b>Professional Development Requirements</b></p> <p><del>(1) Professional development activities shall be identified by the educator and supervisor during the development of, and review of, the Individual Professional Development Plan in order to better support student achievement.</del></p> <p>(1) Educators applying to renew a Primary license are required to complete:</p> <p>(a) At least 15 PDPs related to SEI or</p>	<p>The language in this section is related to the required professional development activities. The DESE-proposed language conflates the approval of a plan and the actual activities that fulfill the requirements of an Individual Professional Development Plan.</p> <p>As written, a conflict arises when educators use an Educator Plan rather than an Individual Professional Development Plan for meeting licensure renewal requirements. The MTA-proposed clarifications will reduce the regulatory burden on educators, simplifying the requirements for licensure renewal without removing any requirements.</p>

<p>English as a Second Language.  (b) At least 15 PDPs related to training in strategies for effective schooling for students with disabilities and instruction of students with diverse learning styles.  (c) At least <del>90</del>15 PDPs in the content area of the license <del>or in pedagogy, with no less than 60.</del>  (d) At least 15 PDPs in pedagogy <del>or related to the content area of the educator's primary license</del></p>	
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## Inactive and Invalid Licenses 603 CMR 44.07

### DESE-Proposed Amendments

- Updates language to clarify the employability of an educator who holds an Inactive license.

### MTA Response

The MTA agrees with the proposed amendments.

### Additional MTA-Proposed Amendments

None

## Application Process 603 CMR 44.08

### DESE-Proposed Amendments

- Updates language to clarify the requirements for renewing a Professional license and to match current DESE policy requirements.

### MTA Response

The MTA agrees with the proposed amendments.

### Additional MTA-Proposed Amendments

None

## **Documentation and Record Keeping 603 CMR 44.09**

### **DESE-Proposed Amendments**

- Updates language to align with proposed amendments that require educators to maintain copies of all documents related to licensure renewal.

### **MTA Response**

The MTA agrees with the proposed amendments.

### **Additional MTA-Proposed Amendments**

None

## **Reconsideration 603 CMR 44.10**

No proposed amendments.

## **Failure to Satisfy Renewal Requirements 603 CMR 44.11**

### **DESE-Proposed Amendments**

- Addition of the following language:

Alternatively, if the Department determines that the Educator has intentionally submitted a false application or documentation, the department may seek to take action up to an including license revocation pursuant to 603 CMR 7.15(8).

### **MTA Response**

The MTA opposes the inclusion of this additional language under 603 CMR 44.11. This language duplicates the provisions set forth under 603 CMR 7.15(8). DESE already enjoys the right to investigate accusations of fraud or misconduct. There is no need to duplicate this language.

## **Hardship Waiver or Modification 603 CMR 44.12**

No proposed amendments