*****Massachusetts Department of***

***Elementary and Secondary Education***

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| Jeffrey C. Riley  *Commissioner* |  |

**Massachusetts Education Collaborative Regulations 603 CMR 50.00**

Summary of Proposed Changes

September 29, 2020

**50.01 Authority, Scope and Purpose**

**(2) Scope** – clarifies the governing authority of the Department.

**50.02 Definitions**

Proposed

**Educational Collaborative Regions**: In accordance with section n of M.G.L. c. 40, § 4E, the Board in consultation with the Massachusetts Organization of Education Collaboratives (MOEC) shall establish no more than 6 regions representing a geographic area of the state. These regions will provide for the efficient communication between MOEC, regional and local interests, collaboratives, and the Department.

**Lead Education Collaborative:** The Board of Elementary and Secondary Education, in consultation with MOEC, may designate a lead collaborative in each region to provide support for the implementation of initiatives, as applicable.

**Regional Liaison:** One collaborative from each Educational Collaborative Region shall be designated by a majority vote of executive directors of the collaboratives within each region to serve as a Regional Liaison to the Department. Representatives of the Regional Liaisons shall provide for the efficient communication, networking, and partnership among MOEC, regional and local interests, collaboratives, and the Department.

Updated

**Appointed Representative:** This definition has been updated to include the annual appointment of board members.

**Non-Member District:** This definition has been corrected to state that a non-member district is not a member of the collaborative.

**50.03 Departmental Approval**

**(2) Existing Collaboratives** -This paragraph is no longer relevant. Removed.

Subsequent sub-paragraphs are renumbered accordingly.

**(3) Amending a Collaborative Agreement**

**(a)** clarifies that all amendments shall be approved by votes of the member schoolcommittees and charter school boards.

**(4) Department’s Review of a Collaborative Agreement or Amendment**

**(a)** Reference to model agreement, no longer relevant. Deleted.

**(b)(2)** clarifies that the collaborative agreement shall include program areas and services to be offered by the collaborative.

**(5) Required Documentation for Board of Approval**

**(a)(5)** Clarifies documentation shall include a description of proposed program areas.

**(a)(6)** Removes the requirement to include current or planned locations of programs.

* 1. **Collaborative Responsibilities**

**(2) Responsibilities of Appointed Representatives**

**(c)(1)** Adds reporting on regional collaborative efforts consistent with the statute.

**(3) Responsibilities of the Collaborative Board of Directors**

**(d)(3)** Adds the consideration of regional needs and opportunities to listed board responsibilities.

Subsequent responsibilities renumbered accordingly.

**(4) Appointee of Commissioner**

This section updates the language regarding the role of the Commissioner’s appointee to conform with the changes in statute.

**(a)** Substitutes liaison for representative.

**(b)** Substitutes liaison for appointee.

**(c)** Deleted, removing the language about appointee voting rights and responsibilities.

**50.06 Collaborative Employees**

Adds clarifying language regarding the segregation of duties of collaborative employees.

**(2),(4) Segregation of Duties**

Clarifies the roles of collaborative staff.

**(3) Executive Director**

**(c)** Adds language about the selection of a Regional Liaison to reflect the changes in statute and regulation.

**50.07 Finance**

**(5) Creating the Annual Budget**

**(c)** Adds language clarifying that surcharges are to be included in the budget, if applicable.

**(7) Amendments to Approved Budgets**

**(b)** Adds language clarifying that non-member surcharges are to be included in budget amendments, if applicable.

**(10) Capital**

**(c)** Clarifies that both deposits to and withdrawals from the capital reserve must be proposed through the budget process.

**50.08 Reporting**

**(1) Annual Report**

**(c)** clarifies that annual reports should include progress made toward achieving the objectives and purposes set forth by the collaborative.

**50.10 Probationary Status, Suspension and Revocation**

This section is being renamed and updated to include the ability to impose conditions as criteria to inform the designation of probationary status, suspension and revocation. Subsequent sub-paragraphs have been renumbered accordingly.

1. **Conditions**: The Board or Commissioner may impose conditions on an education collaborative for the grounds provided in 603 CMR 50.10 (2)(a)(1-6). The Board or Commissioner may impose conditions on the education collaborative that require the education collaborative board of directors to address specific areas of concern.

As a result of the addition, numbered sections and citations have been revised accordingly.

**(2) Probationary Status**

**(a)** clarifies that the Commissioner may place an education collaborative on probationary status, if in his or her judgement, the imposition of a condition alone is insufficient to address the area(s) of concern.

**(a)(4)** permits the Commissioner to impose conditions or probationary status if the collaborative demonstrates the inability or the refusal to comply with the provisions of M.G.L. c. 40, § 4E, 603 CMR 50.00, or the terms of the approved collaborative agreement.

**(b)** clarifies to whom the Commissioner will provide written notification, if an education collaborative is placed on probationary status.

**(c)** grammatical change for agreement.

**(3) Suspension or Revocation**

**(c)** clarifies to whom the Board shall provide written notification in the event of a Board vote to suspend or revoke the approval of a collaborative agreement and updates the existing citation to reflect formatting changes.

**(d)** clarifies the rights of the collaborative board of directors upon receipt of a notice of intent from the Board to suspend or revoke the approval of a collaborative agreement.

**50.11 Dissolution**

**(2) Termination Procedures**

This section is reorganized to clarify that 50.11(2) applies to all instances of termination.

**(a)** Language updated for grammatical agreement.

**(a)(5)** adds language pertaining to the documentation of the secure disposal of all electronic items used by or containing personally identifiable student and personnel information.

**(b)** Language updated for grammatical agreement.

**50.12 General Provisions**

Updates to regulatory authority information and dates

**(1) Waivers:** Clarification of the conditions required to receive a waiver.

**(3)** **Implementation Dates** – No longer relevant. Delete.

We anticipate that the Commissioner will bring the draftregulations to the Board of Elementary and Secondary Education in April 2020. The draft regulations will be published for public comment, with final action by the Board expected after the period of public comment.