*****Massachusetts Department of***

***Elementary and Secondary Education***

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| Jeffrey C. Riley  *Commissioner* |  |

# MEMORANDUM

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| **To:** | Members of the Board of Elementary and Secondary Education |
| **From:** | Jeffrey C. Riley, Commissioner |
| **Date:** | June 23, 2023 |
| **Subject:** | Amendments to Regulations for Educator Licensure and Preparation Program Approval, 603 CMR 7.00 |

On April 25, 2023, the Board of Elementary and Secondary Education (Board) voted to solicit public comment on proposed amendments to 603 CMR 7.00. I am recommending that the Board adopt the amendments with several modifications, primarily based on the public comments that the Department of Elementary and Secondary Education (Department) received. I have enclosed a summary of the comments and the Department’s responses. All comments are available upon request. I recommend that the Board vote on June 27, 2023 to adopt the proposed amendments including some modifications.

**Background**

At the April 2023 Board meeting, the Board voted to release for public comment proposed amendments to the Regulations for Educator Licensure and Preparation Program Approval, 603 CMR 7.00.

The initially proposed amendments would have expanded options for licensure as follows:

* Allow educators with Initial and Professional licenses to obtain Provisional licenses in certain fields;
* Create a new grade span, PreK-2, for two licenses: teacher of students with moderate disabilities and teacher of students with severe disabilities;
* Permit applicants for Provisional licenses to meet a requirement through demonstrating knowledge, as an alternative to meeting the requirement by taking a course or seminar; and
* Create a new Provisional license for school nurses.

These proposals are designed to enable more educators to enter fields in which school districts report major staffing challenges, while maintaining key qualifications for educators seeking these licenses.

**Overview of Comments Received**

The public comment period closed on June 2, 2023. In total, the Department received comments from over 350 commenters, most of whom were individuals, including the following roles: teacher/instructional coach, audiologist, speech pathologist, advocate, interpreter, district/school administrator, educator preparation faculty/administrator, physician, parent/community member, and student. The following organizations also submitted a group/organization response:

* Alliance of Massachusetts YMCAs
* American Federation of Teachers-Massachusetts
* Bay State Council for the Blind
* Center for Law & Education
* Council on Education for the Deaf
* Lasell University
* Massachusetts Advocates for Children
* Massachusetts Association of Approved Special Education Schools
* Massachusetts Organization of Educational Collaboratives
* Massachusetts School Nurses Organization
* National Association for the Deaf
* National Federation of the Blind Massachusetts
* Massachusetts Teachers Association
* The Learning Center for the Deaf Parent Association Board
* Wheelock School of Education, Boston University, Faculty of Deaf Studies

While the level of agreement varied across the different amendments, in general commenters were in favor of the proposed changes except for permitting teachers with an Initial or Professional license to add a Provisional license as either a Teacher of the Deaf and Hard-of-Hearing or a Teacher of the Visually Impaired. The Department has made some modifications based on the comments. Attached is a summary of the comments and the Department’s analysis and responses.

**Recommendation**

In response to public comments, the Department is proposing changes to the amendments in items #1 and #4 below. In addition, the Department is proposing a small modification to item #2.

1. **Proposed amendments to allow Initial and Professional license holders to obtain a Provisional license in special education areas and in English as a Second Language.**

The Provisional license is an entry license, generally granted to an individual who has passed the required Massachusetts Test for Educator Licensure (MTEL) tests and holds a bachelor’s degree. Provisional license holders need to complete an approved educator preparation program to advance to an Initial license. Currently, teachers with Initial or Professional licenses are unable to obtain a Provisional license in any new field because the regulations require that their first license in a new field be at the level (Initial or Professional) of their current license.

As initially proposed, the amendments would have allowed educators with Initial or Professional licenses, who have at least two years of experience modifying curriculum for students with disabilities, to obtain a Provisional license as Teacher of Students with Moderate Disabilities, Teacher of Students with Severe Disabilities, Teacher of the Deaf and Hard-of-Hearing, or Teacher of the Visually Impaired. Provisional licenses in English as a Second Language (ESL) would also have been available to educators who hold Initial or Professional licenses in other fields.

To obtain these Provisional licenses, the applicant must demonstrate the required subject matter knowledge for the license sought. For example, an educator seeking a license in ESL must pass the ESL MTEL test. Provisional license holders who wish to advance their licenses to the Initial or Professional level in these fields also need to complete an internship of 150 hours.

The Department received significant public comment in opposition to the proposal to allow holders of Initial or Professional licenses to add Provisional licenses in the fields of Teacher of the Deaf and Hard-of-Hearing and Teacher of the Visually Impaired. In response to these comments, these fields have been removed from the proposed amendments. Under the modified amendment, Provisional licenses will be available in the fields of Teacher of Students with Moderate Disabilities (PreK-2), (Prek-8) and (5-12), Teacher of Students with Severe Disabilities (PreK-2) and (all), and ESL (PreK-6) and (5-12).

The Department also received several comments that recommended adding an experience requirement for initially or professionally licensed teachers to add a Provisional license in ESL. In response to these comments, the revised proposed regulations now require an applicant holding an Initial or Professional license to have at least two years of experience in second language acquisition and sheltering content for English learners in order to add a Provisional license in ESL.

1. **Proposed amendments to create a new grade span, PreK-2, for two licenses: Teacher of Students with Moderate Disabilities and Teacher of Students with Severe Disabilities.**

The Department offers an Early Childhood license, for teaching in Pre-Kindergarten through second grade, that requires passing the Communication and Literacy Skills, Foundations of Reading, and Early Childhood MTEL tests. To obtain the Moderate Disabilities PreK-8 license, the required MTEL tests are Communication and Literacy Skills, Foundations of Reading, and General Curriculum. To obtain the Severe Disabilities PreK-8 license, the required MTEL tests are Communication and Literacy Skills and General Curriculum.

Under the amendment as proposed in April, the Department would have accepted either the Early Childhood or General Curriculum MTEL tests for the PreK-2 special education licenses. Individuals pursuing the PreK-2 special education licenses would also need to demonstrate the subject matter knowledge of moderate or severe disabilities.

The Department has modified the proposed amendment to remove the option of passing the General Curriculum test as one of the two acceptable subject matter tests to obtain a PreK-2 license in moderate disabilities or severe disabilities. The Early Childhood MTEL test is better designed for this license, as it includes elements such as child development and the science of early learning.

1. **Proposed amendments to permit Provisional licensure applicants to meet a requirement through a demonstration of knowledge, as an alternative to meeting the requirement by taking a course or seminar.**

To obtain elementary, early childhood, and special education Provisional licenses, applicants must complete a course or seminar “on ways to prepare and maintain students with disabilities for general classrooms.” The Department proposes to allow applicants to meet this requirement by means of demonstrated knowledge gained through experiences, such as the [Structured Guidance and Supports](https://www.doe.mass.edu/licensure/academic-prek12/sgs/) performance-based assessment, in an appropriate classroom.

While the Department is not recommending any changes to these amendments, consistent with comments received, the Department will issue an advisory to inform applicants of how to satisfy this requirement and will provide instructions and a template for districts to complete to document an applicant’s satisfaction of the requirement.

1. **Proposed amendment to create a new Provisional license for school nurses.**

In the health care industry and in our schools, nurses are in high demand. Creating a Provisional license for school nurses will streamline entry for qualified nurses who wish to serve students in our schools. Under the original proposal, candidates for the Provisional School Nurse license would need to pass the Communication and Literacy Skills MTEL test and possess a bachelor’s degree or master’s degree in nursing as well as a valid license as a Registered Nurse (RN). While employed under the Provisional license, the school nurse would have needed to complete the required orientation program and gain two years of experience under their RN license in a child health, community health, or other relevant clinical nursing setting to advance to an Initial license.

Based on public comment, the Department has revised the proposed amendment to specify that applicants for a Provisional School Nurse license must also complete portions of the required [orientation program](https://cme.bu.edu/shield.bu.edu) for school nurses approved by the Department of Public Health and identified by the Department in guidance. At the outset, the Department anticipates requiring 2 of the 4 segments: Foundations of School Nursing Practice and Medication Administration in a School Setting. As revised, the proposed amendment provides flexibility in specifying the required segments of the orientation program, as the program may change over time.

Russell Johnston, Deputy Commissioner, Jamie Camacho, Director of the Office of Special Education Planning and Policy; Brian Devine, Director of Educator Licensure; Liz Losee, Director of Educator Effectiveness Policy; and Lucy Wall of our legal staff will join us for the discussion at the June 27 meeting.

Enclosures: Summary of Public Comments Received and Department Responses

603 CMR 7.00 –Redlined regulation showing amendments and additional changes

Motion