

**Minutes of the Regular Meeting
of the Massachusetts Board of Elementary and Secondary Education**

**June 23, 2009
8:45 a.m. – 12:30 p.m.**

**Department of Elementary and Secondary Education
75 Pleasant Street
Malden, MA**

Members of the Board of Elementary and Secondary Education Present:

Maura Banta, Chair, Melrose
Harneen Chernow, Vice Chair, Jamaica Plain
Gerald Chertavian, Cambridge
Andrew “AJ” Fajnzylber, Chair, Student Advisory Council, Brookline
Thomas E. Fortmann, Lexington
Beverly Holmes, Springfield
Jeff Howard, Reading
Ruth Kaplan, Brookline
Paul Reville, Secretary of Education, Worcester
Sandra L. Stotsky, Brookline

Mitchell D. Chester, Commissioner of Elementary and Secondary Education, Secretary to the Board

Member of the Board of Elementary and Secondary Education Absent:

Dana Mohler-Faria, Bridgewater

Chair Maura Banta called the meeting to order at 8:45 a.m.

Comments from the Chair

Chair Banta thanked Board members for a thoughtful conversation around accountability during the previous night's special meeting. The chair reported on opportunities she had to represent the Board over the past month, including through meetings with Junior Achievement of Massachusetts and the Gates Foundation, testifying with Commissioner Chester at the Joint Committee on Education oversight hearing on approval of the Gloucester Community Arts Charter School, visiting Boston Preparatory Charter School with Board member Tom Fortmann and the commissioner, serving on a panel for the first cohort of Teach for America, and attending the STEM summit at the Museum of Science. The chair said this would be the Board's last regular meeting of the year, and announced that the Board would next meet on August 13th at Bridgewater State College for a 90-minute business meeting followed by the Board's annual retreat.

Comments from the Commissioner

Commissioner Chester welcomed the newly elected student member of the Board, Michael D'Ortenzio Jr. from Wellesley High School, and again thanked AJ Fajnzylber for his service during his term, which expires on June 30th. Commissioner Chester provided an update on the Gloucester charter school hearing, the Department's response to the U.S. Department of Education regarding the Bureau of Special Education Appeals, and new guidance on the 180-day school year.

Comments from the Secretary

Secretary Reville said he appreciated the prior night's session on accountability. The secretary said that the Governor has received the Legislature's Conference Committee Report on the FY10 state budget, and is awaiting legislative action on ethics reform. The secretary said that he joined the Governor in North Carolina for a National Governors Association / Council of Chief State School Officers conference where USED Secretary Arne Duncan talked about the Race to the Top funds and work on the voluntary national standards. The secretary said that he continues to meet with the Child and Youth Development Cabinet, which is working to build a longitudinal data system to follow students' progress throughout their educational careers.

Comments from the Public

- Eve Sullivan, Parents Forum, addressed the Board on parenting resources.
- Michael Morrisey, a parent from Lexington, addressed the Board on the Lexington Public Schools.
- Dr. Michaela Colombo, English Language Learners/Bilingual Education Advisory Council, addressed the Board on English language learners.
- Marc Kerble, Assistant Superintendent of the Winchester Public Schools, addressed the Board on Reading Recovery.
- Gerry Mroz, a parent from Melrose, addressed the Board on achievement gaps.
- Betsy Tregar, Massachusetts Association of Teachers of Speakers of Other Languages (MATSOL), addressed the Board on English language learners.
- Dr. Laurie Zucker-Conde, Massachusetts Association of Bilingual Educators, addressed the Board on English language learners and the achievement gap.
- Kathleen Clancy, a parent from Gloucester, addressed the Board on the Gloucester oversight hearing.

Approval of the Minutes

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education approve the minutes of the May 19, 2009 regular meeting.

The vote was unanimous.

Update on State Education Budget and Federal Stimulus Funding for Education

Commissioner Chester said the final budget from the Legislature's Conference Committee is now in the hands of the Governor, who has ten days to review it. The commissioner said the budget represents for the Department an \$87 million reduction from the Governor's recommended revised budget, and a \$200 million decrease from the current year's appropriation after the 9C cuts. The commissioner said the major variance is the Chapter 70 line, which amounts to a \$79 million cut. The conference committee budget includes a 2 percent cut in what each local district would receive, with restoration to the foundation level through federal stabilization funds. The commissioner said that the budget does include the consolidated literacy line that the Board requested, although the funding level was reduced. He commended the Governor and Legislature for protecting education funding as much as they did at a time of declining state revenues.

Secretary Reville said the Governor is awaiting legislative action on ethics reform. The secretary said that the Governor's revised House 1 budget was based on a conservative estimate of revenues available.

Second Report from Advisory Council on School and District Accountability and Assistance

Joe Esposito, chair of the Board's Accountability and Assistance Advisory Council (AAAC), presented the council's findings and recommendations to the Board. The AAAC has met seven times since November 2008, and its recommendations and suggestions have been incorporated into the new accountability and assistance system.

Mr. Esposito said the council held considerable discussion to bring more focus, flexibility, and integration to the standards, and to reduce and prioritize the indicators. He said the council was pleased with the responsiveness of the deputy commissioner and Department staff, and the council believes the new system is ready to launch. He added that the data profile was very well received by the council. Mr. Esposito said the cut in funding in the FY10 budget seemed to be a mismatch with the statutory requirement of conducting 40 school district audits. Chair Banta thanked Mr. Esposito and the advisory council for the active and constructive role they have played in helping to reshape the accountability system.

Board member Sandra Stotsky asked whether the graphs on accountability and assistance would be sent to all PTOs for comment. Mr. Esposito said that had not been discussed up to this point.

Educational Leadership: Proposed Policy Standards for Principals, Superintendents, and Other Leadership Roles

Commissioner Chester asked the Board to approve a set of policy standards for educational leadership that will become the foundation for drafting amendments to the

licensure regulations, performance indicators, performance assessments for educational leaders, and guidelines for preparation programs. The commissioner said the Department has received very generous support from the Wallace Foundation for this work. The Department has worked closely with two districts, Springfield and Boston, to pilot the proposed policy standards. The Department's Associate Commissioner for Educator Policy, David Haselkorn, said the goal is to develop a new performance-based approach to administrator preparation and licensure based on the key knowledge, skills, and dispositions that educational leaders need to ensure learning-focused schools.

Board member Sandra Stotsky offered a friendly amendment to the motion to incorporate the Board's mission statement and language reflecting the equity standard in the current regulation. The motion was seconded, and Commissioner Chester said he supported the amendment. He said it directs the Department to reflect, as appropriate, the mission statement and equity standard in the new regulations and performance indicators. Dr. Stotsky agreed. By consensus, Board members accepted the amendment to the motion.

Ms. Kaplan suggested that more specificity in terms of bilingual and special education learners might be added to the language. Dr. Howard said the Proficiency Gap task force discussed this issue on June 22 and concluded it was preferable to focus on the key issues of gaps, and to organize around those, rather than to focus on groups.

Vice Chair Chernow said it is exciting to see the proposal on leadership standards move forward. She said effective school leadership is central to closing the proficiency gap, and the leadership standards should be connected with the work of the proficiency gap committee.

On a motion, as amended, duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education, in accordance with Chapter 69, Section 1B and Chapter 71, Section 38G of the Massachusetts General Laws, hereby approve the Policy Standards for Principals, Superintendents, and Other Leadership Roles, as presented by the Commissioner. These policy standards establish the core areas that are applicable to all educational leadership roles and at all stages:

- 1. Learning and Instruction: The education leader promotes the success of all students and staff by cultivating a shared vision that makes powerful teaching and learning the central focus of schooling.**
- 2. Management and Operations: The education leader promotes the success of all students and staff by ensuring management of the organization, operations, and resources for a safe, efficient, and effective learning environment.**
- 3. Family and Community Partnerships: The education leader promotes the success of all students and staff through partnerships with**

families, community members, and other external stakeholders that support the mission of the school and district.

4. **Ethical and Reflective Leadership:** The education leader promotes the success of all students and staff by providing ethical, culturally proficient, skilled, and reflective leadership.

Further, that the Board of Elementary and Secondary Education direct the Commissioner to use the policy standards as the foundation for developing:

- Amendments to the regulations on educator licensure and preparation program approval (603 CMR 7.00)
- Role- and stage-specific performance indicators that would be used to approve leadership preparation programs and to license novice and experienced educational leaders
- Performance assessments for novice and experienced leaders, based on the performance indicators
- Guidelines to be used to strengthen the preparation, recruitment, evaluation, and ongoing professional development of education leaders and their selection as mentors, coaches, and turnaround leaders.

The commissioner shall ensure that the regulatory amendments and performance indicators reflect the intent of the Board's mission statement: "To strengthen the Commonwealth's public education system so that every student is prepared to succeed in postsecondary education, complete in the global economy, and understand the rights and responsibilities of American citizens."

Further, the Commissioner shall ensure that the regulatory amendments and performance indicators include, for each educational leadership role, as appropriate, the equity standards for administrators that are currently included in 603 CMR 7.10 (2) (c) 1–6:

1. Assures presence and quality of educational programs that address the needs, interests, and abilities of all students.
2. Provides programs or activities that help all students acquire a positive civic identity and see themselves as integral members of our civic communities.
3. Fosters understanding that effort is a key factor in achievement.
4. Helps all students see themselves as unique individuals responsible for their own actions.
5. Assures high academic expectations for all students.
6. Holds teachers, students, and self to high standards of performance and behavior.

The Commissioner will present proposed amendments to the regulations to the Board for review and approval (following a public comment period) in accordance with the Administrative Procedure Act. The Commissioner further will report to the Board on the completed draft performance indicators and professional dispositions as they are developed for each role and stage, and will include an appropriate process of public review and comment period for them.

The vote was unanimous.

The commissioner said he expects to present draft regulatory amendments to the Board in the early winter.

Annual Performance Evaluation of the Commissioner

Chair Banta thanked Board members Harneen Chernow, Beverly Holmes, Ruth Kaplan, and Tom Fortmann for serving on the evaluation committee. They met twice by telephone to evaluate the commissioner's performance. The chair said that the committee gave Commissioner Chester an overall rating of "Meritorious." Chair Banta read from the committee's report and said she was amazed at how the commissioner embraced so many of the issues and rose to the challenge in exemplary fashion in each and every case. The chair commended the commissioner for his communication with Board members, including a weekly summary and monthly phone calls.

Board member Gerald Chertavian said the Commonwealth is fortunate to have the service of the commissioner. Mr. Chertavian said he has been struck by the commissioner's ability and willingness to communicate and his responsiveness, and applauded the commissioner for changing the Department's organizational structure and for the individuals he has recruited to his staff. Mr. Chertavian suggested there might be some quantitative measures to think about as part of the commissioner's future performance assessment.

Board member Beverly Holmes said it is truly a pleasure to work with Commissioner Chester, and thanked him for being so open to coming to western Massachusetts. Vice Chair Harneen Chernow said that the commissioner came on board at a challenging time, given the new structural mechanisms involved with the creation of the Executive Office of Education, and some feelings in the field that the Department was more focused on accountability than assistance. Ms. Chernow said Commissioner Chester has done a lot of work to rebuild partnerships and relationships in the field as well as at the Department.

Board member AJ Fajnzylber thanked the commissioner on behalf of students for his commitment to the State Student Advisory Council and students in general. Board member Sandra Stotsky thanked the commissioner for his extensive communication to the Board, including regular messages and a monthly round of telephone calls. Dr. Stotsky also said she appreciated the strong stand that Commissioner Chester has taken on maintaining high standards.

Board member Tom Fortmann said the commissioner has thoroughly validated the Board's decision of a year ago, and that the commissioner has been very responsive. Dr. Fortmann said that he has appreciated how available staff has been, and that the commissioner has been a dynamo in establishing relations with the field. Board member Jeff Howard thanked Commissioner Chester for his adaptiveness to new ideas and structures. Board member Ruth Kaplan said she appreciated the commissioner's openness to criticism and his excellent communication. She suggested that the commissioner consider ways to use the Board's advisory councils to help accomplish various goals.

Secretary Reville said that Commissioner Chester has been equal to or has exceeded the high expectations when he started. The secretary said the commissioner has found a way to thrive and move forward in spite of a budget that has created an unusual strain. Secretary Reville commended the commissioner's presence on the national education scene, and added that he is proud of how the commissioner has represented the state and the appointments he has made to his senior team. The secretary said the commissioner has established a wonderful platform for future progress.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education approve the Commissioner's performance rating of "Meritorious" as recommended by the Board's committee.

The vote was unanimous.

Commissioner Chester said it is a tremendous privilege to serve the Commonwealth as commissioner, and he thanked Board members for their endorsement and the feedback he received. The commissioner also thanked the staff at the Department for their expertise, dedication, and support.

Approval of Non-Operating School Districts

a. Approvals for 2009-2010

Chair Banta said that the issue of approval of non-operating school districts is one that comes before the Board each year. By statute, towns that do not operate their own public schools (generally because the town is too small and is not a member of a regional school district) must request and receive approval annually from the Board to tuition their students to public schools in other towns.

Dr. Fortmann asked what the typical student population in these districts is. Associate Commissioner Jeff Wulfson said the population can range from half a dozen students (Gosnold) to several hundred (Berkley, Nahant).

On a motion duly made and seconded, it was:

VOTED: That the following public school districts, in accordance with provisions of Chapter 71, sections 1, 4 and 6, be permitted not to maintain certain public schools for the school year 2009-2010 and to tuition their students to other school districts for said year.

<u>SCHOOL DISTRICT</u>	<u>GRADES</u>
Acushnet	9-12
Berkley	9-12
Clarksburg	9-12
Devens	PK-12
Erving	7-12
Farmington River Regional (Otis/Sandisfield)	7-12
Florida	9-12
Gosnold	
Cuttyhunk	9-12
Naushon Islands	PK-12
Granville	9-12
Hancock	7-12
South Hancock	K-12
Monroe	K-12
Mount Washington	K-12
Nahant	7-12
New Ashford	K-12
Richmond	9-12
Rowe	7-12
Savoy	6-12
Shirley	9-12
Truro	7-12
Tyringham	K-12

The vote was unanimous.

b. Delegation to Commissioner for Future Approvals

Chair Banta said in an effort to further streamline the Board's work, the Board would vote on a recommendation to allow the commissioner to make these decisions on approvals of non-operating school districts annually and report back to the Board.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education authorize the Commissioner, in accordance with General Laws c. 15, § 1F, paragraph 3, to act on behalf of the Board in approving the annual

requests submitted by the superintendents and school committees of towns that do not operate their own schools and seek to tuition their students to public schools in another town, per General Laws c. 71, §§ 1, 4 and 6 ; provided that the Commissioner shall report to the Board on the school districts that have been so approved.

The vote was unanimous.

Schedule for Regular Board Meetings through June

The commissioner presented the following schedule for regular Board meetings through June 2010:

- Thursday, August 13, 2009, Regular Meeting, 9 a.m. / Board Retreat, 11 a.m. – Bridgewater State College
- Tuesday, September 22, 2009
- Tuesday, October 27, 2009
- Tuesday, November 17, 2009
- Tuesday, December 15, 2009
- Tuesday, January 26, 2010
- Tuesday, February 23, 2010
- Tuesday, March 30, 2010
- Tuesday, April 27, 2010
- Tuesday, May 25, 2010
- Tuesday, June 22, 2010

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education approve the schedule of regular meetings through June 2010, as presented by the Commissioner.

The vote was unanimous.

Report from Parent & Community Education and Involvement Advisory Council

Margaret O'Hare, chair of the Board's Parent and Community Education and Involvement Advisory Council, and council members Abby Weiss, executive director of Full-service Schools Roundtable, and Kim Hunt, president of the Massachusetts PTA, presented draft guidelines on parent and community involvement. Ms. O'Hare said the council was mindful of the commissioner's charge to councils to relate their work to closing the proficiency and expectations gap. Ms. Weiss said that family engagement in the early years lays the foundation for literacy, and that Massachusetts should adopt family and community engagement standards. Ms. Hunt said that the draft Parent Community Policy was based on the following national PTA standards: (1) welcoming all stakeholders; (2) communicating effectively; (3) supporting student success; (4) valuing each child and youth; (5) sharing power and responsibility; and (6) partnering with the community. Ms.

O'Hare said the council is seeking input from the Board on whether it is on the right track.

Ms. Kaplan said these guidelines are important. Dr. Stotsky suggested that the guidelines be aligned with the Board's mission statement. Dr. Stotsky also said it would be helpful if the group included participants from PTOs. Dr. Stotsky said that if the council wants to reach parents, they need to reach out to PTOs, which reach over 90 percent of parents. Ms. Hunt said that PTOs are one of the first places the council will start with to make sure they are aware of the guidelines.

Secretary Reville said that closing achievement gaps depends on schools being more successful at including families. The secretary said it is important not to mistake parent activism with the kind of parent involvement at home that creates a more supportive learning environment for children. He urged a focus on effective practices for early language development, early childhood education, and strengthening the home environment for learning. He noted that early education has provided funding for home visitation to build a learning rich environment. Dr. Howard said the issue of closing gaps includes a focused, energized set of engagements to help families take responsibility for seeing their children make progress in school. Ms. Kaplan said that some parents feel intimidated by schools, and schools must be welcoming to parents. Dr. Fortmann underscored Secretary Reville's point that there is a difference between parent activity at school and activity at home supporting a student.

Commissioner Chester said that he would take the advisory council's draft back to Department staff to look at the recommendations against existing Department activities, and then report back to the Board in the fall.

State Student Advisory Council End-of-Year Report

Board member AJ Fajnzylber presented the end-of-year report from the State Student Advisory Council, which included a review of activities of the council's workgroups.

Next Meeting

The next meeting of the Board of Elementary and Secondary Education is scheduled for Thursday, August 13, 2009 at Bridgewater State College, and will include a 90-minute business meeting followed by the Board's annual retreat.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 12:30 p.m., subject to the call of the chair.

The vote was unanimous.

Respectfully submitted,

Mitchell D. Chester
Commissioner of Elementary and Secondary Education
and Secretary to the Board

**Minutes of the Special Meeting
of the Massachusetts Board of Elementary and Secondary Education**

**June 22, 2009
5:15 p.m. – 8:55 p.m.**

**Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street
Malden, MA**

Members of the Board of Elementary and Secondary Education Present:

Maura Banta, Chair, Melrose
Harneen Chernow, Vice Chair, Jamaica Plain
Gerald Chertavian, Cambridge
Andrew “AJ” Fajnzylber, Chair, Student Advisory Council, Brookline
Thomas E. Fortmann, Lexington
Beverly Holmes, Springfield
Jeff Howard, Reading
Ruth Kaplan, Brookline
Paul Reville, Secretary of Education, Worcester
Sandra L. Stotsky, Brookline

Mitchell D. Chester, Commissioner of Elementary and Secondary Education, Secretary to the Board

Member of the Board of Elementary and Secondary Education Absent:

Dana Mohler-Faria, Bridgewater

Chair Maura Banta called the meeting to order at 5:15 p.m.

Chair Banta welcomed members to a discussion on the redesign of the state system for school and district accountability and assistance. Commissioner Chester said this is a milestone in a year's worth of work with the Board's Accountability and Assistance Advisory Council and other stakeholders. He said the Board's approval of the overall framework would enable the Department to implement the redesigned system in the fall of 2009.

Secretary of Education Paul Reville said the Governor will file legislation shortly that speaks to innovative Readiness Schools, choice, strengthened accountability, and the turnaround process. He said the Governor also will file legislation related to a smart, targeted charter school cap lift that would focus on the lowest performing districts, students with the greatest achievement gaps, and using proven providers. Secretary

Reville and EOE Policy Director J.D. LaRock made a presentation on the draft Readiness Schools bill.

Board member Sandra Stotsky said that while under the current charter school law, parents and students have choice, it is not clear that the same would be true for Readiness Schools. Dr. Stotsky also said it is not clear whether principals could hire teachers who have passed the MTEL but are not licensed. Secretary Reville said it is important to distinguish between Alliance, Advantage, and Acceleration Schools, with the power over Acceleration Schools resting with the commissioner and the Board. The secretary said the theory of action is that Readiness Schools would be an alternative to charters that would be handled by communities in different ways according to their discretion. The secretary said this model gives families the right to be proposers of schools or challenge educators to come up with a school as an option that didn't exist before. Secretary Reville said this is a deliberate attempt to create autonomy around the five areas of budget, scheduling, staffing, curriculum, and district policies. The secretary said the law would allow for a wide range of variances from existing procedure.

Vice Chair Harneen Chernow asked what a proven provider was for purposes of the charter cap lifting legislation. Secretary Reville said the Board would have to set the guidelines on proven providers, but that the intent is to identify charter schools that have been successful with students who have been least successful in existing schools. Vice Chair Chernow asked if districts that seek to foster innovation by converting an existing school, would require legislation or if that authority already exists. J.D. LaRock, EOE policy director, said a key piece of the legislation would be latitude around collective bargaining agreements.

Vice Chair Chernow said the big change with the Acceleration Schools seems to be that decision making authority shifts from the Board to the commissioner. She said the Board would not be dealing school by school as now. Secretary Reville said this gives the Board a comparable set of powers with respect to schools as it has with districts, and relies heavily on the chief executive. Mr. LaRock said the legislation would retain the Board's prerogative to set standards for declaring underperformance.

Dr. Howard asked whether every underperforming or chronically underperforming school would become a Readiness Acceleration School. Secretary Reville said yes. Secretary Reville said under level 4, the commissioner gives to school districts the rules, tools, and support they didn't previously have, and turns the school back to the district as an Acceleration School. There would be annual benchmarks for that school. Under level 5, an outside contractor would be introduced.

Dr. Stotsky asked about funding sources to pay for this initiative. Secretary Reville said the state would try to do this as cost neutral, operating under the existing per pupil structure. The secretary said if the state were to receive Race to the Top money, that could be one source of additional funds for this purpose.

Deputy Commissioner Karla Baehr made a presentation to the Board on Levels 1–5 of the new accountability system. She noted that the draft list of essential conditions for school effectiveness represents the Department's model for effective school practices at all levels.

Dr. Baehr said that all districts and schools start in Level 1 when they have no federal accountability status as a district, but may have one or more schools identified for improvement for subgroups. Districts identified for improvement in the aggregate or having schools identified for improvement in the aggregate would fall into Level 2. Dr. Baehr said that all federal NCLB designations are dealt with in Levels 1, 2, or 3. Based on 2008 performance results, about 53 percent of districts would have been in Level 1. Levels 4 and 5 are for districts requiring the most substantial state intervention and assistance.

Dr. Baehr said that the Department has developed a district data profile that will be produced for every district, every year, as a resource for school districts as well as for use at the state level. The Department anticipates rolling out the district data review in the fall, and plans to use webinars to introduce district personnel to it. Under the new accountability system, the Department would use the same 6 standards as the former Office of Educational Quality and Accountability (EQA) as well as 39 integrated indicators (condensed from the 72 indicators that EQA had used). Dr. Baehr said the essential conditions for school effectiveness would be integrated into those indicators.

Commissioner Chester said that based on the discussion, the Department will proceed with development of the new system, and he expects to present proposed regulatory amendments to the Board in the fall. Chair Banta commended the commissioner and Deputy Commissioner Baehr for the progress they have made in redesigning the accountability and assistance system.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 8:55 p.m., subject to the call of the chair.

The vote was unanimous.

Respectfully submitted,

Mitchell D. Chester
Commissioner of Elementary and Secondary Education
and Secretary to the Board