

**Brief Summary of Public Comment and Department Responses
Commonwealth of Massachusetts Virtual Schools (CMVS) Regulations 603 CMR 52.00
Amendments to Special Education Regulations 603 CMR 28.00
Amendments to Innovation School Regulations 603 CMR 48.00**

March 25, 2014

Key Comments	Department Response to Comments and Recommendations
Definitions	Incorporated some of the suggested changes
General Provisions – clarify meaning of language	Will address in guidance
Waivers – general concerns	Incorporated some of the suggested changes
Application Requirements – professional development plan, research based vs. rigorous requirement for learning time waiver, suspension policy	Incorporated suggested changes
Application Requirements – serving all students, startup funding, opening procedures, Department review of contract	Some are explicitly addressed by the statute. No change recommended for others
Concerns about not requiring Recruitment and Retention Plan	Applicants are required to explain how they will attract, enroll and retain target populations in the application. Further guidance and oversight occurs prior to opening and through the accountability process. Not currently required by statute, will revisit in the future. No change recommended
Enrollment – clarifications on enrollment preferences and lottery	Incorporated some of the suggested changes
Enrollment – allowing out of state students	Requires statutory change
Individual Online Courses – remove requirement requiring establishing district to pay same fees as other districts to individual course enrollments to count towards cap	Incorporated suggested changes
Education tools – concerns with access to necessary tools for all students	Will address in guidance

Key Comments	Department Response to Comments and Recommendations
Boards of Trustees – appointing authority	Incorporated changes to clarify how members are appointed for statewide virtual schools versus one serving a specific group of school districts
Boards of Trustees – request to emphasize fiduciary responsibilities	Incorporated suggested changes
Boards of Trustees – same authority as school committees	Requires statutory change
Educator evaluation – “all educators”	Will address in guidance
Funding – how enrollment is calculated and timing of payment	Will address in guidance
Transportation – clarification of “arrange for transportation”	Will address in guidance
Reporting – posting annual report on website	Incorporated suggested changes
Investigations – what are “significant matters”	Clarifications recommended with supporting guidance
Notification of New Circumstances, overlap with investigations	No change recommended
Notification of New Circumstances – additional circumstances	Incorporated some of the suggested changes
General concerns about the Board’s authority in some areas and delegation of authority from the Board to the Commissioner	No change recommended
General concerns regarding the burden the new regulations are placing on schools that receive less funding in comparison to traditional schools in Massachusetts	No change recommended
General concerns that academic success does not take into account the students enrolled (based on preferences) and funding received for virtual schools	Minor clarifications recommended
General concerns with IEP requirements and specifics around instructional requirements to ensure school can serve all students	Applicants are required to explain in the application how they will serve all students. Further guidance and oversight occurs prior to opening and through the accountability process. No change recommended