**Minutes of the Regular Meeting**

**of the Massachusetts Board of Elementary and Secondary Education**

**Tuesday, September 24, 2019, 9:30 a.m. – 12:35 p.m.**

**Taconic High School**

**96 Valentine Road**

**Pittsfield, MA 01201**

**Members of the Board of Elementary and Secondary Education Present:**

**Katherine Craven**,Chair,Brookline

**James Morton**, Vice-Chair, Boston

**Amanda Fernandez**,Belmont

**Matthew Hills**, Newton

**Michael Moriarty**, Holyoke

**James Peyser**,Secretary of Education

**Mary Ann Stewart**, Lexington

**Matthew Tibbitts**, Student Advisory Council, Ludlow

**Martin West**, Newton

**Members of the Board of Elementary and Secondary Education Absent:**

**Ed Doherty**, Boston

**Paymon Rouhanifard**, Brookline

**Jeffrey C. Riley**,Commissioner of Elementary and Secondary Education

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Chair Craven convened the meeting of the Board of Elementary and Secondary Education (Board) at 9:30 a.m. She thanked the Pittsfield Public Schools and Taconic High School for hosting the meeting. Members introduced themselves.

## Public Comment

* Gerry Mroz addressed the Board on education for gifted students.

Representative Tricia Farley-Bouvier welcomed the Board to Taconic High School. She said she is pleased that the Board will hear about Pittsfield’s initiatives relating to educator diversity. Commissioner Riley thanked Rep. Farley-Bouvier for her work on the Taconic High School building project. He added his appreciation to Rep. Farley-Bouvier and Senator Adam Hinds for their commitment to working collaboratively with the Department in service to students.

Senator Adam Hinds welcomed the Board to Pittsfield. He highlighted the importance of school finance reform for western Massachusetts and the work of the Berkshire County Education Taskforce to address the challenges of declining enrollment. Senator Hinds noted that the $1 million increase to the line item for rural school districts will have a positive impact on schools in Berkshire County and the broader region. Senator Hinds thanked Commissioner Riley and Secretary Peyser for supporting this effort.

**Comments from Chair Craven**

Chair Craven asked Ms. Fernandez to brief the Board on the role of the Educator Diversity Committee, which she chairs. Ms. Fernandez said the committee would be supporting the work the Department is doing in this area under Senior Associate Commissioner Ventura Rodriguez’s leadership. She summarized the committee’s roles and responsibilities: support the Department’s efforts, advise on strategies and goals, help engage with the field, monitor progress, participate in convenings and outreach, act as ambassadors for the Commissioner and his team, and maintain a focus on diversity, equity, and inclusion in the Board’s discussions.

Mr. Hills asked how the committee would address the distinction between the Board’s governance/policymaking role and the Department’s operational role. Ms. Fernandez said the committee could help the Department connect with emerging opportunities that might not be on the Department’s radar.

**Comments from Commissioner Riley**

Commissioner Riley thanked former Board member Margaret McKenna for her service on the Board and said she has been a friend and mentor to him and many others. The Commissioner said he looks forward to working with the Board’s newest member, Paymon Rouhanifard, who will attend the October meeting. Commissioner Riley thanked the Pittsfield Public Schools and Taconic High School for hosting this meeting. He congratulated Michael Neagle, who teaches social studies at Pyne Arts Magnet School in Lowell, as one of four middle school teachers recently named Civic Engagement Champions by the National Association of State Boards of Education (NASBE).

Commissioner Riley said 450 schools and districts have expressed interest in joining the Kaleidoscope Collective for Learning (KCL) network that the Department is launching. He added Komal Bhasin will be the new Senior Associate Commissioner to oversee the KCL. The Commissioner said the application will be available from October through November, and he anticipates schools and districts will be selected in January for the first KCL cohort.

Commissioner Riley noted the Joint Committee on Education has released the school finance reform bill, the Student Opportunity Act. He thanked Jeff Wulfson, Rob Hanna, and Rob O’Donnell for their work on the legislation. Commissioner Riley summarized the review of the spring 2019 ELA grade 10 MCAS test and the actions the Department has taken. He reported on the early literacy pilot program that the Department sponsored in Somerville over the summer. Mr. Moriarty commented that he visited the program with the Commissioner and it impressed him as a promising model.

The Commissioner updated the Board on the transition to an online application system operated by METCO, Inc. for students from Boston applying to participate in the METCO program. He announced that he plans to bring proposed amendments to the vocational technical education regulations to the Board in two phases in the fall and spring; meanwhile, the Department will work with vocational technical schools to strengthen outreach to and access for English learners.

Commissioner Riley informed the Board he will not be bringing proposed new charters to the Board this year because the FY20 applicants did not meet our high standards; the Department will give them specific feedback and they may reapply in the future. He said he expects to bring charter expansion requests to the Board later this year. In response to a question from Mr. Hills, the Commissioner said he did not see any particular patterns in the charter applications that fell short. He noted that some applicants are successful after several tries.

Commissioner Riley reported on the spring 2019 student, school, and district performance results that the Department is releasing today. He noted that 34 of 97 Boston schools are in the bottom 10 percent of performance statewide, and informed the Board that the Department is doing a district review in the Boston Public Schools this fall. The Commissioner said he may issue accountability determinations in the spring.

**Comments from Secretary Peyser**

Secretary Peyser expressed his gratitude for Margaret McKenna’s years of service on the Board and commended her dedication to students and families. He said that newly appointed member Paymon Rouhanifard will bring deep experience in urban education to the Board. Secretary Peyser noted the supplemental budget bill that the Governor filed, which includes $50 million for school improvement as well as additional funding for early college, school security, and STEM.

**Approval of Minutes**

**On a motion duly made and seconded, it was:**

**VOTED:** **that the Board of Elementary and Secondary Education approves the minutes of the June 25, 2019 Regular Meeting.**

The vote was unanimous.

**Welcome from Taconic High School; Pittsfield Educator Diversity Panel**

Chair Craven introduced the panel: Ventura Rodriguez, senior associate commissioner for strategic initiatives; Shay Edmond, director of student equity initiatives; Jason McCandless, Pittsfield Public Schools superintendent; Judy Rush, curriculum director; and Shirley Edgerton, district cultural competency coach. Ms. Edmonds provided background on the Teacher Diversification pilot program grant, which the Pittsfield Public Schools utilized to support its efforts. Supt. McCandless presented an overview of Teach Pittsfield, the district’s recruitment strategy designed to foster new partnerships with students and staff from Historically Black Colleges and Universities (HBCUs). The panel discussed how the pilot grant has enhanced the Pittsfield Public Schools teacher recruitment and retention program. Chair Craven thanked the panel for their inspiring presentation.

Chair Craven acknowledged Representative John Barrett from Adams.

**Election of Board Vice-Chair**

Chair Craven said September is the annual meeting at which the Board elects the Vice-Chair. She called for nominations. Mr. Hills nominated Mr. Morton, saying he has served with grace and dignity. Chair Craven said it is an honor to serve with Mr. Morton, who is a wonderful Vice-Chair and has devoted his entire career to advancing children’s well-being.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education elect James Morton to serve as Vice-Chair of the Board, in accordance with Article I of the By-Laws.**

The vote was unanimous.

**Berkshire County Education Task Force**

William Cameron, Chair of the Berkshire County Education Task Force, introduced members of the task force: Jonathan Butler, Michael Case, Jake Eberwein, Brian Fairbanks, John Hockridge, Will Singleton, and Andrea Wadsworth. Mr. Cameron thanked the Berkshire County legislative delegation for their support. He gave an overview of the challenges Berkshire County faces, which include declining enrollment, rising operational costs, and flat revenues. He said the task force explored five options and the politically most difficult to implement was by far the best educationally: to establish one countywide school district. Mr. Cameron said the task force has identified six areas needing further research and development: educational quality; governance; municipal and school finance; legislative, legal and regulatory considerations; logistics and operations; and outreach and public relations. He concluded that the situation requires a large-scale and ambitious solution that is equitable, durable, and able to meet changing demographics and workforce conditions.

Chair Craven thanked Mr. Cameron for a remarkable presentation. Secretary Peyser commended Mr. Cameron and the task force for their foresight and leadership. He said the proposed Rural Education Commission could help to build consensus and move the process forward. Members of the task force responded to questions from Board members. Chair Craven commented that the work of the task force may be instructive beyond Berkshire County, noting that Franklin County and Cape Cod face similar challenges.

Chair Craven called for a 10-minute break. The meeting reconvened at 11:25 a.m.

**Commissioner Riley’s Goals for 2019-2020**

Commissioner Riley presented his goals and objectives for 2019-2020, which include launching the Kaleidoscope Collective for Learning, implementing evidence-based practices, promoting action-oriented research for educational equity, building DESE’s effectiveness as a partner to schools, individualized education plan (IEP) improvement, collaboration across school and district models, and a focus on low-performing school districts. Mr. Hills asked if these goals are specific to the Commissioner or the agency he leads. Chair Craven said the goals relate to the Commissioner’s annual performance evaluation. Ms. Stewart asked about updating the strategic plan. Commissioner Riley suggested the Board discuss it at the upcoming retreat.

**2019 Student, School, and District Performance Results**

Commissioner Riley gave a brief overview of the 2019 student, school, and district performance results that the Department released today. He introduced Russell Johnston, senior associate commissioner; Rob Curtin, associate commissioner; Michol Stapel, associate commissioner; and Bob Lee, chief analyst. Ms. Stapel presented highlights from the MCAS results. She noted that participation and computer-based testing rates continued at very high levels. Mr. Lee gave the Board an overview of the statewide results and responded to questions from members. Mr. Curtin presented the 2019 accountability data.

In response to a question from Mr. Hills, Mr. Curtin said the Department has identified 42 schools in Boston that require assistance or intervention, and as the Commisioner had noted, 34 are in the lowest 10 percent in the state. Mr. Johnston said the Department plans to post information about research on gap closing in specific schools and districts. In response to a question from Mr. Moriarty, Mr. Lee said schools would get results from the English language arts MCAS multiple-choice items in April and the rest of the student results in July. Mr. West asked about identifying underperforming or chronically underperforming schools. Commissioner Riley responded that the Boston district review is going forward and will provide useful information; he added that he would base his decisions on a thoughtful review of the information available.

**Proposed Amendment to Competency Determination Regulations**

Commissioner Riley said he recommends a one-year extension of the current Competency Determination (CD) standard, to extend it to the class of 2023, and he is asking the Board to send this out for public comment. He added that this would provide time to assess the next-generation MCAS tests, work with stakeholders, and be thoughtful about any changes to the CD standard. He invited Michol Stapel, associate commissioner, and Lucy Wall, legal counsel, to speak.

Ms. Stapel said the extension of the interim passing standard would give the Board time to deliberate about possible changes and provide fair notice for this year’s eighth graders, who will be the class of 2024. The goal would be to notify them of any change in the CD standard in 2020, at the start of their high school years.

Mr. West asked about the process for determining or recalibrating the CD standard. He added that putting off a hard decision makes sense if we will get better information in the interim. Ms. Stapel said the Department would be discussing these issues in detail with the technical advisory committee. Mr. Hills said he agrees with the proposed one-year extension, with the understanding that the Board will discuss the CD standard over the next year, leading to a recommendation and decision. Secretary Peyser said we need a new standard in place for ninth graders in 2020 and a clear timetable and process for getting there. Ms. Stapel said the Department will present a timetable at the October meeting.

Mr. Moriarty expressed concern about students who earned the CD under the current standard but are not well prepared to succeed in and graduate from college. He said that in considering changes to the CD standard, he would also like the Department to solicit feedback from military recruiters and the business community.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with G.L. c. 69, § 1B, hereby authorizes the Commissioner to proceed in accordance with the Administrative Procedure Act, G.L. c.30A, § 3, to solicit public comment on the proposed amendment to the Competency Determination Regulations, 603 CMR 30.00, as presented by the Commissioner.**

**The proposed amendment would extend the interim passing standard in English language arts and mathematics for one additional year, to include students in the class of 2023.**

The vote was unanimous.

Vice-Chair Morton left the meeting at 12:05 p.m.

**FY2020 Budget Overview; Process and Timelines for FY2021 Budget**

Commissioner Riley introduced Bill Bell, senior associate commissioner/CFO, and commended Mr. Bell for his work on the school finance bill. Mr. Bell discussed the process for the upcoming FY2021 budget. He noted that the Board’s Budget Committee, chaired by Mr. Hills, would be meeting in October to discuss priorities to recommend to the Board for FY2021. Mr. Bell said this year’s budget provides $5.9 billion in state education funding, with a new high-water mark of $5.2 billion going out to districts through Chapter 70, plus $300 million in circuit-breaker funding for special education costs and $800 million in federal grants. He handed out an outline of the budget process on a month-to-month schedule. He noted that while the Board does not have the power of appropriation, various Board priorities over the past few years have in fact been incorporated into the state budget.

Chair Craven thanked Mr. Bell and again thanked Taconic High School for hosting the meeting.

**Executive Session**

Chair Craven noted that the Board meeting has been posted under the Open Meeting Law, and the posting includes an executive session to discuss strategy with respect to litigation. Chair Craven recommended that the Board vote to go into executive session, in accordance with Mass. General Laws chapter 30A, section 21, paragraph 3. She added that the purpose of the executive session is to discuss strategy with respect to litigation in four matters pending against the Board or Department. Chair Craven said discussion of these matters in open session may have a detrimental effect on the litigating position of the Board or Department. The four pending matters are:

• PLESH v. Department of Elementary and Secondary Education et al.

• Mussotte v. Peyser et al.

• Pioneer Valley Chinese Immersion Charter School v. Board of Elementary and Secondary Education

• Rosa v. Department of Elementary and Secondary Education et al.

A motion to go into executive session was made and seconded. As the law requires, the Board took and recorded a roll-call vote. Helene Bettencourt called the roll.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with Mass. General Laws chapter 30A, section 21, paragraph 3, shall go into executive session to discuss strategy with respect to litigation.**

The roll-call vote was unanimous.

Chair Craven announced that the Board would not return to open session following the executive session. The Board convened its executive session at 12:15 p.m.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 12:35 p.m., subject to the call of the Chair.**

The vote was unanimous.

 Respectfully submitted,

Jeffrey C. Riley

Commissioner of Elementary and Secondary Education

and Secretary to the Board