**Massachusetts Department of Elementary and Secondary Education**

# Commissioner Jeffrey C. Riley

# Testimony

# Joint Committee on Education Oversight Hearing

# May 13, 2020

Chair Lewis, Chair Peisch, and members of the Joint Committee on Education, thank you for the opportunity to testify on behalf of the Department of Elementary and Secondary Education's progress on remote learning and the status of K-12 education during the COVID-19 pandemic.

For the record, my name is Jeffrey C. Riley, Commissioner of Elementary and Secondary Education.

I am pleased to be with you today to provide an update on the state of our K-12 public education system while we are in the midst of an unprecedented state-wide school closure.

It should be no surprise that the COVID-19 pandemic has significantly disrupted our education system. Since schools were first closed in March, we have approached our response in phases, with our primary priority always being the health and well-being of our students and staff.

Our first phase of response focused on providing student nutrition assurance, initial instructional guidance, access to technology, programming resources for educators and parents, and guidance for districts on some of the most challenging fiscal aspects of the closures.

* Following receipt of waiver approvals from USDA in mid-March, the Department set up over 1,300 non-congregant feeding centers for students. Food & Nutrition Programs Director Rob Leshin serves on the Massachusetts COVID-19 Command Center’s Food Security Task Force. The task force coordinates and maximizes resources and communication across sectors to identify and address immediate nutrition needs across the state.
* The Department quickly issued initial guidance for districts on remote instruction, asking schools to begin remote learning by focusing on providing enriching activities for students.
* Recognizing the pronounced gaps in our students’ access to hardware and connectivity, we immediately started the Remote Learning Essentials Initiative (RLE). The main focus of this initiative is to identify and address lack of access to the tools, connectivity, and training necessary to enhance the Remote Learning experience during COVID-19 school closures.
* The Department developed a list of helpful resources for students, educators, and parents and we secured a partnership with WGBH providing additional educational programming to all students, particularly those lacking access to technology and the internet.
* The Department stayed in regular communication with district leaders and sent out guidance on topics including encouraging districts to continue paying hourly staff and special education vendors to maintain essential system capacity.

In the second phase of our response to the pandemic, we formulated more robust guidance on remote learning, which was released on March 26 – 10 days after the initial school closure order and in tandem with the Governor’s school closure extension to May 4. The March 26 remote learning guidance asked districts to launch their remote learning models by early April. With equity a top priority, we recommended adapting to a structured remote learning model for approximately half the length of a regular school day with dedicated time for academics, enrichment, and physical activity, and building in time for educators and staff to connection with students multiple times per week and provide students with teacher feedback on assignments.

Recognizing that not every family has adequate computer and internet access, we emphasize that remote learning is not synonymous with online learning. Although the lack of technology is an issue we must address, there are other ways to implement remote learning such as providing students with reading lists, work packets, and engaging hands-on projects like cooking and gardening. We approached the guidance by collaborating extensively with stakeholders including the MA Assn. of School Superintendents, the MA Assn. of School Committees, the two statewide teacher unions, the MA PTA, the MA Charter School Assn. and others, and honored local control by issuing recommendations, not requirements, while providing guidance and support.

We know that shifting to remote learning has been challenging work, but through strong collaborations and resolute goals, our remote learning recommendations were recognized by officials from the U.S. Department of Education, which has informed us that they are referring other states to use our document as a guide. Further endorsement has come from a recent study by independent MIT Teaching Systems Lab that, after examining similar guidance from all 50 states, ranked our guidance second nationally.

We also pursued another round of state and federal waivers to address impacts that the health crisis was having on various education related sectors – nutrition, finance, educator licensure, regional school budgets, student assessment, and various statutory deadlines. We are continuing to work to provide relief to schools and districts. We will continue to evaluate supports and seek other relief opportunities. For example:

* The Department requested and received approval of waivers from the U.S. Dept. of Agriculture allowing districts to expand access to food for families and students through school meal distribution and food bank flexibilities.
* The Department requested and received approval of federal waivers that allow districts greater flexibility in carrying over dollars to spend next year.
* Governor Baker, through an [executive order, extended licenses](about:blank) for certain licensed professionals, including licensed educators. The Department is issuing further guidance for educators on the license extensions.
* The Legislature approved and Governor Baker signed into law legislation extending the April 1 deadline for district plans required by the Student Opportunity Act to May 15 or a later date as determined by the Commissioner. That determination will be made in the coming days.
* The legislation also allows the Department to certify an amount sufficient for the operation of a regional district for at least a month starting July 1, 2020 if a town’s or city’s vote on the approval of a fiscal year 2021 regional school district budget is delayed beyond June 30, 2020 as a result of COVID-19.
* The Department applied for and received a federal waiver to cancel statewide annual student assessment (MCAS), then worked closely with the state legislature on special legislation enabling us to cancel the 2020 MCAS administration in grades 3-10.

During this second phase of the Department’s COVID-19 response, the Department has also published guidance, conducted virtual roundtables, and held webinars on supporting English learners, and issued detailed special education guidance to support our most vulnerable student populations. English learners make up 10.8% of the student body in Massachusetts for a total of 102,861 English Learners. They also have one of the widest achievement and opportunity gaps in the state. The Department has been working with English Learner state leaders and stakeholders to gather information and provide technical assistance and support to districts. For example, the Department issued guidance on how districts should provisionally identify English Learners during this time in order to know which students need English Learner supports. Our Office of Language Acquisition has conducted weekly webinars with English Learner directors across the state to problem-solve and offer support. In addition, the Department’s Office of Special Services continues to provide updated information and resources to special education leaders on the remote provision of special education services. Recently, we released a parent letter explaining the Department’s expectations for remote special education services and a "family toolbox" with resources and ideas for supporting students with disabilities at home.

Additionally, the Office of Special Services (OSS) has provided multiple resources to support districts in their efforts to provide special education services remotely. For example, the OSS regularly updates a resource guide with ideas for supporting students with disabilities based on disability type and age group. In addition, the OSS has published and updated a frequently asked questions guide, a letter to families, and a parent resource toolbox, all of which can be found on DESE’s COVID-19 and Special Education website. Russell Johnston, Senior Associate Commissioner and State Director of Special Education, holds weekly video conference meetings with special education leaders to review new information and resources and answer questions. The content of these meetings is informed by ongoing stakeholder engagement that the special services team has with organizations representing parents, special education educators and leaders, and advocates and attorneys. Approximately 800-900 special education leaders participate each week, and the OSS team immediately posts the PowerPoint slides after each presentation so that special education leaders can access the embedded links and resources.

This has been an unprecedented interruption to an entire generation of students, and we want to minimize learning loss as much as possible. The third phase of our response emphasizes the need to deepen our focus on maximizing student learning during this time. Districts and schools are continuing to enhance and refine their remote learning plans. The updated remote learning guidance that I issued on April 24, shortly after the Governor ‘s order to extend school closures through the end of the school year, both affirms work already underway in districts and provides additional ideas and strategies, building on the initial guidance released on March 26 with a deeper focus on two areas:

* Further defining the recommended elements of a quality remote learning program, including a focus on teaching the content standards most critical for student success in the next grade level.
* Encouraging districts to move all students towards successful engagement in remote learning, with a focus on addressing fundamental needs.

We are asking district leaders and educators to expand learning opportunities for students to focus on concepts and skills that have not yet been taught. A focus on the standards that are most critical to student success in the next school year will best support our students’ learning.

In addition to strengthening student learning opportunities in this phase, the Department also took action in several other priority areas:

* **Technology and connectivity**: The Department has established a Remote Learning Essentials (RLE) team within the agency and has engaged with technology leaders across the Commonwealth to address student connectivity challenges. The RLE team conducted a survey to assess technology and connectivity needs among our students. Nearly 70 percent of superintendents have responded to the survey about students’ access to the internet and access to a device that they do not need to share with a family member. We will use the survey data to inform a large-scale approach to broadening access. Possibilities include using federal funds, setting up a grant program, and continuing to work with foundations and companies to help address these needs.
* **CARES Act Funding**: The Department has sought federal funding pursuant to the CARES Act. Districts have begun applying for the funds, which are distributed based on the FY20 Title I formula allocations. The federal grant represents $214M in additional dollars for the state, almost $194M of which goes directly to districts. The Department has committed to using part of the state’s 10 percent set-aside to provide allocations to those districts that did not receive Title I funding in FY20 or received an amount less than $20,000, to ensure that every district in the Commonwealth receives at least $20,000 in additional federal funding.
* **Pandemic Electronic Benefit Transfer (P-EBT)**: The federal Families First Coronavirus Response Act of 2020 includes a provision called “Pandemic Electronic Benefit Transfer,” or P-EBT, which allows states to issue benefits to families with children who would be receiving free or reduced-price school meals if schools were not closed right now. The Department has collaborated with the Department of Transitional Assistance (DTA) and districts to bring P-EBT to eligible families. This will supplement the great work that districts and other organizations are already doing to provide grab-and-go meals to students, as we know that many families’ needs have increased as a result of the pandemic.
* **Mental health supports**: Over the past six weeks, the Department has offered supports to schools to help promote mental health during the school closures. These have all been grounded in messages that emphasize health, well-being, and connection for students, staff, and families as essential components of continued teaching and learning. Department staff have been and will continue to be in communication with school and district leaders to learn about efforts, challenges, and their experiences to inform supports developed at the state level. These supports have included several webinars geared towards guidance counselors and other specialized instructional support personnel (psychologists, nurses, etc.), district leaders, and pre-K-grade 8 principals. In addition, the Department has compiled local and national resources for implementing multi-tiered systems of support during this time and recently disseminated a [resource toolbox](about:blank) in 17 languages for families with children with disabilities. The toolbox includes information and resources that can help support families’ and children’s mental health and more. We continue to develop additional guidance for schools and staff to help them connect with students and families, and to support mental health and wellbeing.
* **Interpretation and translation services**: We are committed to expanding interpretation and translation services during this period of school closure in order to supplement the services districts already provide and to promote access to remote learning for parents and students. Department staff are in negotiations with the Translation Center at UMass Amherst to pilot expanded translation and interpretation services. The five pilot districts include the three receivership districts (Holyoke, Lawrence, and Southbridge) and two other gateway communities particularly impacted by the COVID-19 outbreak. The Translation Center at UMass Amherst will gather information to help inform the further expansion of this service to other districts.
* **Remote Learning support:** The Department has developed content-specific remote learning webinars to be responsive to questions about the remote learning guidance and the prerequisite standards in particular. The webinars focus on math, science, history, world languages, the arts, and English language arts and literacy. They provide a forum for educators to exchange good ideas and best practices for remote learning together with other content experts.
* **Regulatory deadlines:** On March 31, the Board of Elementary and Secondary Education adopted a regulation allowing the Commissioner, for good cause arising from the COVID-19 state of emergency, to suspend, extend, or waive any timeline or due date in our regulations when permitted by state and federal law. To date, the Department has extended the deadlines for parents and superintendents relating to admission of students to vocational school programs outside their district of residence and extended the June 30, 2020 deadline for educators who seek a bilingual education endorsement to their educator license through the “grandfather clause.”
* **Competency Determination modification:** The Board of Elementary and Secondary Education held its [monthly meeting](about:blank) remotely on Tuesday, April 28. On a recommendation from the commissioner, the Board voted to temporarily modify the competency determination requirement for current high school seniors during the COVID-19 emergency. Under this change, seniors who have not passed one or more of the high school MCAS tests will be able to earn the [competency determination](about:blank) through successful completion of a relevant high school course.
* **Career Technical Education:** We are also working collaboratively with the MA Association of Vocational Administrators and CVTE educators to provide specific resources by technical program, coordinating with various professional licensing boards to provide guidance about alternative ways to earn credit towards credentials, and working on a plan to provide additional opportunities for credential attainment next year for current seniors who missed out on opportunities to earn them due to school closures.

It is crucial to begin planning now for the reopening of schools, the fourth phase, to ensure that the most informed and effective plan is implemented. Reopening schools will require that we work collaboratively with health experts and the education communityto develop a plan that will put in place additional safety measures. We have created the School Re-entry Working Group led by the Department which includes key stakeholders and public health experts. The working group has been charged with the development of our k-12 re-entry and recovery plan. The group will scan the plans implemented by other countries and states and will identify best practices, including the following:

* Physical or social distancing in a school setting, school buses, in the hallways, and during recess or lunch;
* Sports and extra-curricular activities;
* School scheduling;
* Addressing mental health and social emotional needs;
* Face coverings and other supplies for students and staff; and
* Custodial practices to protect health and safety.

Equally important is the development of plans for potential extended school closings and recovery of learning loss. We know that student engagement has been compromised by the lack of face-to-face interactions. It is vital that we do our best to engage all students in remote learning and that we track their participation and progress to mitigate and address any gaps.

We all have more work to do. Over the coming weeks the Department will continue improving the learning experience for our students, offer additional supports for educators and families, and reflect on remote learning processes across the state to help address access and engagement disparities. We will issue an updated guidance document for families, collect feedback and input from educators, students, and families, and share best practices and professional development opportunities. We will also consider how best to address student assessment and the Competency Determination for current 9th, 10th, and 11th graders, as well as ways to recognize and celebrate the high school graduating class of 2020. And, as stated earlier, we will work with a broad array of education stakeholders, public health experts, and others to begin to map out a plan to reopen schools for in-person instruction when the conditions are right.

It has been a privilege to work closely with the Legislature during this unprecedented state of emergency to support the health and wellbeing of our students, families, and educators. I look forward to ongoing collaboration with you to safeguard the future of educational excellence in Massachusetts.