Minutes of the Regular Meeting

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

**December 16, 2008**

**9:05 a.m. – 12:50 p.m.**

**Massachusetts Department of Elementary and Secondary Education**

**350 Main 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

**Dana Mohler-Faria**, Bridgewater

**Paul Reville**, Secretary of Education, Worcester

**Sandra L. Stotsky**, Brookline

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

Chair Maura Banta called the meeting to order at 9:05 a.m.

**Comments from the Chair**

Chair Banta said it was a pleasure to represent the Board at a number of meetings over the past month, including the annual conference of the Mass. Association of School Committees and the Mass. Association of School Superintendents, EDCO, and Mass 2020.

**Comments from the Commissioner**

Commissioner Chester noted that President-elect Obama selected Chicago Superintendent of Schools Arne Duncan as his nominee for U.S. Secretary of Education. The commissioner said he was interested in learning more about Secretary-designate Duncan’s perspective on the role of state education agencies.

Commissioner Chester described the Department’s inaugural Curriculum and Instruction summit held in Marlborough, which was attended by 400 people from district teams. The commissioner said there was a tremendous hunger for assistance and support in upgrading curriculum and instruction. He said the goal of the Department’s new Curriculum and Instruction unit is to share best practices and curriculum resources, and added that the summit helped to inform the agency’s efforts around creating a viable approach to regional efforts and support.

The commissioner said the Department is preparing to move into its new facility at 75 Pleasant Street in Malden in early January. The commissioner also reviewed the additional items for information on the Board’s agenda, including an update of the Board’s FY 2010 budget recommendation. Commissioner Chester said the budget recommendation as presented is not sufficient to do everything the Department wants to do. The commissioner added that the budget for student assessment is not sufficient to carry the program forward as currently planned. He said he is committed to high standards and to the current components of the MCAS testing program, and that he is contemplating a recommendation to delay implementation of the history component of the high school MCAS graduation requirement in light of budget constraints. The commissioner noted that with local aid also at risk he is exploring the linkage of the start-up dates of proposed new charters to a fiscal trigger, whereby new charter schools would be able to open only when revenue flow has stabilized.

**Comments from the Secretary**

Secretary Reville said he was sorry to miss the Board’s special meeting on 21st century skills the previous evening, noting that he was attending the meeting of the Readiness Finance Committee. The secretary said the Committee’s report, which would offer recommendations on school finance and operations, including ways to restructure and reorganize to gain efficiencies and make financial resources available to restore adequacy, would be released in a couple of weeks. The secretary said he would make his final budget request to the Executive Office of Administration and Finance shortly, in anticipation of Governor Patrick presenting his FY10 budget proposal during the third week of January. Secretary Reville said he was reviewing candidate nominations for the commissioners of higher education (Richard Freeland) and early education and care (Sherri Killins), and that the governor has appointed the new chair of the Board of Higher Education, Charles Desmond. The secretary also said he had spent several days on state college campuses, and noted the dramatic increase in demand for public higher education.

**Comments from the Public**

* Steve Hemman, Mass. Association of Regional Schools, addressed the Board on 21st century skills and the budget.
* Katie Baxter, Mass. School Library Association, addressed the Board on school libraries.
* Rob Richardson, Mass. Business Alliance for Education and Intel Corporation, addressed the Board on 21st century skills.
* Pamela Julian, a parent, addressed the Board on student voter registration.
* James Nehring, University of Massachusetts at Lowell professor, addressed the Board on 21st century skills.
* Dave Ferreira, Mass. Association of Vocational Administrators, addressed the Board on 21st century skills.
* Betsy Pattullo, founding member of Rediscovery Academy Charter School, addressed the Board on the school’s charter application.
* Dr. Shayne Trubisz, assistant superintendent for teaching and learning with the Gloucester Public Schools, addressed the Board on the proposed Gloucester Community Arts Charter School.
* Christopher Binns, chair of the Board of Trustees for Uphams Corner Charter School, addressed the Board on Uphams Corner Charter School.

# 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 November 18, 2008 regular meeting.**

The vote was unanimous.

**Trends in International Mathematics and Science Study (TIMSS)**

Commissioner Chester presented an overview of the results of the 2007 Trends in International Mathematics and Science Study (TIMSS) administration. TIMSS is the world’s largest international assessment of math and science achievement. In 2007, 59 countries participated in the assessment, which allows educators the rare opportunity to compare the performance of 4th and 8th grade students in math and science achievement across participating countries. Massachusetts was one of only two U.S. states to participate as its own “nation” and have its results compared to participating countries.

Vice Chair Harneen Chernow arrived at 10:10 a.m.

Commissioner Chester said the 2007 TIMSS results are something to celebrate. The results showed that Massachusetts ranked at or near the top in every category. In grade 4 math, Massachusetts ranked third behind Hong Kong SAR and Singapore; in grade 4 science, Massachusetts ranked second behind only Singapore. In grade 8, Massachusetts ranked sixth in math and tied for first in science. The commissioner said the state’s aim now is to build on our successes and make a good system even better. Commissioner Chester said there are areas for improvement, including eliminating gender gaps and moving a greater percentage of our students into the top two benchmark categories. The commissioner credited high standards and the hard work of the educators and students of the Commonwealth, and said the 2007 TIMSS results are validation that the past 15 years of education reform are paying off. He said the Department is reviewing the TIMSS data more closely for ideas on best practices to strengthen curriculum and instruction.

Board member Sandra Stotsky asked how we will get more students in the advanced category. Commissioner Chester said that is the central question – how to ensure all students are experiencing high quality instruction. Board member Tom Fortmann asked how schools were selected for TIMSS, and the commissioner explained the assessment’s stratified representative sample is designed to represent the state’s diversity along racial and demographic lines.

Secretary Reville said the Governor commends educators and students for their hard work. Board member Ruth Kaplan asked about the $600,000 cost to participate in TIMSS. Commissioner Chester said that benchmarking ourselves internationally is critical in terms of performance and best practice. He also noted a report that will be released at the end of the week by the National Governors Association, the Council of Chief State School Officers, and Achieve that will highlight the importance of international benchmarking. Chair Banta said that TIMSS is a good benchmark and well respected. Board member Gerald Chertavian said TIMSS is an important indicator that we should market to show how competitive a state we are in terms of human capital, and it is critical that we continue. Board member Dana Mohler-Faria said he supports benchmarking internationally to learn how we are performing, what are the government practices and structures in other places wit high performance, and what can we learn from those practices.

Dr. Stotsky asked whether any private monies supported the cost to participate in TIMSS. Deputy Commissioner Jeff Nellhaus said the cost came out of the Department’s assessment budget. Dr. Fortmann said the importance of international benchmarking lies in part in the marketing value to sell Massachusetts as the place to do business, which is far more valuable than the $600,000 expense to participate in the assessment.

**Report of the Task Force on 21st Century Skills**

Chair Banta said there was much consensus in the Board’s discussion the previous evening on 21st century skills. The chair said the discussion has now moved from the Task Force to the Board, and the Board should rely on the commissioner to identify specific areas of focus.

Commissioner Chester said he has heard a lot of convergence on a number of issues, including that skills and content are necessarily interconnected; the curriculum frameworks include skills of inquiry, analytical thinking, and communication; and our current standards and assessments are strong. The commissioner said the challenge ahead is how to ensure every classroom is an engaging, intellectually stimulating environment for every youngster, and that all students are able to understand content and apply it. Commissioner Chester proposed that he would come back to the Board with a game plan on how to move forward this agenda and an update on related activities that are already underway at the Department around 21st century skills.

Dr. Stotsky agreed with the commissioner’s remarks, and suggested that the commissioner and Department staff prepare a response to the Task Force report. Dr. Howard suggested it would be useful to have another evening meeting to discuss the report. Board member Beverly Holmes suggested the Board learn more about what is already being done before it considers the Task Force's specific recommendations. Commissioner Chester the Department would provide such an update on activities underway.

Ms. Kaplan said she would like to see more feedback from the field, especially classroom teachers, students and parents. Dr. Fortmann asked that charter schools be added to that list as a good source of feedback. Secretary Reville asked that vocational schools also be included. The secretary said it is important to translate the Task Force’s recommendations from a philosophical level to action language. Dr. Mohler-Faria said he supports Commissioner Chester's approach, and cautioned against the Board being too prescriptive in its expectations.

**Charter Schools: Renewals for Five Schools**

Chair Banta said that the Board would hear more about three applications for new charter schools in January. Chair Banta and Mr. Chertavian each acknowledged that persons or organizations related to them have a connection with one of the proposed new charter schools, Rediscovery Academy, and each said that to dispel any appearance of a conflict of interest, they would not participate in any discussion or action on that proposed charter school.

Five charter school renewals were presented to the Board for initial discussion this month: Berkshire Arts and Technology (probationary), Conservatory Lab (conditional), Hill View, KIPP, and Robert M. Hughes (conditional). The Board will vote in January on these five renewals.

Chair Banta said the renewals of charter schools are based on three criteria: success of the school’s academic program, the viability of the organization, and the school’s faithfulness to its charter. Commissioner Chester said that he is recommending two charter schools, KIPP and Hill View, for straight renewals. The commissioner said the three other schools were being recommending for renewal with conditions. The commissioner said that two of the schools, Conservatory Lab and Robert M. Hughes, are up for their second renewal (after ten years of operation), while the other three schools are at their first renewal after five years. The only one of the five schools previously renewed with conditions is Robert M. Hughes.

*Berkshire Arts and Technology Charter School*

Commissioner Chester recommended that the Berkshire Arts and Technology Charter School (BArT) be granted a probationary renewal of its charter. The commissioner said that while the school has not demonstrated strong academic performance, there are sufficient efforts being made to address current deficiencies. The commissioner also recommended that an additional condition require BArT by 2010 to demonstrate academic success by achieving growth in student achievement against standards set by ESE or by making Adequate Yearly Progress (AYP) in 2009 and 2010.

Associate Commissioner Jeff Wulfson said that the school faced a number of challenges in its first five years, including finding a suitable facility, dissention in the sending district, and a high percentage of special education students. Board member Tom Fortmann said he was surprised to learn, through the summary of review, that the school’s percentage of special education students is extremely high. Charter School Director Mary Street said the school makes a tremendous effort to serve special needs students. Dr. Fortmann asked whether the right metric is being used on a school with such high percentage of special education students. Commissioner Chester said an extension of that is whether it is appropriate to expect students with disabilities to read well and do math well. The commissioner said yes, it is appropriate and important.

Chair Banta asked how a school like BArT would get more technical assistance. Ms. Street said the school has been proactive, getting a consultant in and looking at improvement strategies. Board member Ruth Kaplan said she was pleased to see a high level of satisfaction from parents.

Board member Jeff Howard asked whether the overarching purpose of charter schools is to demonstrate what is possible and offer new models. Secretary Reville said charter schools offer innovation, the opportunity to do things in a different environment, and the chance to provide choice to families and educators. Dr. Howard asked why a charter school should be renewed if it is not substantially superior to the public school districts from which it draws students. Board member Beverly Holmes said we need to look at schools across the board and ask what we want to see what outcomes we want.

Commissioner Chester said the recommendations are based on a multi-dimensional look at the schools. The commissioner said he thought about a numeric performance trigger – a floor below which there is the presumption of non-renewal unless there is a really compelling rationale. The commissioner said that could put more objectivity in the recommendation. Secretary Reville said that is easier to do in theory than in practice with charter schools having a high degree of customer satisfaction.

Board member Harneen Chernow said the current fiscal condition makes her question the addition of new charters. Dr. Fortmann said a key feature of charter schools is that if they do not perform, they can be closed. Dr. Stotsky noted that BArT is the only school in this group with a tiny wait list.

*Conservatory Lab*

Commissioner Chester recommended that the charter of Conservatory Lab be renewed with conditions that require the school to implement its Learning Through Music program in alignment with its charter or to amend its charter to accurately reflect the school’s current program, and require the school to make its current facility programmatically accessible or, if the school moves, ensure that any new facility is programmatically accessible.

Ms. Kaplan asked about teacher turnover. Ms. Street, who noted that she helped to found the school, said there has been some turnover. Vice Chair Chernow commented that the school has no accountability status under NCLB, but has not met its own standards.

*Hill View Montessori*

Commissioner Chester recommended that the Board renew the charter for Hill View Montessori Charter School.

Ms. Kaplan commented that the Montessori approach offers a model for teaching 21st century skills.

*KIPP*

Commissioner Chester recommended that the Board renew the charter for KIPP.

Dr. Fortmann said he has visited the KIPP school in Lynn several times and it is a marvelous school. He noted the school had a math dissemination grant, and it has an active partnership with a nearby school in Lynn to help with grade 5 mathematics. Commissioner Chester said the sharing of best practices is central, and that we need more cross-fertilization. Secretary Reville said the Department has a role in facilitating that, because too often the burden is placed on charter schools to disseminate when there’s not a willing audience.

Dr. Howard asked if the Department could set up a time for the Board to visit KIPP. Board member Gerald Chertavian encouraged the Board and commissioner to consider how we can ensure that what is working well is brought to greater scale.

*Robert M. Hughes*

Commissioner Chester recommended that Robert M. Hughes be granted a renewal with conditions that, among other things, require by 2010 that the school demonstrate academic success by achieving growth in student achievement against standards set by ESE or by making Adequate Yearly Progress (AYP) in 2009 and 2010. The school must also comply with term limits and the minimum number of board members as stated in the school’s bylaws, including identifying and recruiting new members with appropriate educational and financial expertise.

Ms. Kaplan noted that this was the school that lacked a science lab, and asked what the Board’s role is in these situations. Ms. Kaplan added that the after-school MCAS support program does not seem innovative. Commissioner Chester said he suspects this school is not unique in not having a science lab.

**Charter Schools: Status Report on Uphams Corner Charter School**

Commissioner Chester recommended that the Board vote to revoke the charter for Uphams Corner Charter School in Boston. Uphams Corner Charter School was opened in 2002 and the Board renewed its charter in 2007 with five conditions that the school had to meet by specified dates. The commissioner’s recommendation to revoke the school’s charter is based on the school’s failure to meet critical conditions imposed at renewal, including requirements to make Adequate Yearly Progress in 2008, to make substantial progress toward or meet accountability plan goals, and, by December 2008, to have completed the necessary property acquisition and fundraising to permit a relocation of the school to the Uphams Corner area no later than September 2009 as well as continued low academic achievement. The commissioner noted there is a lack of evidence of sufficient progress on any of these conditions to warrant a recommendation for further conditions or probation. The Board will vote on the commissioner’s recommendation at its January 27, 2009 regular meeting.

Commissioner Chester said he did not come to this recommendation lightly. The commissioner said he visited the school, met with students and the school’s leadership, and observed classes. The commissioner said the school fell short on the property acquisition and fundraising, and academic results are very low. In mathematics, in no year or grade were more than 13 percent of students proficient in mathematics. Student retention rates are low. The revocation would take effect at the end of the school year. The school has the right to ask for a hearing on the revocation. Commissioner Chester said he is aware that revocation will be disruptive to students and families, and the Department has begun discussions with Boston Superintendent Carol Johnson to ensure that the district is reaching out to them. The commissioner said a letter will be sent to parents to explain the recommendation and the process.

Vice Chair Chernow asked how many charter schools have been closed and where those schools have been located. Associate Commissioner Wulfson said that four schools have been revoked or non-renewed: Youth Build Boston, Lynn Community, Frederick Douglass Charter, and Roxbury Charter High School. Associate Commissioner Wulfson added that some schools have surrendered their charters in anticipation of action by the Board. He added that if the school chooses to request a hearing, the Board would appoint a hearing officer to hear testimony from the school and the Department. The hearing officer would then prepare a report back to the Board, which makes the final decision.

Dr. Howard said that in this school, parents' satisfaction is not correlated to actual outcomes. Dr. Howard said poor and minority parents may be pleased with certain treatment from schools that masks other evidence. Secretary Reville said there is usually a constituency for any school.

Secretary Reville had to leave the meeting at 11:30 a.m.

**State Student Advisory Council Trimester Report**

Board member Andrew “AJ” Fajnzylber, who chairs the State Student Advisory Council, presented the council’s trimester report. Mr. Fajnzylber discussed the council’s work on a number of projects and asked the Board to support the On-Campus Student Voter bill, which would expand voter registration to high school and college campuses.

Ms. Kaplan said she strongly supported the motion in favor of the On-Campus Student Voter bill. Board member Dana Mohler-Faria said he supported the motion; his only concern is that many colleges are already doing this, but not at class registration time because that complicates the process. Dr. Stotsky commented that students who do not go to town hall to register are missing out on a civic experience.

Mr. Chertavian said the Board greatly benefits by having a diversity of opinion on the Board by having a student member. Vice Chair Chernow thanked Mr. Fajnzylber for his presentation, and added that this legislation supports civic engagement and the recommendations of the Task Force on 21st Century Skills.

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

**VOTED: that the Board of Elementary and Secondary Education voices its support in favor of the “On-Campus Student Voter” bill, an act to expand student voter registration by adopting registration practices at “the office at which students register for classes of any high school, junior college, college or university.” In order to promote the student and legislative agenda that includes the increased voice and participation of students in the Commonwealth, and to formally show the educational leaders of Massachusetts’ stance on this bill, the Board of Elementary and Secondary Education states its support for the “On-Campus Student Voter” Bill.**

The vote was unanimous.

**Next Meeting**

The next regular meeting of the Board of Elementary and Secondary Education is scheduled for Tuesday, January 27, 2009 at the Department of Elementary and Secondary Education in Malden.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 12:50 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**

**December 15, 2008**

**6:20 p.m. – 8:50 p.m.**

**Massachusetts Department of Elementary and Secondary Education**

**350 Main Street**

**Malden, Massachusetts**

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 (by J.D. LaRock)

**Sandra L. Stotsky**, Brookline

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

Members of the Board of Elementary and Secondary Education Absent:

**Dana Mohler-Faria**, Bridgewater

Chair Maura Banta called the meeting to order at 6:20 p.m.

The Board engaged in a discussion about the recommendations of the Task Force on 21st Century Skills, which presented its white paper at the November 18, 2008 Board meeting in Somerville. Chair Maura Banta invited three Board members to start the discussion by offering their reactions to the Task Force’s report. Sandra Stotsky presented a review of where and how 21st century skills are included in the Massachusetts curriculum frameworks, and suggested reinforcing the necessary connection between skills and academic content. Beverly Holmes said it is imperative that 21st century skills are made a reality for all children, and also recommended evaluating current school structures before embarking on new models. Tom Fortmann said the Board could dispel misunderstanding about the Task Force's recommendations by affirming that objective assessment of well-defined subject knowledge and skills will remain intact. Dr. Fortmann recommended that the Board invite the Mathematics and Science Advisory Council and the curriculum framework revision panels to advise on how to strengthen 21st century skills in the frameworks and how best to structure local assessments. Dr. Fortmann also said the problem is not getting 21st century skills into the frameworks but rather getting them into the classroom, by recruiting, nurturing, and retaining a 21st century teaching force and providing a highly professional working environment.

Chair Banta welcomed three distinguished panelists to talk about the Task Force’s report and to join in discussion with the Board: Michael Cohen, president of Achieve, Inc.; E.D. Hirsch, founder and chair of the Board for the Core Knowledge Foundation; and Richard Murnane, Harvard University professor of education and society. Mr. Cohen said three things are clear: (1) 21st century skills are important; (2) too few young people leave high school having developed skills to ensure their success in college and careers; and (3) the real challenge lies in the classroom rather than the standards. Mr. Cohen said there needs to be a clear image of what 21st century skills look like, and that students must learn and apply these skills in the context of strong content knowledge. He said that Achieve views the Massachusetts academic standards as a benchmark, and skills should be in service of standards. Mr. Cohen recommended that the state accountability system focus on students graduating from high school ready for college and careers.

Dr. Hirsch said that Massachusetts is the bellwether in public education, MCAS has made the difference, and the key is to have tests that encourage good instructional practices and not test prep. Dr. Hirsch said that MCAS is curriculum based and students who do well on it will also be strong in 21st century skills. He said 21st century skills are domain specific, and warned that testing for these skills through portfolios and projects while ensuring consistent expectations from one district to another is not easily accomplished.

Dr. Murnane said the Task Force’s recommendations are extremely sensible, the challenge set forth is appropriate, and there should be no backing off of content. Dr. Murnane said there is no conflict between content and 21st century skills. He added that the real challenge is how to integrate the skills into the teaching of core subjects in every school and classroom.

Board members asked questions of the three panelists and engaged in further discussion about the Task Force report. Commissioner Chester noted general agreement that skills and content are linked to each other, and that the biggest challenge is to ensure that every student experiences curriculum and instruction that imparts high academic standards as well as 21st century skills. He said it is critical to expand the range of indicators for the accountability system to be sure that high school graduates are well prepared for college and careers. The commissioner said he would work with Department staff and come back to the Board with next steps. Chair Banta thanked the three panelists, the members of the Board, and the commissioner for a rich and stimulating discussion.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 8:50 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