**Minutes of the Regular Meeting**

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

**Tuesday, September 27, 2016**

**8:35 a.m. – 12:45 p.m.**

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

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

**Paul Sagan**, Chair, Cambridge

**Katherine Craven**, Brookline

**Ed Doherty**, Boston

**Roland Fryer**, Cambridge

**Margaret McKenna**, Boston

**Nathan Moore**, Chair, Student Advisory Council, Scituate

**Michael Moriarty**, Holyoke

**Pendred Noyce**, Boston

**James Peyser,** Secretary of Education

**Mary Ann Stewart**, Lexington

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

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

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

Chair Sagan called the meeting to order at 8:35 a.m. He welcomed members back from the summer break. Chair Sagan made the following statement:

There’s a lot of interest in the November 8th election. That interest extends to questions that are on the ballot for voters in Massachusetts to decide. As we know, one of those questions is ultimately about some of what we work on, charter schools in Massachusetts. The work of granting, reviewing, renewing – and even revoking – charters comes here. But we don’t decide how many charter schools Massachusetts may have in total. That comes from statute and may be changed by a vote of the people in November.

I want to take a few minutes to re-state for the record what I have already said about my involvement in some of this. I am a dedicated supporter of all of the Commonwealth's public schools. That means our district schools, our public charter schools, and our turnaround schools and districts. It is an honor to serve with all of you as Chair of the Board of Elementary and Secondary Education. I am focused on our work to maintain Massachusetts's position as a national leader in public education. As the Chair, I carry out my responsibilities in a manner consistent with applicable statutes and regulations. I make judgments based on what I believe will benefit students and families.

At the same time, none of us is asked to renounce our position as a private citizen when we join this Board. I have contributed personal funds to educational and political organizations over the years. This year that includes supporting an organization that has properly disclosed that I financially supported that organization, and that organization is advocating a position in favor of Question 2 on the November 8th ballot. The process that I followed with respect to this personal contribution is the same process that applies to all members of the Board of Elementary and Secondary Education. This process ensures that members are able to exercise their rights as private citizens consistent with their duties as public officials according to the State’s ethics laws.

Before contributing, I requested and received an opinion from the State Ethics Commission on how the conflict of interest law would apply to me as a member and Chair of the Board of Elementary and Secondary Education. I have followed the guidance I received from the State Ethics Commission. Out of abundance of caution and in the interest of transparency, I filed a disclosure with our appointing authority, the Governor. Furthermore, as a private citizen contributing personal funds to an educational and political organization associated with a position on Question 2, I have stated that the recipient of those funds may not reference my official title and that I will not participate in any fund-raising activities. The actions I have taken in this matter are entirely consistent with the requirements of state ethics laws.

Individual members of the Board have diverse views and often strong opinions on various education policy issues – from charter schools to curriculum, from school and district turnaround to educator evaluation, just to name a few. This diversity of opinion is a great strength for the Board and the public we serve. Consistent with that principle and with state and federal law, Board members and other public employees retain their right to act as private citizens by contributing personal funds to a political campaign or advocacy group in compliance with campaign finance law.

I am deeply committed to serving the young people of the Commonwealth and their families. They expect a great deal from us – and we are bound legally and morally to strengthen educational opportunities for each and every student in the Commonwealth. I want to see us meet their needs. I take seriously the oath that I took – and each one of us took – when we assumed our position on this Board. We swore to uphold and execute the laws and Constitution of the Commonwealth and of the United States. None of us gets to pick which of these laws we get to follow and which we will ignore. As Chair of the Board of Elementary and Secondary Education, I can, will, and do carry out my public responsibilities within a framework of laws and with a commitment to act fairly, impartially, and in the best interest of students. I have followed those principles since I was first appointed to the Board in 2015, and I will continue to do so.

Commissioner Chester welcomed Board members. He reported that Massachusetts students were top performers on the ACT exam; four Massachusetts educators received the Presidential Award for Excellence in Mathematics and Science Teaching; the Department received a grant from the Collaborative for Academic, Social, Emotional Learning to develop a strategic plan to assist districts with this work; and he recently addressed the field through a “back-to-school” video. The Commissioner said the Department continues to monitor approved private special education schools, and is monitoring the opening of the New Heights Charter School in Brockton. Commissioner Chester reported on his visits to Brockton, Lawrence, Holyoke, and Southbridge. He noted Holyoke and Southbridge have made great progress in improving the climate and culture at their high schools.

Secretary Peyser thanked Chair Sagan for his opening comments and commitment to transparency.

Katherine Craven and Nathan Moore arrived at 8:55 a.m.

**Comments from the Public:**

1. Jonathan C. Rappaport, Executive Director of Arts|Learning, addressed the Board regarding the Massachusetts accountability system and arts education.
2. Jim Gammill, Belmont town meeting member, addressed the Board regarding Minuteman Regional Vocational-Technical High School.
3. Gerry Mroz addressed the Board regarding student assessment.

**Approval of Minutes**

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

**VOTED: that the Board of Elementary and Secondary Education approve the minutes of the June 27, 2016 Special Meeting and June 28, 2016 Regular Meeting.**

The minutes were approved. Mr. Moore and Ms. Noyce abstained.

**Annual Meeting of the Board: Election of Vice-Chair**

Chair Sagan invited nominations. Mr. Moriarty nominated James Morton. Chair Sagan said Mr. Morton has served ably as Vice-Chair and is a vital and valuable member of the Board. No other nominations were made.

**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.

**Committee Membership**

Chair Sagan reappointed Penny Noyce, James Morton, and himself to the Commissioner’s Performance Evaluation Committee. He appointed Penny Noyce as chair of the committee. He appointed Katherine Craven, Ed Doherty, Margaret McKenna, Michael Moriarty, and Mary Ann Stewart to the Budget Committee. He appointed Katherine Craven as chair of the committee. Chair Sagan appointed Roland Fryer, Secretary Peyser, Nathan Moore, and himself to the Charter School Committee. He appointed Roland Fryer as chair of the committee. Chair Sagan noted that all Board members are welcome to attend committee meetings. He thanked members of the Assessment Committee for their work on the transition to a next-generation assessment. He said he is not re-appointing the committee; the full Board will hear updates on assessment developments and policy decisions at its regular meetings.

**Recap of Special Meeting: Student Performance Results and School and District Accountability**

Commissioner Chester said the Board had an in-depth conversation regarding student assessment results and accountability determinations at its special meeting on Monday evening. He said three schools exited Level 4 status: Bentley School (Salem), Spark Academy (Lawrence), and DeBerry School (Springfield). The Commissioner said turnaround work is challenging, particularly in the high schools. He introduced Senior Associate Commissioner Russell Johnston and staff members from the Jeremiah Burke High School in Boston: Headmaster Lindsa McIntyre, Amilcar Silva, Filomena Cabral, Cheryl Windle, and Artis Street. Burke High School is the first high school in Massachusetts to exit Level 4 status.

Headmaster Lindsa McIntyre said turning around the high school involved all staff and administrators coming together to change the status quo. She said she and her team provided instructional guidance, distributive leadership, and authentic collaboration to motivate and engage all staff members. She said school culture and equity were central to the turnaround. Ms. Cabral said the school built structures to support turnaround, such as grade level academies, each with its own leader, support staff, and a separate grade-level lounge for students. She said the school schedule was changed from 45-minute classes to a block schedule to allow for more time with students and teacher collaboration during the school day, as well as an intervention block for students. Ms. Windle said the school focuses on the whole child and the needs of students affected by trauma. She said the school has a large base of strategic partners to assist with social services, including Boston College, whose social work students serve as interns. Ms. McIntyre and other team members responded to questions from the Board. Commissioner Chester said the Burke’s progress has been impressive, and noted that in November 2015, U.S. Education Secretary Arne Duncan spoke at Burke High School in recognition of its accomplishments.

Katherine Craven asked the Commissioner about the letter that Boston Latin School’s headmaster sent to the school community regarding the school’s accountability rating and issues with student assessment participation. Commissioner Chester said the assessment participation requirement has been in place for the past 15 years. He said Boston Latin School serves grades 7-12; tenth-graders took MCAS to meet the graduation requirement, and seventh and eighth graders took PARCC. He said the Department had sent multiple communications about the student participation requirement, including sample letters for parents. Commissioner Chester said in calculating the participation rate, the Department looks at two years of data to ensure fairness. He said the level designation does not reflect the academic successes of Boston Latin School; the drop in the school’s level is solely about the participation rate. Chair Sagan commented that a Level 2 school may be excellent but we cannot verify that the results reflect all students if fewer than 95% participate in the assessment. Members McKenna and Craven requested that the Department review communications to districts on this topic.

**Every Student Succeeds Act: Update on School and District Accountability System**

Commissioner Chester said Massachusetts has been operating its accountability system under a waiver granted by the U.S. Department of Education from the federal Elementary and Secondary Education Act (ESEA). He said the reauthorization of the ESEA through the Every Student Succeeds Act (ESSA) establishes new requirements for school accountability and support, which presents the opportunity to reconsider the design of our school and district accountability and assistance system.

Associate Commissioner Rob Curtin presented an overview of the accountability framework under ESSA. He said the framework maintains an annual testing requirement, assessment participation requirements, and requires states to establish ambitious long-term goals and measures of interim progress for all students and subgroups. He said the law requires inclusion of certain indicators in the accountability system. Mr. Curtin said the Department met with stakeholders and focus groups from April to June and is currently in the process of modeling systems and indicators based on that feedback. Mr. Curtin said the Department will then go back to the field and stakeholders for feedback on the system models. He reviewed potential indicators. Mr. Curtin said the Department could submit its state plan to the U.S. Department of Education in March or July 2017 and is planning for submission in March to provide ample notice to schools about any changes.

Ms. Stewart requested additional information on survey data and comments received through the Department’s focus groups and meetings with stakeholders. The Commissioner noted the distinction between elements of an accountability system, and elements included in school profiles. Chair Sagan encouraged the Department to gather broad input and invited Board members to offer suggestions. Mr. Moore recommended including students in stakeholder groups. Ms. McKenna said the timeline seems unrealistic given the change in administrations in Washington and the fact that the U.S. Department of Education has not yet issued regulations. Mr. Moriarty said third grade reading should be a significant indicator. Mr. Fryer suggested as potential indicators students’ need for remediation in college, and also some measure of character development. Ms. Stewart suggested additional indicators such as school climate and culture, teacher turnover, and availability of recess and physical education. Mr. Doherty suggested adding poverty as an indicator as well as extended school time and breakfast in the classroom. Ms. Noyce suggested teacher absenteeism and turnover and also advised emphasizing results rather than inputs. Mr. Moore suggested considering measures of student engagement in school and in extracurricular activities.

**Educator Evaluation: Action Plan to Revise Regulations on Student Impact Rating**

Commissioner Chester said the Massachusetts educator evaluation system provides teachers and administrators with two separate ratings: a summative rating and a student impact rating. He said over the last few years, districts have successfully implemented the process for determining the summative rating, but implementing the process for determining an educator's student impact rating has been more challenging. He said after hearing feedback from the field, the Department has been working with the statewide education associations to address this issue through possible amendments to the regulations. Senior Associate Commissioner Heather Peske said the Department is working on proposed amendments, which the Commissioner expects to bring to the Board in October. Mr. Doherty said the discussions are moving in the right direction. Chair Sagan thanked the Commissioner for his outreach on this issue. Commissioner Chester said the goal is to maintain evidence of student learning as part of the evaluation process while eliminating the separate rating.

**Student Assessment: Update on Next-Generation MCAS and Planning for High School**

Deputy Commissioner Jeff Wulfson reported on the Department’s progress in developing the next-generation MCAS: the Department has signed a contract with Measured Progress, began test development, and notified districts of a shift to computer-based testing in grades four and eight starting in spring 2017. Turning to high school testing, Mr. Wulfson said in November 2015, the Board decided to continue using the legacy tenth-grade MCAS for the graduation requirement through the class of 2019, who are sophomores this year. He said after discussions with stakeholders, the Department is advocating that the Board extend the use of the legacy grade 10 tests for the competency determination for one more year, through the class of 2020, this year’s ninth graders. The class of 2021, this year’s eight graders, will be taking the next-generation MCAS in the spring, which will give them experience with the computer-based mode. He said the Commissioner will bring this recommended policy change relating to the class of 2020 to the Board next month for a vote.

Secretary Peyser asked about practice tests for students, particularly tenth grade students. Mr. Wulfson confirmed that sample items and practice tests for grade 10 will be available before the test is to be administered, recognizing that students and teachers need adequate notice of changes to the expectations. He added that the standard-setting policy committee is meeting to discuss achievement levels and the Board will discuss the passing level at future meetings. Ms. Noyce suggested exploring allowing ninth grade students to take the MCAS to earn the competency determination, and adding an eleventh grade assessment. Ms. McKenna said the cut scores should be both aspirational and fair. Mr. Fryer said richer assessment and more data about outcomes after high school are needed to inform parents and students about the trajectory to college and career. Ms. McKenna and Ms. Noyce concurred that longitudinal data would be very helpful. Commissioner Chester said the PARCC consortium has done some data analysis on student performance in relation to success after high school.

Roland Fryer left the meeting at 11:50 a.m.

**Massachusetts Curriculum Frameworks: Update on Review**

Commissioner Chester said as part of the Board’s November 2015 vote to develop a new state assessment system, the Board directed the Department to consult with K-16 educators, curriculum specialists, and others to identify possible refinements to the Massachusetts English Language Arts and Mathematics Curriculum Frameworks, based on experience implementing the standards over the past five years. Senior Associate Commissioner Heather Peske gave a brief summary of the review process and timeline. She said revisions are currently underway after convening review panels, external content committees, and soliciting feedback through a survey. Department staff members Rachel Bradshaw and Connie Varoudakis reviewed examples of revisions in ELA and mathematics. In response to Ms. Noyce’s question, Ms. Peske said the changes to the frameworks include increased coherence and focus, examples of practice, and pathways to calculus and algebra. Ms. Peske said the draft standards will be presented to the Board in more detail in October, anticipating a Board vote in November to solicit public comment through January. She said she expects the final revisions will be presented to the Board in March or April 2017.

**FY2017 Budget Overview: Process and Timelines for FY2018 Budget**

Senior Associate Commissioner Bill Bell reviewed the annual state budget timeline, which for the Board begins with the meeting of the Budget Committee in October. He reviewed FY2016 and FY2017 state spending allocations. He said state spending on K-12 education is about 13 percent of the state budget and almost all of it goes to cities, towns, and school districts; the Department’s administrative budget represents only 0.5% of the state education budget. Mr. Bell said over 50 percent of the Department’s administrative budget is federally funded. Ms. Craven said the Budget Committee will meet to review agency priorities and will continue to follow state revenue projections to inform decision making.

**Update on National Association of State Boards of Education (NASBE)**

Mary Ann Stewart said NASBE is holding its annual conference in October to discuss topics including the Every Student Succeeds Act, **state accountability design, teacher professional development**, **student data privacy**, **career readiness**, **early childhood education, and the future of schooling. She said NASBE will also hold a legislative conference in March 2017. Ms. Stewart encouraged Board members to complete the association’s survey regarding membership needs and review the latest NASBE journal on education issues.**

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 12:45 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**

**Monday, September 26, 2016**

**5:05 p.m. – 7:05 p.m.**

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

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

**Paul Sagan**, Chair, Cambridge

**Katherine Craven**, Brookline

**Ed Doherty**, Boston

**Margaret McKenna**, Boston

**Nathan Moore**, Chair, Student Advisory Council, Scituate

**Michael Moriarty**, Holyoke

**James Peyser,** Secretary of Education

**Mary Ann Stewart**, Lexington

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

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

**Roland Fryer**, Cambridge

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

**Pendred Noyce**, Boston

Chair Sagan called the meeting to order at 5:05 p.m. and welcomed members. Commissioner Chester said the September meeting is typically reserved for the opportunity to review and discuss student results from the prior year and school and district accountability results. He said districts administered either PARCC or MCAS in 2016. He introduced Senior Associate Commissioner Russell Johnston, Associate Commissioner Rob Curtin, Associate Commissioner Michol Stapel, and Bob Lee, chief assessment analyst.

The Commissioner reminded the Board that districts that gave MCAS in 2015 were allowed to choose whether to administer MCAS or PARCC in spring 2016 for grades 3-8 English Language Arts and mathematics. Districts that administered PARCC in 2015 were asked to continue doing so in 2016, selecting either the computer-based or paper-based version of the assessment.

Ms. Stapel said in 2015, the percentage of districts choosing MCAS and PARCC was roughly even in terms of numbers and demographics. She said in spring 2016, approximately 72% of students took PARCC tests and the remaining 28% took MCAS tests. Ms. Stapel said the even split in 2015 allowed the Department to create a representative sample of students from each group as a basis for statewide comparisons, but this year’s uneven makeup does not allow the Department to create a representative sample and therefore aggregate results are unavailable at the state level for grades 3-8 in English Language Arts and mathematics.

Mr. Lee said the state-wide assessment participation rates are very high. He said in 2016, 60 percent of districts administered the paper-based version of the PARCC assessment, compared to 40 percent in 2015. He said in the Commissioner’s districts, 91 percent administered PARCC, and in small and medium-sized urban districts, 85 percent administered PARCC. Mr. Lee said the PARCC English Language Arts results showed a 1.1 percent increase in students who were proficient or met expectations compared to 2015; in mathematics there was a 3.8 percent increase. Mr. Lee said grade 10 MCAS English Language Arts results saw no change (91% proficient or higher), mathematics saw a one point decrease (78 % proficient or higher), and Science and Technology/Engineering saw a one point increase (73% proficient or higher). He reviewed changes in PARCC and MCAS school proficiency rates by student groups, and discussed students’ experience with new PARCC items on the MCAS assessment.

Katherine Craven arrived at 5:40 p.m.

In response to Secretary Peyser’s question, Mr. Lee said across the PARCC consortium, Massachusetts had the highest results last year. Commissioner Chester cautioned against over-interpreting the data from only two years. In response to Ms. McKenna’s question, Mr. Lee said students in the early grades saw a four point increase in mathematics on PARCC, which seems significant given that about 750 schools, largely urban, administered PARCC. In response to Mr. Moriarty’s question, Mr. Lee said the assessment is a mix of challenging items and simpler ones. In response to Chair Sagan’s question, Ms. Stapel said including PARCC items on the MCAS test this year exposed students to different item types, and in general students did quite well given that the items were challenging.

Commissioner Chester said students in grades four and eight will experience the computer-based assessment this spring. He said students need access and exposure to technology and computer-based testing to become more comfortable. He added that students report the computer-based assessment is more engaging. The Commissioner noted that the National Assessment of Educational Progress will be administered online this year.

Senior Associate Commissioner Russell Johnston introduced the update on 2016 district and school accountability determinations, exit determinations, next steps for Level 4 schools, and assessment and accountability results for Level 5 districts and schools. He said the Level 5 school and district receivers will report to the Board throughout the school year; tonight the Board will hear from Matt Spengler of Blueprint, the receiver for the Dever School in Boston.

Associate Commissioner Rob Curtin reviewed the current accountability and assistance system under the Elementary and Secondary Education Act flexibility waiver, and the school classification system (Levels 1-5). He said in 2016, schools and districts that administered PARCC (ELA and mathematics grades 3-8) were held harmless for accountability levels per the Board’s direction, and the cumulative progress and performance index (PPI) was calculated with and without the 2015 PPI to ensure that the higher value was used. He said the hold harmless provision does not apply to high schools, MCAS-only schools or districts, schools with persistently low graduation rates, or schools and districts with low or very low assessment participation. He said participation rates were also calculated using a two-year participation average, using the higher rate for decisions on accountability level. Mr. Curtin said 117 schools were held harmless from a lower level in 2016. He congratulated the 49 schools named Commendation Schools for high achievement, high growth, and gap narrowing.

In response to Ms. Craven’s question regarding participation, Mr. Curtin said if a school has less than 95 percent participation on assessments for over two years, it would be held accountable. He noted that a two-year participation average was calculated, and the higher rate was used to benefit schools during a transition period. In response to Ms. Stewart’s question, Mr. Curtin said the Department is phasing in the reduction in the minimum group size to 20.

Mr. Johnston gave an overview of the seven cohorts of Level 4 schools. He said between 2013 and 2015, 22 schools exited Level 4 to Levels 1, 2, or 3. He said in 2016, three Level 4 schools are exiting to Levels 1, 2, or 3: Spark Academy Middle School (Lawrence), Bentley Academy Charter School (Salem), and William DeBerry Elementary School (Springfield). Mr. Johnston said the 11 Level 4 schools remaining are engaged with in-district receivers, supported by a turnaround partner, or located within a Level 5 district. He said the Mattahunt Elementary School (Boston) and the High School of Commerce (Springfield) are currently under review by the Commissioner, and Brighton High School and Excel High School (Boston), and the Mary Fonseca Elementary School (Fall River) have been placed in Level 4 due to lack of progress or declining results for multiple years. He reviewed the assessment data for the four Level 5 schools.

Ventura Rodriguez, director of the Office of Strategic Transformation, updated the Board on back-to-school activities in the Level 5 districts. He said this summer Southbridge Receiver Huizenga focused on the middle school and high school, school culture and climate, and building relationships with students and families to ensure a positive start to the school year. He said professional development for educators focused on math curriculum, common assessments, and technology. Receiver Huizenga will present a more detailed report to the Board in October.

Executive Director Matt Spengler of Blueprint, the receiver for the Dever School, addressed the Board. He said two years into receivership, the school’s PARCC assessment results are unacceptable, and Blueprint takes full responsibility. He said there is a new principal in place and he is overseeing the restructuring of the school’s leadership team and student supports. Mr. Spengler said to address discipline issues at the school, staff have participated in Positive Behavioral Intervention and Support training. He said he has been at the Dever almost every day. He said the school has added instructional deans, hired five new teachers and set up new teacher teams, home visits and parental outreach have improved, breakfast in the classroom has been instituted, and mathematics fellows are working with grade four and five students.

Commissioner Chester said he is in frequent contact with Mr. Spengler regarding the school, and the Commissioner has made clear he will look at other options if the school does not improve in the coming year. Ms. Craven noted the geographic challenges of the location of Dever, as well as the impending facilities review by the city and school committee. Ms. McKenna said she is encouraged to hear that a former Boston Public Schools staff member is now helping the school to navigate BPS procedures, and she encouraged Blueprint to draw on partners for assistance. She said she hopes to see progress very soon. Chair Sagan thanked the Commissioner and presenters for the updates.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 7:05 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