COMMONWEALTH OF MASSACHUSETTS
BOARD OF EDUCATION

*****Regular Meeting*****

Springfield Central High School
1840 Roosevelt Avenue
Springfield, Massachusetts

Tuesday March 26, 2002
9:00 a.m. – 12:00 noon

MEMBERS OF THE BOARD OF EDUCATION PRESENT:

JAMES A. PEYSER, Chairman, Dorchester
HENRY M. THOMAS, III, Vice-Chairman, Springfield
J. RICHARD CROWLEY, Andover
PATRICIA PLUMMER (for Judith Gill), Board of Higher Education
JAMES MADDEN, Randolph
DR. ROBERTA SCHAEFER, Worcester
DR. DAVID P. DRISCOLL, Commissioner of Education, Secretary to the Board

Chairman Peyser called the meeting to order at 9:00 a.m.

CHAIRMAN PEYSER: I want to preface the meeting today by just making a couple of program notes. We're going to try to rearrange some of the items on the agenda to accommodate peoples' schedules, and simplify the process. In particular, there are a couple of votes that are slated for today which we're going to try to do at the beginning of the meeting rather than at the end. There is also one item that is not on the agenda that the Commissioner will talk about a little bit more, which concerns the upcoming appeal and hearing which will occur with respect to the Lynn Community Charter School, the vote that we took at the last meeting. There's a motion that has been put forward essentially authorizing me to procure a hearing officer in order to actually bring the process forward. We'll get to that at the beginning of the agenda, along with the approval of the grants. And then, we'll move on to the update on the History and Social Science framework, and then, the other items on the agenda. I'd like to turn it over to the Vice Chair to make some opening comments, as he is our official or unofficial host, as the case may be.

MR. THOMAS: Good morning. On behalf of the State Board of Education, I would like to welcome you all to the great City of Springfield, out to the west where it's purported to be the best. We are blessed with extraordinary leadership and assets. Our assets can range from the Basketball Hall of Fame -- which in fact, we are the home of Basketball—to Central High School, which has a great reputation in basketball. And I'm not going to take away from the principal's comments, who will probably share some of the attributes of Central High School, but I'd like to acknowledge that we do have great leadership, starting with our Superintendent, Dr. Burke, who is new on the job, and is still in his honeymoon stage. So he doesn't have any flies around him right now. So this is the time to be very close to him because you won't get in trouble if you stay close to right man. But Dr. Burke has already shown us that he's going to be a great leader for the district, and he's fortunate to have Attorney Marjorie Hurst, who is the Vice Chair of the School Committee. And she has provided extraordinary leadership. And then, of course, Candy Bud-Jackson, who is our Principal here at Central.

I have a little nexus to this school in a couple of ways. Central High School -- Commissioner Driscoll probably remembers, Central High School is a blend between the old Technical High School and Classical High School. When those two buildings were razed, this was the replacement. And I'm a graduate of Technical High School. So I'm sort of an alumni of Central. But more importantly, my son is a graduate of Central High School. And so, there is a close connection with Central. And I'm also proud Central can brag being a five-time Super Bowl winner. And that's a pretty significant feat. So without further ado, I will turn it back over to the Chair. I would note that it's currently interesting that we usually hold our meetings at 9:00 in the eastern part of the state. But coming out west, and there's enough traffic, we decided to give ourselves an extra half-hour. I don't know if that's --

CHAIRMAN PEYSER: Well, certainly, if the Commissioner wants to comment on that, he's more than welcome to. Actually, one thing I do want to say before turning it over to the Commissioner, just by way of general commentary, is that there is a report that was issued earlier this week based on a survey done by Mass Insight of students who were at the time 10th graders who did not pass the April 2001 MCAS, either the English or the math portion or both. They surveyed 140 students, and it's gotten some press coverage I'm sure many of you have seen. The press coverage I think is not exactly as I would have written it. In particular, the coverage focused on the fact that many students, half or more, who were eligible who had failed one of these tests were not participating in after-school extra help programs, which is certainly something to be concerned about. However, I think the more telling finding was that not only did students understand that more work and more time on tasks would help them do better, but that what they were actually learning in these extra help programs were not simply tricks of the trade, but actual knowledge and skills that would have helped them do better in school generally and in life, and that there was a deep connection between those two things; and that, in fact, the extra help programs that are being put in place are meaningful and powerful tools for learning, and to ensure a greater success in life, and in some cases, certainly higher education, as well.

In addition to that, if not more important is the fact that students were, in general, motivated by their inability to pass the first time around, not de-motivated. They didn't lose interest. They didn't drop out. They didn't say that it didn't matter, and they didn't fall back into indifference; that in fact, they did more work, they worked harder at the work that they were assigned, and that they believed -- and I think rightly so -- that if you participate, if you work hard, you'll do better. I think that's a very important finding. And I think, again keeping in mind that the pool of the students who were surveyed were students who had not passed. These weren't students who had already passed who were sort of reflecting on the connection between work and effort and actual performance, but these were students who were not succeeding the first time out. And they were, in fact, motivated to do better. I think that's a very important finding, and I'm very, very pleased by it. With that, let me turn it over to the Commissioner.

COMMISSIONER DRISCOLL: Thank you, Mr. Chairman. I would just like to add to that discussion and agree with you. And as you've commented many times, I'm talking about kids who meet us halfway. And a lot of people have wondered why I have dwelled on that. I've dwelled on that because, unfortunately, too many of our kids have come to school without the motivation, not having high expectations by their families. It is a tremendous problem for schools. And I think it ought to be acknowledged. Here's a perfect example of where schools are offering extra help to help these kids meet the requirement, and they're not taking advantage of it. And so, I think it's an indication of something that I don't think has come to light that often, and that is, for too long, we have had low expectations for kids. They've expected it. And I do think it is hard. The Mass Insight report indicates that kids understand. They're not going to drop out because of the test. If they're going to drop out, they're going to drop out. They understand what the test is about, and they know how achievable it is if they work. Hopefully,

over time, as a society, as parents, as leaders we can motivate kids to understand that this is a reasonable expectation and something that they should reach for.

The other comment I do want to make is that, in April, we will be coming out with a more detailed report of the last MCAS and the retest. I think there are some important statistics that we need to look at within the broader statistics which we have presented. I hate to be so blunt to our friend, the Vice Chair, but the fact of the matter is, he's too old to be an alumnus of Central, no matter how he wants to talk – but anyway, we're here at Central, certainly in part due to the input of the Vice Chair, as well as the Superintendent of Schools. And it's a delight to be here.

I've spent some time lately in Springfield working with the new Superintendent, who has certainly shown us his leadership, not only working with us in receiving a five million dollar grant through the Wallace Reader's Digest Foundation, but working with us on the upcoming National Science Foundation Grant, and has certainly hit the ground running. I'm very pleased with the progress being made. I need to note that our Superintendents, particularly in our urban areas, are facing tremendous challenges, challenges I had hoped were behind us, but somehow, they cycled back in the fiscal times. Here we are again with very difficult challenges. And my heart goes out to you. I've been there. I often tell people I laid off my own sister-in-law who had 32 years as a guidance counselor, but she was senior. So I wasn't the most popular person in the family. But those are the things that unfortunately we face. So hopefully, there can be a way that we can see some relief, and so forth. But anyway, we have our guests. Let me turn it over to the Superintendent.

SUPERINTENDENT BURKE: Thank you, Commissioner. We'd like to give the principal of the school first crack at welcoming everyone to her building. And so, without further ado --

DR. BUD-JACKSON: Thank you, Doctor. Chairman Peyser, Vice-Chairperson Thomas, Commissioner Driscoll, members of the Board of Education, Attorney Hurst, Superintendent Burke and guests, on behalf of the 1,600 students, and 165 teachers at Springfield Central High School, the largest high school in western Massachusetts, it's an honor to have you with us this morning. I'm very proud of the work that our staff and students are doing in improving our MCAS scores over the past three years, and I am particularly proud that the Department of Education considers Central High School as a Commonwealth Compass School. Although we've not been selected this year as a final candidate, Central High School's excellent teaching staff will continue to make the necessary effort to ensure MCAS test scores will improve. My staff and I would be very interested in visiting schools that are selected as Compass Schools in order to look at their improvement initiatives.

Although there is substantial controversy surrounding the high stakes component of the MCAS and its graduation requirement, it is exactly this focus that is having a positive effect in three areas at Central High School. First, it's causing teachers to examine what they are teaching and how they assess what they are teaching. MCAS item analysis reports are focusing teachers' efforts in weak areas. Secondly, students have taken the advent of MCAS and its impact on their lives very seriously. The percentage of students passing the MCAS in English Language Arts has risen from 56 percent in 1998 to 68 percent this past year, and in mathematics, from 25 percent in 1998 to 53 percent this past year. Students who have failed either exam are filling the tutoring sessions before and after school. The Guidance Department is closely monitoring the effect of failing MCAS on the dropout rate. And at this point, counselors are not seeing a direct correlation between MCAS failures and dropouts. This area, though, we'll continue to look at and monitor very closely. Finally, we are seeing an increase in parent participation and concern as a result of MCAS. Parents are enrolling their children in tutoring sessions to the point where there is a need now for more tutors. Enrollment in the December 2001 retest was extremely high,

and the pass rate in English Language Arts was above the state average. Performance in math is still an area of concern, however.

It must be noted that there are other factors besides the MCAS exams that are also driving change here at Central High School. Specifically, Superintendent Burke's focus on creating a culture of achievement, and the New England Association of Secondary Schools and College's new method of examining schools for accreditation. Superintendent Burke has set progress indicators to maximize the performance of all student learners in the Springfield Public Schools. Our Superintendent is expecting MCAS scores in all grade levels to increase for reading and for mathematics. By creating measurable goals for student achievement, principals like myself can set benchmarks for students and for faculty. I take the Superintendent's progress indicators very seriously, as does my staff.

I mentioned the New England Association of Secondary Schools and Colleges. Central High School is presently undergoing its self-study for accreditation and will be visited next spring. My plan is to make Central High School a mission-driven school with specific goals of marrying the City of Springfield's systemic goals of a culture of achievement, the curriculum framework as mandated by the state, and the Association's new approach of examining student work to see if the work reflects the schools mission. I am proud to tell you that my staff is embracing this challenge, and we'll be ready for next spring's visit. This is a very exciting time here at Central. The decisions we make over the next few years, the decisions driven by the MCAS results and our accreditation visit, will continue to make Central the most popular choice for students in Springfield.

I want to thank you for this opportunity to tell you very quickly about Central High School. I think you'll be hearing a lot more good things about us in the future. Thank you very much. If I can do anything to make your visit a little bit more comfortable, please let me know. And by the way, Mr. Thomas, I am a proud graduate of Classical High School. So I guess we have the best of both worlds. Thank you. It is now my pleasure to introduce this morning the Vice-Chairperson of our School Committee, Attorney Marjorie Hurst.

MS. HURST: Thank you, Dr. Bud-Jackson. I think that's a stretch on both of your parts. Let me just say that I'm a proud graduate of the High School of Commerce, but had two children who graduated from Central, and one from Classical in the last class of Classical High School. So indeed, I would have to compliment Dr. Bud-Jackson on the fine job that she's doing here at Central High School. Let me just welcome you on behalf of the Mayor, Mayor Michael J. Albano to the City of Springfield. Mayor Albano, as you may or may not know, serves as the Chairperson of our School Committee. So on behalf of Mayor Albano and myself as Vice-Chair, I would like to welcome you to the City of Springfield.

I would simply like to say that we understand, and we appreciate the work that you are doing, Mr. Peyser as Chairman, and certainly, Mr. Thomas as Vice-Chair, Commissioner Driscoll, and all of the members of the Board of Education. Your job is not an easy one. You're charged with being somewhat removed from our cities and towns, but yet trying to make decisions that reflect the best interests of our children. At a time when fiscal problems abound, your job is made more difficult, as are all of our jobs. I would simply implore you, as you continue to make follow-on like decisions, that you keep in mind what is the best thing for the children of our district. That is why we're all here. That's why we're all public servants. Oftentimes, the children are the ones who don't have the voices, and they're the people that we have to think in terms of how our decisions impact them.

So again, welcome to our city. Continue to work hard on behalf of all of the cities and towns. We especially, of course, want to put in a plug for the urban cities, and what we're especially facing in these difficult fiscal times. I would just like to say, keep up the good work. Come back to see us often, and good luck in what you do.

SUPERINTENDENT BURKE: Good morning. First of all, I'd like to thank Dr. Bud-Jackson for her kind comments about where we are going in terms of the educational adventure in Springfield, and Mr. Thomas, as well. We are well into our efforts to build a culture of achievement in the City of Springfield. And Dr. Bud-Jackson and her staff at Central are leading that charge. In fact, all of our principals are bracing the efforts that we need to make on behalf of all of the children in Springfield.

A couple of comments about the School Committee in Springfield. This is a school committee that is in fact committed to putting children first. And the Vice-Chair, Attorney Hurst made the comment to you just a few moments ago that the voices of the children are not always heard in the processes and deliberations of government and policy-making. And I would like to let all of you know that as the Vice-Chair, Attorney Hurst is an outspoken advocate for children at all times, and her voice is heard on behalf of the young people in Springfield always. And that makes my job a lot easier. So I'm very, very grateful for that.

I do want to make a couple of comments about the fiscal crisis that is confronting public education throughout the Commonwealth. We are, as Dr. Bud-Jackson indicated, well down the road to implementing educational reform in the Commonwealth of Massachusetts. And that is partly represented by the MCAS and the accountability system that MCAS represents. However, we can't lose sight of the fact that the performance of our students is dependent upon our ability to put quality teachers in the classrooms, and a sufficient number of quality teachers in the classrooms that we can continue to make the progress that we must make on behalf of the children in the Commonwealth of Massachusetts. The revenue shortfalls that the state of Massachusetts are facing right now are going to be plaguing all of us. Certainly as we deliberate in Springfield with regard to next year's budget, we are looking at -- and based on the speakers projections and the House intent to look at the potential of the ten percent cut, we would be facing initially a $21 million shortfall without considering the contract requirements that we would normally face in terms of our collective bargaining agreements for next year. When you add those commitments to the $21 million shortfall, we would start out the year in the neighborhood of about $34 million short.

Now, $34 million is a considerable sum. And obviously, we're going to be making very, very serious efforts to address the potential shortfall. But I do want to suggest to all of you that without additional revenues, and some effort to get additional revenues for public education in the Commonwealth of Massachusetts, all of the cities will be facing very, very serious cuts, and increases in class size, and layoffs of personnel that are extremely serious. Now, obviously, that's going to have an impact on our ability to educate the young people in our cities and, potentially weaken the ability to continue the increases in performance. But the other effect of that is, as you project layoffs of professional personnel in the school districts, you have to look at the overall effect that that has on the economy as well. As those layoffs occur, you have an additional hit in terms of paying for unemployment compensation for those employees. And as those persons are not earning income, there's an obvious impact on additional revenues for the state that has a cumulative effect. So I just want to caution the Board that whatever efforts can be made on your part to temper some of the zeal in the House to look at these cuts. I think that would be important. And if there is a way that revenues can be looked at, I think that would also be important. Certainly the mayors of the cities and towns, and particularly the cities in the Commonwealth are going to be, and have actually formulated a position on that.

The other thing that I would like to state publicly is that an across-the-board ten percent cut, as has been proposed by Speaker Finneran, has a very deleterious effect on the cities. The overall formulation of allocations to the cities and towns in the Commonwealth of Massachusetts, based on the education reform formulas has as a basic fundamental equity issue a distribution formula that has a preponderance of the money for a K-12 education coming from state aid to the cities. And because the tax base, the local tax base is stronger in some of the suburban communities, there is in the formula higher percentage of the support for pubic education that comes from the local tax base, and less direct aid from the state. That formula, in my opinion, is an appropriate and equitable formulation of how we need to be looking at funding public schools across the state. But when you consider a ten percent cut in state aid across the board, that ten percent cut in state aid has a much more negative impact on the cities than it does on the suburban districts.

And so, as these formulations begin to come out of the Legislature, I would urge you, and I would urge the public that is here to look at that as an equity issue, and be clear about the fact that if the state revenues necessitate and eight percent or a ten percent cut in funding for public education, that that cut be done in an appropriate and equitable manner so that it does not have the disastrous effect that it would have on the urban districts, and that if there is a need to cut in the neighborhood of eight or ten percent, that that cut for the cities be five percent or six percent or whatever, and then have a commensurate cut in state aid of some greater percentage for the suburban communities because they're going to have the additional revenue in the formula to mitigate against that overall cut, and the cities will not. In fact, the City of Springfield is looking at some very, very serious efforts to preserve as much as they can the city budget. And as we all well know, the cities and towns provide a required support for public education. So as the fiscal picture unfolds, as an urban superintendent, I would urge you to express your voices in favor of a formulation that would not have a doubly negative effect on the urban districts who are struggling, as Commissioner Driscoll said, with a set of challenges that are somewhat more demanding that some of the other communities around the Commonwealth.

So I've said what I need to say about that. Let me give my welcome to all of you to Springfield, and again thank Dr. Bud-Jackson and Attorney Hurst for their good work. Thank you.

PUBLIC COMMENT

Kelly O'Brien, Global Horizons

MS. O'BRIEN: Good morning. First, I'd like to thank you for letting me address the Board this morning, and to thank Springfield Central High for hosting this meeting. I am speaking on behalf of Global Horizons, a program at the Center for International Education at the University of Massachusetts. I am also speaking for many others within the fields of social science and education, and as a parent, as I explain why I don't support the new History and Social Science frameworks.

These frameworks are a radical change from the old ones, and they are a huge mistake. Most of the world seems to have been forgotten in the seventh grade world history frameworks. Latin America doesn't appear at all, and North Africa is mentioned only in relation to the expansion of Islam. The rich diversity of sub-Sahara Africa is not included as part of the world deemed worthy of historical study, as if there were no history until Europeans arrived. In fact, the first time we meet Africans within the formal required frameworks is in high school, World History Number 9, and we meet them as slaves. This is really maddening, and it's very outrageous, I think. These frameworks go on to imply that within – and this is World History Number 33 -- that the major developments of African history only occurred as a result of contact with European imperialism.

Finally, within the World History frameworks Number 56, students are asked to describe the development and goals of nationalist movements in Africa and other regions. However, I believe it will be very difficult for students to understanding these movements, particularly in Africa because they have no understanding because it's not required of them to understand the cultures -- you know, the kingdoms which existed all over west and central Africa, the Swahili city states, the numerous stateless societies that existed, and were all inexplicably and forever altered in ways that we are also trying to understand with the arrival of slave traders, missionaries and colonialists. These frameworks seem to provide no support for understanding nationalist movements in Africa, or for understanding contemporary issues in Africa. Now, the old frameworks were not perfect, but at least they required students to learn key parts of world history, including a look a West African kingdoms, the Swahili city states. Plus I believe that these radical new frameworks would require probably new textbooks, and that is probably expensive. And I believe that there are many scholars, people in this area and across Massachusetts who are willing to help make appropriate changes to the framework so that children are exposed to the rich historical diversity of all world regions. Thank you.

Tim Collins, Springfield Education Association

MR. COLLINS: Good morning, and thank you for having me. I also am a proud graduate of Technical High School. As a matter of fact, Henry and I played football together. And believe it or not, I blocked for Henry, who at the time was a half back.

MR. THOMAS: Now, he's mocking me.

MR. COLLINS: No, actually, I'm looking for you to run some interference for me nowadays, Henry. I'm here to testify on the Elementary and Secondary Education Act, particularly your choice of the testing instrument that will be used to test our children in grades three through eight. I think in these economic times, I would question the wisdom of going through the expensive process of developing additional MCAS tests. If you were to choose an off-the-shelf test such as the MEEPS or the Stanford Ten that matches our frameworks and curriculum, not only would you realize a savings in your own budgets, but local districts could adopt that test in lieu of their own testing programs and realize a savings, as well. If we use MCAS as our standardized test in these grades, I think it would put schools and districts at a significant disadvantage with the other states in the nation.

MCAS, as you know, is probably one of the most, if not the most difficult state testing instrument in this nation. Districts, especially districts like Springfield, urban districts, stand to lose significant federal funds if we cannot demonstrate significant growth and consistent progress with the testing instrument that you choose for our children. I think if we use MCAS under these economic times, it would be very, very difficult for our children. If in fact the cuts that Speaker Finneran and his leadership team are going to happen, I think we ought to consider suspending the expensive MCAS process altogether, and funnel those resources into direct services to children on the local level. It would be unconscionable for this state to continue to hold the children to the highest standards in the nation at the time when we're not giving local districts the resources so that every child can meet those standards.

I also have some concerns about the funding of ESEA, and I ask you to join me in lobbying the President and our Congressional delegation to rectify two very difficult inequities in their lack of funding. First of all, the school building assistance and renovation. In these economic times, we need their help more than ever. And the second thing is in the funding of IDEA, our special education programs. I have a letter that I'll give you that I have written to our Congressional delegation and the President, and I hope you'll join me in that.

Finally, I'm here to testify on the use of MCAS scores on transcripts and permanent records of students. I do have concerns about MCAS, and I know you've heard me before on this. But I believe it goes -- using the scores in this fashion goes far beyond the intent of the legislation. The validity of MCAS is still questionable. There are many experts who question it. The Department of Education itself is still adjusting and correcting the test. No parochial or private school students would have this kind of labeling as they move in their lives. And there is no evidence to this date, and no data that shoes that MCAS is a good predictor of a child's further future success in college or in their chosen field if they don't go to college. But most of all, here in Springfield, there are many students who have given up extracurricular activities and jobs to attend before school, after school, Saturday school. They've given up taking elective subjects so that they could go to MCAS remediation classes. And many of those students, after sacrifice and hard work, have finally passed the MCAS. To label these children as needing improvement would be terribly unfair and unjust, and inaccurate because the efforts that they have put forward show that these students are in fact improving. To label them in any way at this snapshot in their lives that would go on forever I don't think would be an appropriate use of this exam.

So I thank you for your time. I am going to leave with you my testimony which, obviously, I haven't followed exactly. Also, the letter that I wrote to our Congressional delegation. And there's another issue that I have a letter from our two mentors, and it's about the prospective teacher test. We have some serious concerns in this time of upcoming teacher shortage. There is no appeals process for our teachers, and there are some significant concerns. I also will be sending a letter to you expressing my concerns about that. If there are no questions, I will leave you with my testimony and materials.

Dr. James Caradonio, Superintendent of the Worcester Public Schools.

DR. CARADONIO: Good morning. Being a high school person myself, we're about getting ready for lunch. I'm joined by, on my left, our City Manager, Thomas Hoover, and on the right, Mr. Dick Lamareau, our architect. And we're here where the very simple task is to say thank you to the State Board of Education and the State Department of Education staff, as we have worked all together to build a brand new vocational school in the City of Worcester.

The current structure is heading towards its 100th year of existence; and that by working together with the Commissioner and Jeff Wulfson and Chris Lynch through two very difficult periods -- one was a dispute with the environmentalists over the location, and that, again, has been resolved with great assistance from the Department of Environmental Protection, and that in, I believe, in very close relationship now, a positive working relationship with the people that brought the suit against the city around the vocational school. And the second was NEASC evaluation. I read again today in the Advisory on SBAB that NEASC determination and status of high schools is clearly a high criteria for funding new buildings. And we were very close to being moved from warning to probation on the vocational school. And that was primarily, again, about not being able to build a new building. So we want to thank you very much, I think, for anything except your patience and professional expertise.

Secondly, today you're going to vote $85,000 worth of grants to the Worcester Vocational School so that when we build the new -- we have the new wine skin. We also are going to have new wine in it. And the staff there is working exceptionally hard, especially on our Carnegie grant, in which we were one of seven school districts nationwide to receive eight million dollars from the Carnegie Corporation to rejuvenate and move our high schools into the new society. And the vocational school is a key part of the Carnegie grant. Through your funding of the vocational school, so is the State Board. So again, my thanks for all your help and assistance in this. And I'd like to turn it over now to Tom Hoover, our City Manager, who again, in my years in public

education, I've never met a city official who is so committed to public education as Tom Hoover, and specifically also, a very keep understanding of vocational education. And his support, especially in mediating and bringing to a closure the dispute, the environmental dispute was textbook. And he certainly deserves a large amount of the credit for bringing everyone together and resolving that. So my pleasure to turn it over to Tom Hoover, our City Manager.

MR. HOOVER: Well, thank you very much, Superintendent Caradonio. It's been said that many times city officials, and particularly mayors and city managers and school superintendents are at odds over certain issues when it comes to funding in cities, whether it be education or the rest of the things we have to do in the cities, like police and fire and all those other things. I'm proud to say, though, that ever since I've been in Worcester -- which has been more than eight years now -- and since Jim's been Superintendent, we've probably gotten along better than most in the state. And we're very proud of that, and we continue to work on that particular partnership. That partnership is really what has brought us to this date today where, after five long years of some legal battles, we finally can move forward with what is probably the most important school construction in our city, that being the vocational high school.

When I became City Manager, I actually had the vocational high school as one of my city departments. And through cooperation with Jim and his predecessor, we were able to turn that over to the School Department, and it is one of the signature schools in that department now and in the city and, certainly, throughout the Commonwealth. And as Jim said, we were very close to losing accreditation for that very important school. And now, because of the settlement that we've been able to reach with some people who were contesting the environmental impacts of the placement of this school, along with the help of Secretary Durand and all his people in the Department of Environmental Protection, we got through that process. And today, we're before you looking for your continued support. And we thank you for all of that.

Certainly, Dr. Driscoll and all of his staff has been very instrumental in bringing us through this long, arduous process. And since we've been, over the last eight years, building quite a few new schools in Worcester, I don't think anything's more fulfilling than this particular school which we've worked so hard at. So I'm here also to thank all of you for your support; look forward to your continued support. And I can promise you, the facility that we will be building in Worcester is not only for all of us, but most importantly, for the children that need this very important education to carry out the technical abilities that are needed in the future for workforce development. So again, thank you, and we look forward to a very successful school.

DR. CARADONIO: Dick, do you want to say anything?

MR. LAMAREAU: I would just like to say it's been a pleasure for our firm to be involved with this school, as well as many other schools in the Worcester County area, and particularly the vocational school. It is going to be a state-of-the-art school. There hasn't been a brand new vocational school designed or built for 25 or 30 years in Massachusetts, or even in the rest of the country. We did a lot of research to see where vocational schools were going, and we incorporated all of the information that we found into this school. And we've maintained to keep it as flexible as possible because vocational education will change as the professions and the trades change throughout the next hundred years, if you will. So I'm again very glad to be part of this project and part of the team. And I'm sure you'll all be pleased to see the new vocational school. Thank you.

CHAIRMAN PEYSER: Thank you all very much. Let's move on to the business part of the agenda now, beginning with approval of the minutes.

APPROVAL OF MINUTES

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education approve the Minutes of the February 26, 2002 Regular Meeting of the Board.**

The vote was unanimous.

CHAIRMAN PEYSER: I'd like to insert in the agenda now a motion and discussion on the Lynn Community Charter School appeals process, which is underway. We have here copies of the formal request for appeal which has been submitted on behalf of the Lynn Community Charter School. That will lead to an adjudicatory hearing, which is their right under state law. And that means it ultimately will come back to us again. I think we discussed a little bit about the likely time frame. It will come back to us for final disposition. In the interim, in order to move the process forward, we need to actually set up the basic infrastructure, which really is hiring a hearing officer in order to run the hearing and serve as, essentially, an objective third party in gathering the evidence that will be presented at that forum.

And so, there's a motion before you to empower me to sign an agreement with a hearing officer that will be based on some kind of a bidding process that perhaps David can talk about, so that we don't have to come back for a deliberative process. Commissioner, do you want to talk about that?

COMMISSIONER DRISCOLL: Yes. We have gone out to bid, and we expect to be able to choose a hearing officer as early as next week, which is why we've asked you to give the Chairman the authority to go forward. We are hopeful to have the hearing sometime in late April or early May. All indications are that it's going to be a pretty lengthy process. And so, that's why we've chosen to go with this hearing officer. We certainly want as many Board members to attend as possible. But our goal is to have the hearing conducted; have the report of the hearing officer come before the Board in time for deliberation of the Board; and then, vote at the May Board meeting. So that's our schedule, and I would ask the Board to vote to allow the Chairman to work with us to move the process forward.

CHAIRMAN PEYSER: Is there any discussion about the appeals process itself or the motions?

MR. THOMAS: Is the hearing officer the final adjudicatory, or final arbiter in the process?

COMMISSIONER DRISCOLL: No. The hearing officer is simply playing a role here to move this process along, and to write a report based on the hearing. The decision is up to this Board, based on the facts, et cetera.

CHAIRMAN PEYSER: So essentially, again, the hearings will be open public events, and Board members are welcome to attend. Presumably, there will be some review of evidence, information that's already been presented. It's conceivable there may be new evidence that is presented. I think it's likely that the focus will be on whether the process leading up to the decision of the Board was adequate or appropriate, and perhaps also asking for reconsideration of some of the basic facts, as well. But nonetheless, the basic process is that the hearing officer will chair that hearing or set of hearings, and then will produce a summary report for our review. And that will be what we use for the basis of our decision.

MR. THOMAS: So it's really not an administrative law process; it's more of a ---

CHAIRMAN PEYSER: I think it's fair to say it's beyond that. It's not just procedural, although I think they would probably make some procedural points. And the Department -- I'm not sure exactly. I think the Department will be presenting evidence, as well, in this hearing. So both sides, if you will, present. But they may introduce, again, potentially new evidence or re-argue the case.

DR. SCHAEFER: Once it comes back to the Board and we make a decision, is that final?

CHAIRMAN PEYSER: That will be final, yes.

DR. SCHAEFER: And there can be no further ---

CHAIRMAN PEYSER: Presumably, they could go to court at any time they want. But there's no further administrative process to pursue. Before taking up the motion, we need to waive the Schaefer rule, as this has not been on the agenda before. Is there any objection to doing so? Hearing none, I entertain a motion.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education designate the Chairman to act on its behalf, in consultation with the General Counsel, to take necessary action relating to the request of the Lynn Community Charter School for an adjudicatory hearing, including appointment of a hearing officer to hear the matter and make a report and recommendation to the Board.**

The motion was made by Mr. Thomas and seconded by Dr. Schaefer. The vote was unanimous.

CHAIRMAN PEYSER: So I will let you know as soon we have concluded an agreement with a hearing officer, and the Commissioner will send you also the process and the schedule.

DR. SCHAEFER: What is happening with the students in the school in the meantime, since this is going to take a week, another week, and then, if they go to court?

COMMISSIONER DRISCOLL: Well, at this point, since they have appealed, there are contingency plans rather than final plans. So the Lynn Public Schools is going about the process of developing a plan to assimilate all the students. The parents have choice. And that goes forward, but obviously cognizant of the fact that there's still a hearing process.

CHAIRMAN PEYSER: Are there any meetings that are scheduled for parents of students?

COMMISSIONER DRISCOLL: I don't know that. In fact, I have a call in to the Superintendent, and I intend to talk to them this week.

CHAIRMAN PEYSER: Because I think it would be important, given the time schedule, to go ahead with those informational sessions so parents will know what their options are because if we follow the schedule here, which is a May date for coming to a resolution, which is obviously very close to the end of the school year, and that much closer to the beginning of the next year.

MR. THOMAS: Jim, I don't know what might be of help on this question, but if in fact, Lynn goes to court, then I think there is a possibility that the court would grant a TRO. And if, in fact, they do that ---

CHAIRMAN PEYSER: That would be a temporary restraining order?

MR. THOMAS: But a temporary restraining order might throw us into another school year if in fact that does happen, and we'd be obligated to fund the school under those conditions?

MS. SCHNEIDER: The pendency of the administrative hearing means that the charter remains in place. So, the school continues to be chartered until a final decision. If the final decision is adverse, if it upholds the Board's conditional decision, the charter ceases to be in effect. The school could go to court. It will have the right to appeal under Chapter 38 to State Superior Court. And you're correct, Mr. Thomas, that they could ask the court to enjoin the non-renewal of the charter. At that point, it is discretionary on the part of the court. The Board will have issued its final decision. Again, if the decision is adverse -- if the Board's decision changes, then the school remains open by operation of the Board's decision.

APPROVAL OF GRANTS

CHAIRMAN PEYSER: Moving on, as I indicated at the beginning of the meeting, I'd like to jump to the last item on the agenda, which is Number 4, approval of grants, so we can get the final votes of the day behind us. And there are, I believe, three motions here. The first motion has to do with the issuance of some competitive grant resources, most of which are federal. However, one, the summer food service program expansion, is funded through state resources. And then, there are two subsequent motions, one with respect to approving the initial payments on the Worcester Vocational High School. And then, the other is approving final costs and grant amounts for a number of still open projects that have been previously approved. So why don't we take those three items in series. First, are there any questions or comments on the pending competitive grants? If not, is there a motion to approve the grants?

MR. THOMAS: I have a question as to whether I need to recuse myself or not. My agency receives a grant for the summer milk programs. Is that included in the summer food service program expansion?

CHAIRMAN PEYSER: You receive funds through the public schools?

MR. THOMAS: No.

CHAIRMAN PEYSER: There seem to be two here in Springfield. One is the Girl's Club Family Center, and the other is the Springfield Public Schools.

MR. THOMAS: I thought maybe there was an --

COMMISSIONER DRISCOLL: Well, I was going to say, we have six members. So when in doubt, Henry, I would advise you to abstain. I don't think there's a problem, but I'm not totally sure. You raised an interesting point.

CHAIRMAN PEYSER: With that, let's take the vote.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education approve the grants as presented by the Commissioner.**

The motion passed 5-0. Mr. Thomas abstained from the vote.

CHAIRMAN PEYSER: The next item is the school construction grant for the Worcester Vocational High School. Again, just to review the process here, this is a school which is on the waiting list. It is waiting approval for payments to begin. We had earlier in the year approved grants and essentially held this space open pending completion of various issues that were referred to earlier. Those have been concluded at this point, and now, this is coming back to us for approval. Is there any discussion on this issue?

DR. SCHAEFER: Thank you, Mr. Chairman. Yes. The vocational students in Worcester have suffered far too long in a sub-standard facility. They deserve a new school, and I intend to vote for this project, and I certainly hope that my colleagues will as well. Having said that, Mr. Chairman, I must make one more point. I am really very distressed that the project may be delayed further because the city manager plans to implement a project labor agreement on this project. The Merit Construction Alliance, a collaboration of non-union contractors, has plans to sue in the event that a PLA is imposed. I would just like to make a restatement on the inappropriateness of PLA's on public construction projects.

Last year, the Worcester Regional Research Bureau, of which I am the Executive Director, issued a comprehensive report on the pro's and con's of PLA's, and I have copies of that report for anyone who would like to read all the fine print. But I will confine what I'm going to say to the key point, namely, PLA's discriminate against non-union contractors. Even though they may submit bids, if they win, they have to join the union, or at least contribute agency fees to the union. More importantly, they have to operate under union rules governing staffing requirements that tend to undermine the economies that might ordinarily give such contractors an advantage.

If we had a policy that discriminated against women or minorities in the bidding process, we would be hauled into court tomorrow. Why are we willing to accept a policy that uses taxpayer funds to discriminate against a whole category of contractors, in fact, the majority of contractors in the Commonwealth? I urge the Board to ask the Commissioner to review the policy of allowing PLA's on building schools that we are funding. We have adopted non-discriminatory policies in every other area of public school life. It is time for us to do the same for building schools with taxpayer money. I want to remind my colleagues that we have an obligation to act responsibly with public funds. Thank you.

CHAIRMAN PEYSER: Thank you, Roberta. I just have a couple of things. One is, my understanding of the justification for having a PLA is that it is dependent on the complexity of the project. And historically, that's been based on not just a difficult construction job, but one that has many distinct elements that need to be somehow coordinated in a way that, at least in theory, it is more difficult to do in the absence of such a project-wide agreement. This has been used for the Big Dig. It's been suggested that it's appropriate for projects where there are multiple sites that need to be constructed simultaneously or in very close sequence to one another. It would certainly appear on its face that this doesn't meet sort of those standards that have been established by precedent up until this point. And therefore, I would certainly urge the city to look very closely at whether in fact the requirements of this project do meet the sort of threshold standard for such an agreement. I would concur with Ms. Schaefer on the basic point of whether PLA's themselves are inherently discriminatory, or generally increase the costs of projects at the local and state level to make sure that we are not spending any money beyond what is necessary to do the work effectively.

The last point I'll make has to do with the regulations governing school systems, which suggest that if a district comes back to the state and asks for a waiver, it would allow them to be reimbursed for costs above the standards that are established in our regulations, that they must

demonstrate that the bidding process was fair and open, and that it led to the most efficient and most cost effective bids possible. And to the extent that agreements such as PLA's or others may have led to costs that go beyond what would have been available through a more open bidding process, that would certainly raise the question of whether they'd be eligible to come back to this body and receive additional reimbursement beyond that which is established to them through our standard regulations.

So I think you make good points. I think the district and the city ought to proceed very cautiously down this path; that there are issues around certainly court procedures that could delay the projects. And there are issues around an ability to actually fund such an agreement and such a project if in fact it results in higher costs. Having said that, I would say that that's a separate issue than the one that's before us. It's one that we may come back to at some point. I think it is one that's worth or further examination. Is there a motion to approve the Worcester Vocational High School project?

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with the provisions of M.G.L. Chapter 70B and 603 CMR 38 and on the recommendation of the Commissioner, hereby approve one new Category One school construction grant totaling $6,344,263, with estimated costs, grant amounts, and first annual payments as shown on List A.**

The vote was unanimous.

CHAIRMAN PEYSER: The final item within this section is the approval of final costs for projects that have been funded in the past. So this is the final tie-off on those projects. Are there questions or comments on this final motion?

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education approve final costs and grant amounts for previously authorized school projects as shown on List B.**

The vote was unanimous.

UPDATE ON HISTORY AND SOCIAL SCIENCE FRAMEWORK - Discussion

CHAIRMAN PEYSER: So we're done with the votes. And now, let's move on again, a little bit out of order, as I indicated earlier, to the History and Social Science frameworks. I know that Sandy will be coming forward; has another appointment elsewhere in the state.

COMMISSIONER DRISCOLL: Thank you. What we'd like to do, Mr. Chairman, the draft of the History and Social Studies framework has been out for public comment, and we've certainly received a lot of public comment. What I'd like to do today is simply have Sandy summarize what we've received to date, and then, talk about some of the issues and ways to address some of the issues that have been raised. We'll then have a brief discussion – this is not anything that's going to be finalized any time soon -- but we'll have a brief discussion to allow the Board to react so that we can at least get a sense of some overall direction by the Board.

DR. STOTSKY: All right. Let me first of all begin with a brief description of the public comment and input compilation that I passed out first. This is to show you all of the input and summary of

the comments that we have had since the process of revising the History and Social Science curriculum framework began. I'll only just point out briefly that you can see what the numbers were if you turn to the third page that shows, by the end of the public comment period, and as of March 22nd, we have received in response to the public comment draft, 717 replies. This gives you the breakdown of those replies. There were only 121 people from the high school. So that was why I wanted to make sure that I could call your attention to the fact that we had these surveys that we undertook last May and June at the Board's initiative to find out about high school teachers' preferences regarding the for-knowledge topics that were in the 1997 draft. And we heard from approximately 500 world history teachers and about 500 U.S. history teachers; some of them teach both. So you have copies of those reports also available here.

CHAIRMAN PEYSER: Just to be clear, the 717 are separate from the ---

DR. STOTSKY: That's separate. That's for just the public comment period on the public comment draft. We then have, in Section 2, our summary and outline of what the review panel did, its meeting dates, how often it met, what it did approximately, and also, the summary that you will see on the bottom of page 5 for our regional meetings that we also held during the public comment period. We had about 15 meetings altogether, and about 600 people attended those meetings. So we have gotten an enormous amount of feedback through these various processes -- public comment itself, the 15 meetings that we held, plus the earlier survey responses by high school teachers specifically. So that is overall a very strong response to different aspects of what we were doing and to help guide us in working out some of the problems in the draft.

What I want to do now is work off of very quickly this two-page outline that I have tried to summarize, with the help of my staff, how to put together the various problems and issues that emerged, as well as some of the strong points that came from reading all of these documents, which we've been busy doing for the past three weeks since the public comment period ended on March 1st.

COMMISSIONER DRISCOLL: So this is the document called ---

DR. STOTSKY: "Summary of Comments and Issues." The first part is to show you what we felt were the kinds of strong support that we got under positive thrust. And you can read through those on your own. The more important ones, well, are actually highlighted throughout. We certainly had very strong support overall for the document, for the way it was organized, for the way it integrated the four disciplines of History, Geography, Economics, and Civics and Government; for its general clarity. We had, Number 3, strong support for its basic orientation, and that was guided by those survey preferences that we got from the teachers of history, world and U.S., earlier last summer and spring. We also had a great deal of support for a high school competency determination to be based on U.S. history, and support for end of course assessment, whether in ten or eleven. There was also support for teacher participation in the process of creating the assessment and grading it.

B is the section dealing with the problems that we think we can perceive. Remember that a lot of this material is open-ended, and required our just going through and getting a sense. And that was why I had as many staff as possible read through all the comments, and each come up independently of their own summary of what they thought were the main points so that we could then collaborate together to see whether we indeed were coming up with the same issues. This is known as getting independent data sources. And here, we see the problem of repetition that came through in many responses, not only in Grades 4 and 7, but of particular concern, the coverage of the U.S. Revolutionary period through Reconstruction in both Grade 8, and in the high school standards. There was concern about the lack of continuity from grade to grade of

either U.S. or world history because they saw it going back and forth, from many grades back and forth from one to the other. There was certainly a great deal of concern about the overall coverage being very extensive; a lot of concern about expenses in textbooks and professional development that might need to be made, and probably would, no matter what a final document would look like.

Let me go to C now because the document expressed a number of various contradictions. And here is where I would like to have some discussion on some of the questions that we can tease out of what we see as the contradictions in the document. One is about quality of the standards per se. Many people simultaneously in the same response would say they're much too broad or they're much too detailed. So these are puzzling issues, but nevertheless, they're looking at one set of standards at one grade level, often in the early grade levels, or they're looking at another set of standards at the high school level, and they're conceptually different. There was constant complaint about too much coverage at all grade levels. And yet, there was also the complaint that many areas of world history were not covered fully. People want less; they also want more. So you have this basic problem.

The continuity question is an interesting one because a spiral curriculum has been suggested. It was part of the 1997 document. It's considered something desirable in many curricula, yet many teachers were concerned about the lack of continuity from grade to grade in either U.S. or world history. In other words, they might have liked a continuous curriculum as opposed to a spiral curriculum. The other one about the ancient civilizations in (4) is a more specific one to that grade.

The first question that I would like to have you discuss -- and you can see my (A) down below -- that I really finally formulated as clearly as I can by this morning on my drive up here because it was hard to figure out what was really the top question that in a sense sets up dominos that have to fall. And the first one, responding to A(5), which is an end of course assessment in grade 10 or 11; the lack of continuity from grade to grade for U.S. History, and the fact that a spiral curriculum leads to the repetition in grade 8, and possibly 10, if schools choose to have the end of course assessment in grade 10 to an enormous amount of U.S. history that would be only two years apart but covered, covering the same amount of material. And many suggested two continuous years, which I thought, and we all agreed was rather interesting. So the first question that we would want you to think about is whether we should be planing a two-year continuous sequence for high school U.S. history; whether it's for 9-10, or 10 or 11.

That then sets up the second question, which is, if we should do that, should then the content of grade 8 be optional for the schools, either U.S. history or world history because that then would allow for more world history, if you have two continuous years of American history with no repetition. In other words, if either 9-10 or 10-11 began with the revolutionary period and, basically, continued for two continuous years so that there's only summer amnesia to deal with in September, and you don't have a year or two year's gap and, therefore, as some teachers said, if you teach as they do American history now in Grade 11, they have to review a good part of what was covered in grade 8 because so much has been forgotten. This way, you would have very little review at the beginning of September of the second year, and could then go up to 1990, if that was the desirable ending date. That was how you could get more U.S. history in if you had the two continuous years. So that's the first question.

DR. SCHAEFER: What would then be the impact of an end-of-course assessment if you did a two-year sequence?

DR. STOTSKY: Then you could think about an end-of-course assessment based on the two years, but covering the Constitutional period in terms of its applications and relevance for mostly what was in the second year in order to get it to -- you'd have a more mature understanding, obviously, of the Constitution because it's at the high school level. It would either be at nine or ten. And then, it would be a two-year period of bringing in the whole body of U.S. history up to whatever you want as the terminating date.

DR. SCHAEFER: So it would be based on the two years?

DR. STOTSKY: Based on the two years. This for many of them was, I think, much more feasible than having everything in one year, starting with the Constitutional period and going up to the present, which they all favored more or less. That becomes the quick survey course, which is more difficult certainly for many schools, and the vocational technical schools if you just had an end-of-course assessment that basically covers one year.

CHAIRMAN PEYSER: In terms of the assessment, it seems to me that the more complicated problem would be the eighth grade in terms of assessment if you pursue this path because it would either be optional, or it might be in different schools, it would be in a different phase. And so, in other words, let's say enrollment is for the seven and eight in one school and eight and nine in another. Doing an eighth grade assessment creates an obvious problem in that different students from different schools are going to be at different points in the curriculum.

MS. SCHAEFER: Well, could we do seventh and eighth as world history?

DR. STOTSKY: That is one possibility. That is one option to consider. World could be middle school, sixth, seventh and eighth grades.

CHAIRMAN PEYSER: But then, I guess then the issue would be if instead of right now, you try to do a balancing act between where we are now and where some would like us to be as saying in the course U.S. history assessment, ten or eleven. If we approach it this way where there are two-year sequences, one world and a subsequent one U.S., if you choose to do, for instance, the U.S. history sequence in ten and eleven instead of nine and ten, then it would imply that the world history sequence would be not at seven and eight but at eight or nine.

DR. STOTSKY: Eight and nine.

CHAIRMAN PEYSER: So if we were continue to test in eighth all students, then it would be a problem because ---that would be, let's say a world history assessment, and some students are in the middle of the sequence; others are going to be ---

DR. SCHAEFER: So can we ---

DR. STOTSKY: That's the domino effect. And then, you'd have to think about what the grade 8 assessment should be if you wanted it at grade 8. See that's what I'm trying to get ---

CHAIRMAN PEYSER: Or probably even something similar in say it's either eight or nine.

DR. SCHAEFER: Right. Could we say that there's one assessment in world history at the lower level, and in high school, it's the American history? Districts decide which years they want to do them.

DR. STOTSKY: Yes, there are a couple of ways to think about, if you want to think of the assessment, and then move on to more of the curriculum assessment. If the assessment is at grade 7 and covers 6 and 7, which could be world history and geography, then it frees up grade eight for whatever options the school wants to use it for. There may be some schools, maybe voc. tech. schools, which would prefer to have 8, 9, and 10 for U.S. history, economics, civics, whatever. I mean, this would be up to them.

COMMISSIONER DRISCOLL: The problem is the voc tech's don't have grade 8.

MS. STOTSKY: That's right. The grade 8 would be in the regular school before they go there. Okay, take that back. You could still have -- if the assessment is at grade 7, and covers world history and geography, that still frees up grade 8. If you keep an assessment at grade 8, then you decide one way or the other whether it should cover U.S. history at 8, and then, you would have another assessment of U.S. history at either 10 or 11, or if you make world history 6, 7, and 8, then the assessment at 8 can cover three years of 6, 7, and 8, world history and geography, which for middle school can make a coherent assessment for that educational level.

CHAIRMAN PEYSER: Now, just going back to, I think it's Number 6 under B, which has to do with the expenses, just the general dislocation of the changes that we'd ultimately be recommending, any sense for how that general approach of essentially moving towards more continuous blocks of world history and geography and U.S. history, what level of dislocation and cost that might create relative to the kinds of changes that we're talking about here?

DR. STOTSKY: I don't think I can honestly say it's possible to see one being necessarily less expensive than the other. They would have to make changes no matter what. Somebody is going to have to make changes. If there's 9-10 together, those that were teaching world history for 9-10 obviously are making the change. If it's 10-11, those teaching world history for 9-10 right now still are going to be making a change for part of that. Grade 8 will involve a chance if one makes that world history as opposed to U.S.

CHAIRMAN PEYSER: Are there many districts that do eighth grade world history as opposed to U.S. history in the eighth grade? I mean, I'm assuming it's almost all U.S. history.

DR. STOTSKY: It's almost all U.S. Sometimes, there are a few mavericks that haven't followed the 1997 framework. But most of them are doing either a civics course -- which by the way, they had been doing for many years before. They're to all into U.S. history. We found that there were some schools that really hadn't changed with the 1997 document, and were in many ways still doing a previous pattern.

CHAIRMAN PEYSER: So I guess one concern that we must think about in talking about this particular subject is that if we were to try to approach this through, and again, more continuous multi-grade blocks on world history and geography, followed by U.S. history and civics, that eighth grade would have to change to for just about everybody.

COMMISSIONER DRISCOLL: The only other comment I would make is this introduction of -- and I see the merits to it -- this introduction of two years of United States history does present the point you suggested about expenses. I mean, theoretically, in the old days, if you were bundling U.S. history as one year, and teaching it in grade 11, and you were presenting world history in grade 10, and you chose to swap them because you wanted to move the tests to the 10th grade, then one could argue there is not an additional expense. One could argue that. I think once you introduce this idea of two years of United States history -- which I think has a lot of merit, by the way -- I mean, we've had this argument, how do you go from Thomas Jefferson to, let's hope to

George W. Bush. But realistically, I don't know. How do you do it all in one year? So that takes care of the two years. But once you introduce the two years, you've got a new issue coming to the fore of ---

DR. STOTSKY: It's a new idea that came out of the harping on the repetition part of it, which they felt were having a problem.

COMMISSIONER DRISCOLL: Right. We can therefore not walk around expense, because that would be ---

DR. STOTSKY: There is an expense that we have to consider. But the repetition began to bother them, which we hadn't really thought that much about because we've had the repetition all along. It's just that it was separated by several grades, from 8 to 11.

CHAIRMAN PEYSER: I think also, as you said earlier, there was a general agreement, I guess, that a spiraling approach was more appropriate, and that a subject introduced in a more cursory fashion in the lower grades would be introduced with greater depth and complexity in the higher grades, and that somehow, the process of reminding students of what they learned previously, and then layering on top of it may be more productive than trying to go through from beginning to end at a level of detail or depth that may require students to learn information fresh, and then at the same time or soon thereafter understand it in some level of detail and depth. Who knows what the right thing to do is, of course, which is why we have provided some measure of flexibility has its advantages. But I think that's an important issue ---

DR. STOTSKY: Keep that on, and get to another one because what we were trying to do as we thought about the problems was to think about educational levels. And K-5 I'd like to bring up because that presented another problem. But you can see how it then relates to a high school focus. It turned out that there are probably more schools that do almost nothing but U.S. history and geography for the first four or five years than do the ancient civilizations in grade 4, which was basically introduced in the 1997 document. Many teachers throughout -- principals as well – felt that it would be much better for them, particularly with regard to resources available, the knowledge of the teachers, to concentrate for the first five years on U.S. history and geography. And we thought that that could be worked out quite well. In other words, by the end of a grade K-5 span, could you then make sure and hold all kids everywhere accountable for a thorough knowledge of U.S. history and geography, and say that no matter what else they've done, by the end of grade 5, they should know the regions of the U.S. and so forth, and have not only current geography, but the basic history that is still for grade 5, from the Colonial period up to about 1800 or so, the Constitutional period. Just after that, as the end point for which we could say all kids are held responsible, so they have a solid understanding of who we are, what we are, and so forth by end of K-5.

And then, grades 6, 7, and 8 become the world history piece, or 6, 7, and 8, 9, if they choose a different sequence, but at least 6, 7, and 8 could be that. That would mean changing some grade 4, or giving them an option for people who chose to do ancient civilizations. And here again, there could be some options in that part of the document, and in the curriculum, as long as by grade 5, they could introduce whatever regional geography they hadn't done in grade 4, but would be willing to do it in grade 5, so that by end of 5, everybody's up to the same level, because there are some teachers that like doing ancient civilizations in grade 4, have worked it out successfully. And it seems to bad to have to say, sorry, after four years, now change. So it's possible to have some option in grade 4 for those units of ancient civilizations that people have found they can handle. But the basic question is whether we should plan for a K-5 U.S. history sequence, and then, move on to what others said they are doing anyway, as it turned out in grade

6, which is the old ancient civilizations curriculum that had always been around in grade 6? So even though some of them had been doing Greece and Rome in grade 4 because it got introduced in the past few years, they were still doing it again when they did the ancient civilizations piece in grade 6, because that was the old curriculum from years ago.

DR. SCHAEFER: As you're talking about it, there's a certain logic to having this whole sequence of K through 5, and 6, 7, and 8, and 9 and 10, because I do worry about everybody just tuning out then and nothing going on in 11 and 12. We're talking about electives and, who knows what would pass for an elective. But there is this logic. How did we get to this other sequence that has been in existence for years and years? I remember that sequence when I was in grade school --

DR. STOTSKY: Some historical reasons probably. They're not really relevant any more. When they used to have grammar schools that went from K to 8, and 8 was the final year, before a lot of people left and didn't go on to high school, you had a civics course in grade 8 to prepare you for citizenship. That's where it came from.

DR. SCHAEFER: So you're saying this whole thing was based back that far, when people were not going on to high school, and nation-wide, it hasn't changed since then?

DR. STOTSKY: Well, people have gotten rid of the civics course in grade 8, as you have high schools everywhere.

DR. SCHAEFER: Right.

DR. STOTSKY: But it goes back a long ways in time.

CHAIRMAN PEYSER: But there is a very strong constituency for introducing world history, or at least more global -- more information, more teaching around the world in general at earlier grades in order to provide some foundation for students that -- in the United States or in their homes in some larger context. And so I think there is a strong constituency for doing that early, somewhere in the elementary grades. There is a clean logic of doing it this way. On the other hand, there are certain arguments for doing it some other way.

I think we're confronted with the problem, not only on this issue, but on all of these issues, which is you can't satisfy every perspective on how to teach history. And we are dealing with a certain status quo that has certain historical roots and peculiarities that are not completely illogical either. And even if it were, the transition costs of just sort of throwing it all out and saying that we're going to do it statewide in a different way are quite significant. All of which is to say that I think we find ourselves on a path to get to this point, trying to kind of do the best we can to put something together that makes sense, but at the same time is practical to actually implement. I think one of the vehicles for doing it is figuring out how to create some flexibility at all three levels, elementary, middle, and high school, so that the sequence is not entirely prescribed by either what's in the frameworks themselves or the assessments that we do. And that's very hard to do.

MR. MADDEN: I'd like to throw out an idea that Student Advisory Council had on this topic. Many of our members felt that fourth grade ancient civilization standards seemed to have been in fourth grade. Many of us had that almost identical course in ninth grade. And this sixth grade world geography course we felt was something that we dealt with in fourth grade. So right now, you're talking about wanting the emphasis on U.S. and geography through the 5th grade, and world history later on. I think it almost reasonable that you could switch the 4th and the 6th grade standards without much changing. And I believe it would be appropriate as to grade

level. You would have geography as a basis early on; keep that focus, while still giving a world view into cultures reflecting the standards. And then, you could give ancient civilizations in 6th grade, which you said many schools tend to do. It wouldn't mean a lot of changes then. And the ancient civilizations in the 6th grade would also seem to naturally evolve into the seventh grade courses. They move from elementary to junior high.

DR. STOTSKY: I thought that what the Student Advisory Council had come up with was a very thought-through suggestion. Bringing back at least the North American geography into Grade 4 would take care of what would make sense to a lot of teachers, because they're already doing it or trying to squeeze it in. Bringing in all the rest of world geography poses a lot of problems because the teachers aren't prepared to teach around the world geography, and just straight facts doesn't make sense for them. What seemed to be a way to split off what the Student Advisory Council suggested was to bring North American geography down to 4, but keep the rest of the world with what was in 6, 7, and 8 because then that would make for some coherent focus for 6, 7, and 8. And it could also be integrated with the history in 7 and 8. And I wanted to get to the other set of options, which I think would be of interest to people who are interested in world history.

MS. PLUMMER: I just wanted to ask a general process question you brought up about the teachers knowing certain things, and that is, several months ago, the Commissioner asked, I believe it's from public and private higher education to help review history standards. And I know the Board of Higher Education did put together a panel, a group of names that was sent to two and four-year institutions. And we appreciate that request because these are the people who are going to be preparing the teachers. And I was wondering how that worked out, and the response and participation that you have from higher education?

DR. STOTSKY: Well, it wasn't very much. I put it in here. You can see on Page 4, that we only heard from five institutions.

MS. PLUMMER: But that 17-group we put in that we sent to ---

DR. STOTSKY: We have five people, one who responded, one of whom was Plymouth State College, which is in New Hampshire.

MS. PLUMMER: So there wasn't a separate attempt with that group to have a meeting or ---

DR. STOTSKY: Well, there were only, as I say, these four colleges that -- a person from these four colleges that ---

COMMISSIONER DRISCOLL: From all of the people that were given to us.

DR. STOTSKY: Right. From all the names. And we sent copies to all of them 20 to 30.

MS. PLUMMER: And a regular public comment kind of ---

DR. STOTSKY: I can't say I am overwhelmed by the feedback we got from higher ed. in general.

MS. PLUMMER: We may be having a mis-communication. I think they were under the impression that they were going to be called together to assist. Maybe that's where the issue --

DR. STOTSKY: I'm sorry if there was a mis-communication. We did contact each one of them by email and send them all hard copies of the document. And we did hear from four. But let me get to the options part because I don't want people not to think about that fitting into world history. There is an enormous amount of world history. We recognize that, and we knew that the document did not contain all the units of study that had been in the 1997 document. What occurred to us, that if grade 8 can be freed for those schools that want to use it for world history, they could teach -- The standards that we have that deal with the Byzantine empire and the encounter with Islam -- which covers a good part of the world -- but then have a half a year free for units of study on Africa -- if they wanted to go into more depth -- China, Japan, Korea, and South America. That is where many units of study optionally could be for before the 18th century, because once you get up to the 18th century, those areas are covered in the high school world history standards. But the problem was how to reduce high school world history to a manageable size, and we still have too many standards.

So no matter what we're covering at the high school level, we are being told that we're covering too much. So this is the only way we can see to free up some time and get in more extensive histories that are before 1800, by freeing up grade 8. And I actually did prepare a possible suggested spoken sequence that I'd be happy to share with the Board afterwards to think about because it brings in some of the pieces that people have been seeing as missing, but then give some flexibility to the schools because we don't see how they can cover all of these units at any one grade.

MR. THOMAS: I realize you have a tough job, and it's not by any measure a piece of cake. As you remember, I raised some issues a couple of meetings ago regarding not just the sequence issues, but the content issues with respect to where we start and where we end with respect to world history and U.S. history. In the context of world history, it looks like we're starting with Greece and Rome.

DR. STOTSKY: No, prehistoric human beings we start with. This is how we've created now at this point, our thinking, with grade 6. It would start in Africa with prehistoric civilization there, then move to Sumer and Egypt, and go forward.

MR. THOMAS: Okay. Well, that clearly was one of the issues.

DR. STOTSKY: That's how we were able to get it in.

MR. THOMAS: There's still some reverberation in the field out there. I've talked to a number of experts in the field who do have -- I'm talking on the higher education level at least -- who do have some concern about how we're integrating the Latin cultures and Latin America, as well as Africa. And I would like to see if there is a possibility if we could somehow plug some of those voices into the process in although we're finished with the comment hearings, we still have some more time, if there's a functional way that we can connect some of those ---

DR. STOTSKY: We can work that out. Given the way we're looking at the coherence for world history and geography for middle school, if that's seen as desirable, there are ways to do more with integrating the two so that one could bring in various parts of the world with more historical material, along with the study of their geography for 7 and 8. That is the way one can do it. And those standards could be played with much more. But it means releasing 8 from history. You see, that's the only way we can create more time because it reduces repetition.

CHAIRMAN PEYSER: In Part 3 of your memo, you talk about some elements of the final revision process, which includes some further committee work, and one of the questions the

extent to which the committees have identified here, or perhaps in additional committees that there might be a way to ---

DR. STOTSKY: We could have a middle school committee to look at -- on the 7-8 possibility, if this seemed desirable from the Board's perspective of having the middle school focus on world history and geography.

CHAIRMAN PEYSER: Let me back up a second. I think that what we're probably confronting here is that there are two basic structural approaches that we can take to this. One is what's called a sequential approach, in which we'd say in the K-5 or maybe just as a practical matter, 3 to 5, we're talking about U.S. history, geography; 6 to 8, world history and geography, 9 and 10, U.S. history and civics; some variant thereof is sort of the logical, clean, sequential progression.

And then, there's a second option, which is probably closer to what currently exists in the draft, or maybe some slight modification thereof, which is designed to accommodate itself a little bit more to the current set of practices, and, to some extent, the kinds of expectations we set up, and the kinds of processes we put in place with the first iteration. So, I don't think we're prepared here to make a choice between those two approaches, which is to say that I think in trying to move forward to bring this to resolution, that we ought to be essentially presenting a couple of options. For instance, on the issue that Henry raises, on the first option that may manifest itself at one grade level, and the second option manifests itself in another. There's no way of really knowing in advance until we make that choice between the two approaches where the right place is. So my only point in that is that, somehow, it seems to me that, if there are, in fact, two basic paths that we're going to choose from, we need to somehow make progress on both paths in order to bring ourselves to a position where we can choose between them. Now, on the one hand, that sounds like we just doubled the amount of work; on the other hand, I'm not sure that's entirely true.

DR. STOTSKY: No, I don't think it's two different basic paths. It's not quite that complicated, fortunately. It's really K-5, and do you want some options at 4. So it could be either an all U.S. regional stuff, North America, or less of that or little of it, and have ancient civilizations, and still end up at the same place at the end of grade 5, all kids. Six, seven, and eight could be all world history, or it could be two years of world history, plus the civics piece if you want to give -- or the U.S. history piece. So that you have to think about. And there could be an option for grade 8 that schools could do either world history or civics, if the test is at grade 7. So then they're free at grade 8 to do either, because the test roots things. That's the problem. So if the test is at 7, then it leaves that open. And then, you could have the choice, if you want it, for a 9-10 U.S. sequence or a 10-11 U.S. sequence.

CHAIRMAN PEYSER: The other thing we ought to do, just to make sure we keep it on the table, is that we obviously can make choices about the assessment itself at the middle school. There's nothing requiring us to do an eighth grade assessment for all students. It could be the similar to the high school course assessment that's offered with some flexibility or options.

DR. STOTSKY: Sure. You could rethink that.

CHAIRMAN PEYSER: So in any event, we shouldn't assume that the assessment is fixed, and the frameworks have go around it to some extent, and maybe to a great extent ---

DR. SCHAEFER: I would just ask if we move in this direction, to the K-5 and focus on American in the middle school, are we all right in terms of the availability of textbooks, since needless to say, Massachusetts does not provide a textbook market and material ---

DR. STOTKSY: Yes. This is not a problem because this is basically what most schools had been doing until 1997. And there's still a lot of U.S. regional geography available around the grade 4 level. So the problem for the schools has been to get material on ancient civilization suitable at grade 4. That has been the real struggle, and they still have a struggle with it because it's too early a grade to have a lot of really good materials that can be used easily. Teachers have to spend a lot of time to put it together.

DR. SCHAEFER: But the world history in middle school ---

DR. STOTSKY: World history, middle school, the textbooks are there. Certainly, the old ancient civilizations piece around the Mediterranean era has been there.

MR. THOMAS: Are there a sufficient amount of materials for the study of Africa?

DR. STOTSKY: I think at the middle school level, yes. There's probably material at the middle school level for almost any country in any continent. It's not in depth, but it's more accessible because you can write at a higher grade level, obviously, the vocabulary.

MR. THOMAS: I went to one of the public hearings. And there were a couple of things that did come up. There was a large concern about the volume of material, the amount of material that's expected to be imparted on the students, and then, the cost implications. My interest in the – with respect to cost implications, is the fact that we commonly address the reality of the cost implications.

COMMISSIONER DRISCOLL: I would simply say, Henry, that I believe we have to bite the bullet on that. I really do. First of all, we have to settle this, and it's very hard. But we have to settle it. We can't have another misstep. We've just had too many mixed signals. So somehow or other, this discussion has been helpful, believe it or not because it lets you know how complicated this is. But I'm prepared to make a recommendation to this Board eventually, when we get down to recommendations, that we in fact provide some financial support. I think that's only fair. I just don't have the ---

DR. STOTSKY: That would help ---

COMMISSIONER DRISCOLL: We're going to have to do it. I mean, we just have to. And that will get to the point of, if there are weaknesses in the field with respect to what materials are currently available, I'm sure that they're coming forth. But I think we're going to have to help financially.

MR. THOMAS: I think that's great. And I also think that maybe we ought to think about our resources for professional development, to have some of the quality of the instruction and make sure that ---

COMMISSIONER DRISCOLL: Absolutely. I couldn't agree more.

DR. SCHAEFER: I think the bottom line is we have to do it right this time.

COMMISSIONER DRISCOLL: Right.

DR. STOTSKY: Let me just say that there are a lot of resources at the elementary grades that we want to involve in another meeting, are the historical societies and museums. And we're now trying to get representatives from a variety of them that would include Massachusetts Historical

Society, the African Meeting House, other groups that have created materials for kids, that have kids going on visits and tours. They're the source of our professional development basically for our teachers because they have the knowledge. And doing that at the elementary grades -- 3, 4, and 5 -- would really be a wonderful boon for them, as well as for our teachers.

CHAIRMAN PEYSER: Thank you very much. I think maybe we can go through this off line, to try to develop a kind of two alternative schematics, if you will, for the basic structure. Again, I think there are two approaches, one which is more sequential, one which is more based on certainly the spiraling approach. And then try to fill in around that, and then come back at some subsequent meeting and try to get some clarity. Rick?

MR. CROWLEY: Any idea when you think you'll be in a position where you'll be making recommendations?

CHAIRMAN PEYSER: Good question. I don't know. I think we need to make progress on this, and close it off, and try to really get it right. So I don't think it's going to happen next month, to be sure.

DR. STOTSKY: We've got these meetings going this month. And I still hope to be able to have all of this pulled together for the May Board meeting. They need the money.

COMMISSIONER DRISCOLL: I think we've been on a path that isn't going to lead us to the right conclusion, which is we're never going to get unanimity among the world on an issue. You just can't do that. But we're not even getting a consensus. We've established the assessment. We've boxed ourselves in. So I think it's how quickly can we get these options before the Board and really get a sense of how to bring it forward. It may not be as long as we think. But we've got to get back on track, I guess, is the way to say it. My hope would be to still present to this Board a framework before the school year ends. That's what I hope.

CHAIRMAN PEYSER: I just want to say in closing, Sandy, that it's quite evident, not only from the sort of data you presented at the outset in terms of the number of hearings, the number of comments, and the survey results as well, but also in terms of your thoughtfulness in trying to integrate those comments into rethinking the framework and identifying weaknesses in the document that's in front of us that this has been a very open process; it's been one that's involved a lot of people. It's a process that continues on, as much as we'd like it to end. But as much as there are criticisms from time to time about these processes being closed and behind closed doors and somehow not open to public scrutiny and involvement, this has been a very clear example of openness and of participation and of inclusion of hundreds of different people with a hundred different perspectives. And so, I congratulate you for that work. It's not always fun. But I think we're still making forward progress.

DR. STOTSKY: The staff has been wonderful, very helpful. So I appreciate them, too, in this process. Thank you.

REPORT ON IMPLEMENTATION OF FEDERAL ESEA/ *No Child Left Behind Act* - Discussion

CHAIRMAN PEYSER: I guess we've totally abandoned this agenda. This is part of the spiraling methodology that's applied to Board meetings. Let's do Number 2, which is the report on implementation of the ESEA.

COMMISSIONER DRISCOLL: Thank you. This will be, obviously, the first of many opportunities to talk about this new legislation and its implementation, which I continue to say will have a significant impact on schools, every school, and all districts and the state. It's a very far-reaching piece of legislation that I believe will dominate the scene when we start talking about adequate yearly progress, and we set up our accountability, set up our testing program, the first initiatives, the teacher quality initiatives, the safety initiatives, et cetera. There's even a provision on adequate financing and having a proper system for equity that's more far-reaching than I at first realized. So this is our first opportunity to at least talk about the provisions.

Mark McQuillian, our new Deputy Commissioner, will be making his first presentation to the Board. He's taking the lead on the implementation of ESEA as a small part of his duties. It's very daunting, but he's done a great job bringing everybody together with subcommittees, working within the Department on all the various titles. There's a lot of requirements that we have to submit, a consolidated plan, an overall plan, Reading First plan, et cetera. So we're going to focus on accountability and school safety. And that's why Juliane and John are here. So Mark, take it away.

MR. McQUILLIAN: Thank you. I'm very glad to be here today. And I think what I'd like to say is that this is the first of our statewide push to educate the public on all of the various aspects of ESEA. We really couldn't do justice to it today insofar as it's a very complex piece of legislation. However, we thought it would be appropriate to at least give you an overview of what's contained in it, and sort of bear down two parts of it that are important enough to bring forward this morning. We'd like to talk about, first of all, the adequate yearly progress issues and the accountability issues, and then secondly, about the safe and drug-free school initiative that's part of the legislation.

My job here is to alert you to what we have facing us ahead, and what the overview of the work is. And if I could direct you to the packet, in the section on Tab 2, Page 2, I think this provides a ready-made template to organize your thinking around what we're going to cover. Page 2 gives you an overview by the numbers of what's contained in the legislation. This has been widely discussed as perhaps the most significant piece of legislation that has been passed since 1965 for American public education. And the reason it's so significant is not only does it dedicate large numbers of dollars to very specific targets, but it builds in an accountability system that I think has both implications for districts and schools; it has teeth, and it has a real expectation that we will fulfill the mandate that's set forth. Getting there is spelled out in the numbers.

You'll notice, for example, if you look at the allocation for Title 1, there is a significant increase in money that will be going to aid for disadvantaged students and poor and rural communities, a large chunk of money committed to disadvantaged children. You'll see, as well, that there is a huge infusion of money for early reading. Reading First is a major national goal now. And the signal here from this legislation is that the Department of Education is saying literacy, literacy, literacy is one of our most fundamental goals, and to get there, we're going to drive the funding, not only to disadvantaged communities in the broad sense, but we will also put significant money into providing competitive monies for grants to target assistance to early reading programs that have perhaps been under-funded or haven't been funded adequately.

If you look again at the details of Title 2, this is a very significant change form the past. Prior to this change, the money for Eisenhower grants, for professional development money, and for class size reduction were in two separate categories. And while they were important pieces of work for science and mathematics education, the decision was made by the designers of this legislation to roll this into a common fund that could be dedicated to a new broad national goal of trying to attract, recruit and retain teachers into the profession. It has a significant commitment also to

technology. But this is a major change in direction, partly because it's saying that we are facing a teacher shortage of a major kind in the future and, therefore, we have to dedicate significant money to attracting people into the profession. There's a lot of latitude in this title, and I think there's a lot of opportunity to redirect the course of work in the field.

Title 3 is a similar breakthrough in another way because it's recognizing the fact that there are a large number of children in the country that have yet to learn English proficiently. And they have targeted money to help students acquire English proficiency in speaking, reading and writing in such a way that this is the first commitment federally to dollars that will go to districts, and on an entitlement basis based on poverty data. Hitherto, it had been very competitive grants. So there is a serious significant commitment I think you can see in the legislation to address issues of reading, language and mathematics.

Title 4, which John will talk about, is really recognizing the fact that we are a country that has had our public schools ravished by violence. And I think there's a significant commitment in dollars to bringing about a sense of order and safety to our schools. And finally, the remaining titles that you see where there is money, new or appears to be in different places, you'll note that in Title 6, there is a significant piece of money dedicated to the states to assess students' performance in grades 3 through 8 by the year 2005-6 and on in reading and mathematics in grades 3 through 8. To get there, we will be obligated to craft an assessment program that integrates with the current system we have.

Those are the highlights. I think what they tell you is that this is a very serious piece of work. It's putting new money in new directions, and tied to very clear targets and performance goals that I think will be evident if you look carefully into the details of what our performance goals will be as part of our consolidated grant application to the federal government. What I would like to just say is that, from my perspective, we have been spending the last almost two months getting ready to begin publicly discussing the implications of this work. As the Commissioner has said, this is a very far-reaching piece of legislation. I think we are gearing up as quickly as we can to respond to a set of requirements that are coming at us very quickly. And I think we're going to try to do our utmost to make the true challenge of the legislation work positively in our schools, and to make use of the dollars that are now available, the additional $100 million that are coming to Massachusetts in this next fiscal year, to make it assist some of the very real hardships that our districts are facing. But I would say that this is no panacea to the problems we're facing fiscally, but it does point us in a direction that we are prepared to meet. And I think Massachusetts has laid the foundation in the last ten years to get in a position where we can rightly integrate the new legislation into our own activities. Much of that is a result of the good work of the people in the Department who have been with me in getting ready to implement the law, and I want to thank them.

The two pieces that we want to highlight this morning -- really are why I should stop talking and let the other two speak -- have to do with the accountability system that we will begin implementing right away. To that end, I'd like to invite Juliane Dow to speak about Title 1, and what is implied in all of the regulations and expectations around measuring our students' performance as they go through our public schools in the next 14 years. Juliane?

COMMISSIONER DRISCOLL: I want to remind the Board members that we are having three workshops next week across the state to begin the process of informing districts about the various provisions.

MS. DOW: Thank you. It's significant to say at the outset about ESEA that puts my presentation in the context of the federal act is that we would be having this discussion here today about

school performance ratings during Cycle 2, whether or not there had been a new federal enactment. We have an accountability system for schools and districts. It's a result-oriented system, looking for students to all move towards proficiency. And the Board adopted that system back in 1999, and we are very well positioned as a result of that adoption and of the work that has gone on since then to comply with the federal requirements. So we are far ahead of many other states who don't have a similar system for school and district accountability. I was realizing as I was sitting here, though, that four of the members at the table weren't actually on the Board at that time. And so, you may not be as familiar with the accountability system. I'm not planning to go backwards very much in this presentation about how we came to where we came to, but I have briefly summarized in the memorandum that is in the book what the key components and characteristics of the system that was adopted, and I'd be glad at any future point, if any one or more of you wanted to get into this discussion in more detail. But you'll find it's just a single sheet of paper. It's in between the purple pages that follow under Tab 2, following the documents that Mark provided.

So our goal all along has been to try to move all of our students toward proficient and advanced work. But we've also had the objective of increasing the percentage of students moving across the levels; in other words, moving up from what was originally called failing, and now warning, into needs improvement, and then moving up. So we have a system that is sensitive to those changes within the performance categories as well. As part of the characteristics of our system that we both look at absolute performance and at improvement, and we have created performance categories ranging from critically low to very high, and sorted out performance by the percent proficient in advanced and percent that are in the warning failing level, and which are really descriptive categories. And we've rated absolute performance. And then, in the past, we've used average scale scores as our way of tracking performance change over time.

During the second rating cycle, which is the cycle in which we will compare the results from 2001 and 2002 to the baseline performance in 1999 and 2000, there are many aspects of the system that we will not need to change at this time, and would not want to change because they're a solid foundation. Again, we'll use two years of scores. By combining and averaging two years, we knock out of some of what would otherwise be the erratic movement because of changes just of changes just in the cohorts. We continue to look both at absolute performance and at improvement. We have improvement targets for every school in the state, so that we're asking everyone to do their part, to look at the situation in their school, and to continue to move forward. We will continue to use the same rating categories, and we will continue to use the results as we have for two purposes, both to identify low performance and determine when we need to go in and take an on-site look at the school to determine whether state intervention is needed, and also, to identify exemplary improvement and look at examples of where schools that might be able to be a model for other schools.

But we will need to change some things in Cycle 2. We won't use science in Cycle 2 because of changes in the testing offering and changes in the framework. This is consistent with moving toward what will be required under the federal act of using English language arts and math as the focus. We now have tested many more grade levels, and we're looking at a system which I'll talk about in a minute, the idea of the proficiency index, which will allow us to include more tests at whatever grade level, and will allow the system to be robust over time as we change toward providing testing at more grade levels.

COMMISSIONER DRISCOLL: It's usually about grade 5.

MS. DOW: We have no student-level results in either English Language Arts or Math at grade 5 because we don't test those subjects, right? Yes, we do. But that's not going to be part of the Cycle 2 rating. So just English Language Arts and Math. That's why it's not there, actually.

COMMISSIONER DRISCOLL: That's right.

MS. DOW: In the past, I mentioned we used average scaled scores. As you know, we have changed the scaling process, and the scale scores work well for expressing individual student change. But when we aggregate up to the school, there are problems with doing that. The other thing is, with the scaled score, because we were associating all the way up to the highest points on the scale, it compensated for those. You could not move your kids out of failing and still have an increase in the scaled score.

The new proficiency index, which I'll talk about in a minute, really is a target toward getting all of our kids into proficient to advanced. So we're going to be able to use that proficiency score as a measure both for describing absolute performance and improvement. And we are also planning to make some changes in the terminology that we use for rating improvement. We had the unfortunate circumstance that for schools that received a rating of failing to meet their target before. We had some newspapers that said such and such high school gets an F, and used that in a way that was unpopular and unfortunate in terms of the message that it sent. So we want to think about that. But we're also now adjusting because we're talking about our targets over the long term under the new ESEA, with looking at terminology that would talk about the targets.

As I mentioned, some of these are some of the reasons for the system changing that I've just mentioned. And the federal law is a significant one in that we want what we do now to be in line with where we'll be headed over the next 12 years. So this idea of a proficiency index is kind of a simple one. It means that you get a certain number of points for kids who are at different points along the way toward proficiency, with 100 percent, the score of 100 equaling proficiency.

CHAIRMAN PEYSER: That would mean 100 would be at proficient or above?

MS. DOW: Yes. A student who gets 240 or above would be assigned 100 points. So here's how it looks basically. You then take this index, which is 25, 50, 75 or 100 points, depending on where an individual student is. You get those points, and then, you sum them up, divide it, and you get a composite. And in the packet -- I'll just go quickly through this. This just gives you an example of that. You look at all the different tests at different grade levels. You assign those points for the individual schools. You can create a score for an individual test and grade level. And then, you can sum those up. What we'll be doing is always looking -- and this is a requirement of the new federal law -- we'll always be looking at progress in English Language Arts and in Math separately before we then create a composite because we're tracking toward goals on both of those two particular subjects. And the school would always then end up – that shouldn't say "level score;" that should say "proficiency score" -- we made some changes in that terminology -- in this case of 55.25. And your score could be anywhere from zero to a hundred. That's the range. We will then basically convert what were the targets that we had set back in 1999, when the system was adopted, into being expressed in this new proficiency index.

These are the categories that we had on this next slide that say "Performance Category Descriptors." In the first column, you'll see, those are the terms we used. That's the criteria that we used, which we at that point expressed in terms of percent proficient and advanced, and the percent failing. What we would now do is convert these into proficiency score bands. So basically, if your overall score as a school is between 90 and 100, then you're in the very high

category. These results are very similar in the distribution of schools in those bands to -- in those categories, there's no great difference.

CHAIRMAN PEYSER: So you've already sort of done a little sampling to see if there's a ---

MS. DOW: Yes. In fact, this is what the distribution looks like, taking the Cycle 1 results, which are 1999 and 2000, which will be the baseline for this new cycle. That shows the distribution. Again, we've taken out the science results. So this is calculating just with English Language Arts and Mathematics. The distribution, which you don't see on that slide, but which I can tell you, at the end of Cycle 1, we had 6.8 percent of our schools in the critically low category. Here they'd be nine percent when you take out science. And actually, science results helped lift up some of the schools in Cycle 1. Twenty-five percent, and very low is the same percent we had in very low at the end of Cycle 1. The percentage in the low category was 39 percent at the end of Cycle 1. So some -- here it's 22, because it bumps up, some more schools bump up into the moderate category, which was at 23 percent, and is now at 28 percent, I believe it says. It's hard to read on that purple.

The high category extends now to 15 percent of our schools. It was at 5.4 percent of the schools. There were a number of schools who didn't meet the target in terms of their percent proficient and advanced, even though they had a lower percent failing. So now, this lets them -- if they're close to proficient and advanced, they'll get credit for that under this system.

So that's just sort of a quick brush at how that calculation works. And then, there's the question, how do we determine how much improvement a school should make in a given year? In Cycle 1, you can see on this slide in that second column the amount of scaled score points that we expect the school to increase. And the equivalent amounts, if you will, are over in the next column there, about a point less in terms of the increase. This is not exactly the same measure, I should say. It's important to note that you do not have the offset of -- if you have a lot of students who went from low proficient to high proficient, that's not going to bring your points up under this system. This is really about moving your kids up into proficient and advanced. And I think going forward, and as we talked about ---

CHAIRMAN PEYSER: Just to back up, these are points on the proficiency scale index?

MS. DOW: That's correct.

CHAIRMAN PEYSER: Not on scales for test scores?

MS. DOW: That's correct. And that's partly why they're a little bit lower, the numbers also. You don't have to make as -- quite as many points because this range is going up to 240. I'll show you in a minute ---

CHAIRMAN PEYSER: Let me back up. And maybe you're going to get to this later, but the terms -- are you using the same approach to establishing expectations as you used in Cycle 1, as opposed to what may be -- and again, if I look at this, something you can change under the name of moving back under the progress?

MS. DOW: Interestingly, or fortuitously, or better for us, the expectations federally are very, very similar to the expectations set by this Board in that we said we're looking to get -- when we came up with the amount of improvement expected per year, we did that by looking at our lowest performing schools, and saying what will it take to get them to proficient, having all students proficient in twenty years. Now, that was three years ago.

CHAIRMAN PEYSER: Was it all students? Was it 100 percent?

MR. DOW: Well, we didn't know what the top possible scaled score might be because you had that high end, and you know at what point it would -- whether it was 265 or 270, how high you could go before you maxed out the potential? And that was one of the uncertainties that people said about our system -- how do you know where the top is? We have a more certain feeling here in that we're saying we're trying to get everybody to there. And then, it will vary in terms of what percentage can get beyond proficient into advanced. But it's satisfactory for us as a state, I think at this point to use that. So actually, I can show you in a moment here a line. This is other information which just shows an example of how you would calculate that. But under ESEA, you do have a goal of getting all students to proficient in twelve years time.

I'm just skipping through some things that are more detailed about adequately yearly progress. A key thing about this is that we'll be looking not only for all students, but all sub-groups of students. And there on that screen you can see, we're going to be dis-aggregating the data and tracking progress of schools in getting economically disadvantaged students, students from major racial and ethnic groups, students with disabilities and students with limited English proficiency all to meet the proficiency target over time, or to be moving steadily toward it.

I'm going to just jump ahead to this chart -- this is what the line looks like out over from now, or from this fall because we have to set our state targets based on the data from this spring's testing has to be included in that. So we won't actually be determining with finality what our starting point is until we get back our spring MCAS results in the fall. But we can approximate it because it will be averaged together with 2001. And so, this line is done based on an approximation of that. We'll be tracking to that line the improvement expectations that I referenced on that slide that we just talked about for Cycle 2 are in this trajectory and should keep people moving toward the accomplishment of this state objective.

CHAIRMAN PEYSER: Are we required as federal law to have a straight line progression to the goal?

MS. DOW: Well, yes, in that the line has to be drawn based on equal increments. But we don't have to measure it every year in terms of saying you met it or not. We may use two or three-year intervals. For the same reasons that we originally docketed a two-year cycle, and that in some other states, they have looked at three-year cycles. We may still do that. So we may actually determine -- that's why I've actually done those hard lines. If we were to continue the cycles as we have them, we would do two-year cycles. And at the end of every two-year, we'd be asking did you make adequate yearly progress in each of these two years to meet this next target point? And we would only be reporting back to the federal government as to our state's success or failure to meet those two-year, four-year, six-year out targets.

CHAIRMAN PEYSER: Now, there's something in the federal statute that talks about the consequences when a school fails to meet its target over a two-year period, as opposed to -- Would that mean one single cycle?

MS. DOW: Yes. So what we would do is, you'd -- if you imagined a school along that line, imagined that school -- that's actually a line for a specific school. That's how it's calculated. And I'll flip back to how that was calculated in a minute. But if you imagine that school is at 30 percent proficient and advanced of its students, it won't make the line exactly there. So as we look at improvement, we'll look at a band around that line within which we will expect there'd be fluctuation year to year. In 2003, we would again use two years of scores averaged to see if it was moving in that trajectory. And if in 2004, we found that over that period, they hadn't made

adequate progress, that would be their two years, which would then send them into school improvement.

CHAIRMAN PEYSER: So the target doesn't necessarily need to be a point on the line, but rather a band around the line?

MS. DOW: This is our state line. And we have to say whether we met or failed to meet what's on the state line. We have to define our improvement expectations for individual schools and districts in the state. And that's where we have to take this line and say what's it going to take for the state to accomplish this? What is reasonable to expect of individual schools? We will be reporting out schools who did or didn't make the annual improvement targets that we have and make adequate yearly progress toward the accomplishment of that. There's some debate going on right now about how to define the progress for individual schools.

If I may, I'm just going to go back one slide to show you this is how we find that line. We have to take the higher of either the school, having rank ordered all of our schools by performance. What you see on the far left is the school that's at the 20th percentile in terms of its enrollment, coming up from the bottom of a rank-ordered list of all the schools in terms of their percent proficient and advanced. And at that school in 2001, there are 27 percent of the kids who are at proficient and advanced. We have to use that, or the percentage proficient and advanced in our lowest performing sub-group of students. And what you see in the blue lines are the percentage proficient and advanced of the different sub-groups of students. And obviously, the higher of the two is our school at the 20th percentile. Our lowest performing sub-group, our limited English proficient students for whom 14 percent are proficient and advanced at this time.

CHAIRMAN PEYSER: Just one last question. I don't want to belabor it, but if a school misses the target on any one of the sub-categories, does that engage the consequences, so if they've hit their targets overall and for all of the sub-groups in Section 1, the penalties, if you will, or the consequences are the same as those that would occur if they missed it on every sub-group overall, as well?

MR. THOMAS: How do you -- when you're talking about a group in that one location?

MS. DOW: There's a lot to be worked out in terms of the details of this because we do have these multiple dimensions. Did you meet it on math? Did you meet it on English for your kids in the aggregate? And then, did you meet it for those sub-groups? And it doesn't mean did they all get the same result. It means are they making progress at a rate that we've defined as a reasonable rate of progress so that they're closing the achievement gap and not just making the progress by taking a group of kids who were on the border, let's say, of needs improvement and moving them over, but those were not your economically disadvantaged kids, your special education kids; that you have to actually be paying attention to those different sub-groups along the way.

CHAIRMAN PEYSER: I think the federal law established certain specific remedies, if you will, which have to be, for example, with the use of Title 1 funds, or you're offering the choices to students in the schools, some of which may already exist just as a matter of course here in Massachusetts and not elsewhere. In any event, there are a limited number of steps that would need to be taken as per federal law. But I think in the end, those are relatively limited compared to what the state might do for a school or a district that you declare under-performing, which would engage a much broader set of actions and interventions. But this is, in some ways, I don't know if over-ambitious is the right word, but thinking about how all of this actually would be implemented on a year-to-year basis across all of those dimensions is confusing.

MS. DOW: We will, I think, be able to come up with clear ways of reporting this. The measurement is not the hard job. The hard job is actually helping all those students be successful, and the kinds of changes. So at the same time, I feel like we are in a fortunate place in that, because we have the fundamentals of our accountability system in place, we will not have to spend a huge amount of time thinking about the measurement at this stage. We need to be now continuing to pursue our exploration of how best to help the school teachers and individual students meet the goals. And so, that's going to be the big focus of our work, I think, in the next period.

This shows the distribution currently as of 2001 of the percentage of students proficient and advanced, so you can see what the curve looks like. And then, this next slide, you can see, that's the same slide with lines drawn as to what the targets would be and the two-year increments out, leading up to 2014. So you can see from that that, for example, many, many of our schools, the majority of our schools already meet the 2004 target. But as we proceed, if those schools who are currently above that state line don't continue making improvement in a steady way, then they will start falling below the line. So we need to have a system which still requires, as we have in the past, everyone to be working toward the next challenge in their particular school, which is getting the next set of kids to proficient and advanced.

This slide shows the distribution with sub-groups. So if you look at the very bottom line, that's overall, meaning all students gathered together. Of our total number of schools, 78 percent of the schools currently are above that state line; in other words, above that 30 percent. Actually, this one was done on 27.5 percent, which is the 2001 figure for that, for the cut point school. So you can see that a large percentage of our schools, for their whole population, already are above that. When you look at the next line up, that's the schools that don't have any identifiable sub-groups. Those schools are already above the state line at this point in time, at least the starting point line. But when you look above that, you can see that for the sub-groups, many schools will not be above the state line for one or more of the sub-groups of students that are represented in their school population. So that's where a big focus of the work is certainly going to be.

ESEA, much like our state system, mandates the primary relationship of the state to be with districts, and for districts to have the primary responsibility for the quality of their schools. That's the same model on which we've premised our accountability work so far. But we take separate standards and do the measures. And that we would continue to do under ESEA. Jim mentioned about the consequences. And ESEA has had in the past, or Title 1 has had in the past categories of schools in need of improvement and schools requiring corrective action. So these are not new ideas under Title 1. They have been pre-existing categories. But the consequences are more clear and more specific about the sequence of activities that need to be done. And there have to be consequences and action taken around districts not meeting their annual performance targets.

Up until now, we haven't set targets for districts. We set them for individual schools under our school performance rating. But we'll be working with EQA in developing a shared system using these tenets, I think -- that's what we're discussing -- so that we'll have adequate yearly progress targets for districts. And then, there will be consequences meted out by the Department of Education which appear there, which can include the traditional thing that we're always reluctant to do, which is holding back money, but also can result in ordering a new curriculum, or actually eliminating the school district, replacing personnel. So there's a wide range of things that we're expected to do in order to make sure that the school district is operating effectively. And then, there's a sequence of corrective measures for schools that are deemed to be in need of improvement. So if over two year's time, two consecutive years, you don't meet your adequate

yearly progress targets, then you have to develop an improvement plan, devote more money to professional development, notify parents of the status, and make public school choice available.

To the extent that there's limited space availability to choose into a school that has made progress, then you have to give the lowest performing, most impoverished students the opportunity to move out of that school into another option. If you continue in the next year not to make adequate progress, then you also must provide supplemental services to low performing students in the school. And there's a process by which the state has to approve a set of providers, and then parents should be able to choose.

Unlike many other states at this moment in time, we have, over the last three years, now in our fourth year, been providing extended time programming through our academic support services program that was initiated by the legislature several years ago. So we are providing for low-performing students what's referred to as the MCAS remediation programs. So we are already providing supplemental services that go beyond the regular school day and beyond the regular school year to a large number of students across the Commonwealth. And that's mandated to exist all across this country.

And then, going into the third and the fourth year, if you still don't make those targets by the fourth year, then there are additional corrective actions which much be taken in addition to all doing of the things we've already talked about. Then the district is expected to replace staff at the school if necessary; again, imposing new curriculum, decrease the management authority, bring in an outside expert, extent the day or the year, or restructure. They have to take specific action. And this is where the provisions have been strengthened. And this can lead to the school being restructured in the fifth year; re-opened as a Charter school; change in management; really reconstitution of the school; private management or state takeover.

In addition to requiring these kind of measures, the expectation under the federal statute that we will have a statewide coordinated system to provide school support when schools are low-performing. And as I say, we're in the nascent stage of developing that in the Commonwealth. We've begun the work on that with a set of schools that we have identified for review over the last two years. And we are beginning to develop strategies and determine what kinds of needs schools have who present themselves to us with this low performance. And we're going to need to do much more of that as we roll this forward. We're also required, and we already have in place a process for recognizing schools that are improving. And this year, we have integrated our process of schools applying for Compass School status, which is how we recognize schools that have made extraordinary improvement and can articulate the strategies that they're using to accomplish that improvement and are prepared to share that with other schools. We've integrated that with the Title 1 Distinguished Schools Program, which takes some schools on for national recognition for their improvement, for high poverty schools that are making very substantial improvement. So we'll be enhancing that aspect of our work, too, as we go forward implementing the statute.

Finally, there is a lot of emphasis on public reporting of the results of what we learn about our schools and what kind of improvement is being achieved or not being achieved. We have already had the requirement of having report cards. And so, we had submitted to the federal government in the past our state local school district and school level school profiles which we have published on the Department's web site, together with our MCAS results. And those have met all of the requirements for Title 1 reporting to date. We'll be integrating that information, though, into a single publishable document that also can be easily reproduced on paper because the requirement now is that every district would provide a report, and that you can include as a local option additional indicators beyond those that are mandated by the state and federal

government on the local report about school performance. But you must have at least a certain body of information that's on those reports. And so, we will provide a reporting format and the information that districts can then adapt for use for their schools.

The final slide just shows you some of the information that will be included -- a description of our accountability system. We'll be having dis-aggregated data, both by the two major subjects that we're tracking performance on, and by sub-groups. In the reporting, we will also be reporting information on migrant students and male/female results. And we've already incorporated that in the MCAS reports that began this year. So they already have that information at the school district level. We have to make sure that the percentage of students tested, there's a requirement for 95 percent of all students to be participating in the testing program. We already have a very, very high level of participation in this state, unlike some other states where there have been many students exempted from participation.

And finally, one of the things that I haven't talked about, but you'll hear, and there will be more about as we talk about ESEA is about the work to improve and ensure a good, highly-qualified teachers and para-professionals assisting kids in schools, and that part of the report card will be reporting on the professional qualifications of teachers in the school and in the district, and to what extent there are teachers who are teaching under emergency or provisional certification, and who haven't met the other requirements for that status.

MR. CROWLEY: This is great stuff. I mean, not having had the benefit of understanding that this type of system was in place, I am really impressed. As we move forward, that with some of the under-performing issues, knowing that this level of detail and accountability and reporting was in place. And I would imagine that the Act doesn't add anything significantly differently than we're probably already doing. Is that true in a major context?

MS. DOW: The tracking of sub-groups. We talked about this, actually, back in 1998 and 1999, when we were formulating this. And we actually had looked at models in Texas where they had begun dis-aggregating the data and tracking the progress and judging the school's performance by its lowest performing sub-group. At that time, we did not have accurate data because we didn't have our student information management system in place. So we were not collecting individual student level data to be able to verify race information, language information. So now that we have that, we collect some of that information right now also through a survey that accompanies the test. So we have two data points now to begin to produce that information. But we didn't have it at the starting point of our system. And it was also, obviously, a controversial point to talk about isolating out the information about particular sub-groups. But that didn't come as a surprise to us.

COMMISSIONER DRISCOLL: Ironically, we had Susan Stephani speak to us at that time, who was in charge of the Houston school's accountability system. The Superintendent of Houston is now the Secretary of Education, and she's the Special Assistant running the entire country. So, we were on target with seeing what they were doing in Houston, ironically. It just turned out that we were modeling it.

MR. CROWLEY: Are there any consequences of failure of not progressing quickly enough that are dictated by the Act that are greater than the consequences that we envision from the schools and districts that don't continue to improve?

CHAIRMAN PEYSER: First of all, there's a federal requirement now that the state have a process and a system in place for intervening with technical assistance and consequences in the school districts that aren't meeting their goals. There are a couple of specific things in the Act --

correct me if I'm wrong -- that Juliane mentioned that require states to ensure that students who are in schools that are not meeting their yearly targets are given opportunities to choose other schools, as well as to use the prorated Title 1 funds for supplementary educational services. So there are elements of it that are mandatory, based on not meeting the targets in a specified period of time. Beyond that, most of it is a requirement really on the state to have a system of intervention, support, and consequences in place for schools that are not meeting their targets, and most of which we already have in place, at least in terms of having the statutory and regulatory authority to do so. There are some things certainly that they call out that we don't have specific authority to do, but may have a general authority.

MR. CROWLEY: So it's the movement of children from schools that the Act allows more liberally than we currently have in place?

CHAIRMAN PEYSER: On the one hand, that's true. Well, I think the short answer is it's true. It's not clear to what extent those requirements would force us to make additional choices available. We do have Charter schools. We do have, to a somewhat limited degree, intra-district public school choice. Many larger districts have intra-district choice. Many of those pieces are in place as sort of a regular course of business in Massachusetts. Presumably, we'd find ourselves in situations where there may be students in particular districts where there are no choice mechanisms in place. And presumably, that would be something to create such a choice in those districts.

MS. DOW: They have to inform us of what they have for choice available. I think that this is an interesting thing. You may be able to improve the performance of your school, of course, by moving some of your lowest performing students out to another school. So this will have some effect of confounding the tracking of progress. It's not the same set of kids. But for the individual kids in that school, they may do better somewhere else. So that's good. It means it may take challenging situations. And if people use this purposefully to say this is a student who needs our best work. Where can we help guide this student into another school or offer options for this student that may enhance their possibilities beyond staying in the same school? So it could have a really good effect for some students. But we'll see how much movement there is. We already have had the requirement for every school district that accepted Title 1 supplemental funds that were for school improvement for their low-performing schools, they had to provide choice already. So it's not an entirely new process. But it's more publicized, more requirements to get that information out to parents, and to actually help parents realize that option.

MR. THOMAS: I don't want to be alien or negative, but the flip side of what you just said is the possibility of schools doing what we might call creaming and moving kids out for the purpose of making sure that their school is improving. And will we rely on the districts to kind of monitor that, to make sure that there's equity and ---

CHAIRMAN PEYSER: What the federal law will require is to make the choices available, but not to reassign students or somehow orchestrate the choices in a way that should work to the advantage of the school or the district. This is a process that will obviously involve human beings, and there's a lot of things that you can't measure or monitor at a detail level. But I think it's set out to provide options, rather than to reassign the policies. And that's the intent.

MS. DOW: On that point, that that's why it's important that there are district targets, as well, and that district performance in the aggregate is measured. So the district is not going to improve by relocating students from school to school.

CHAIRMAN PEYSER: In closing, based on certain conversations I've had with Joe Rappa, and the Office of Educational Quality and Accountability, and based on the presentation here, it certainly sounds as if the two offices are moving in synch, which is critical, to make sure that we have reports and data that are using the same sources, and they're presenting the information in a consistent way so that we're not finding ourselves having a district system that doesn't tie off and doesn't look like the school system. So I'm pleased to see that we seem to be leaning in the right direction.

The other thing I'd just throw out, not for comment now, but there does seem to be a little bit of disconnect between the two-year averaging process that we use to track performance and the federal statutory requirement about consecutive annual and year-by-year missing of targets. So in other words, it's quite conceivable that you could miss your two-year average target, but make the target in one of those two years and, therefore, that may create one judgment on the state level and a different judgment on the federal level.

One thing we can think about doing is figuring out how to report this information in a way that isn't so confusing to people when they're hearing reports about their school or district, it's using the federal standard versus the state standard. We shouldn't throw our standard out in order to meet the federal standard. We need to understand that this is complicated and hard for the average citizen. It would be hard for people like us to fully grasp. And so the communication of all this is going to be critically important.

MR. McQUILLIAN: This is only one piece of the legislation. I think this gives you a measure of how complicated it is. We haven't talked about Reading First. We haven't talked about teacher quality, and the need to improve, and all the expectations there. A lot of very positive things, and certainly, I think the continuation of funding for safe and drug-free schools is a piece that we would like to take some time to talk to you now with John Bynoe.

MR. BYNOE: As I look at No Child Left Behind, what I notice is that we are well-positioned as a state. We're sort of a leader in terms of principles of effect, thus the statement Safe and Drug-Free Schools over the years. In terms of Safe and Drug-Free Schools in communities, what it has done is permeated through the whole Act because we've always had accountability for the last five years. We've always talked about research-based programming for the last five years. So districts in the Commonwealth already know this information.

What I gave you in the packet in the last tab is sort of what No Child Left Behind asks for in terms of us, in terms of the performance indicators. The first three performance indicators we already collect, as you will see on another sheet that's further in the back. The next two indicators in terms of persistently dangerous schools, we have to work on a system of identifying those schools and how we're going to collect data to say which schools are persistently dangerous. But at the same time, when the school is identified as persistently dangerous, or a parent has concerns about that school within a district, this legislation gives the district or the parent the right to move their child within the district. They can't move out of the district, but they can move them within another school in the district.

The question happens if that's a high school in a single high school district, what does that really mean? I'm not sure what it means that all children have access to a network computer. I haven't talked to the feds about that in terms of Safe and Drug-Free Schools. But when you look what is required, I think what's required, I think the two key points here are the environments are conductive to learning and academic achievement. We've already provided that message to schools over the year as evidenced by a host of academic materials that we've provided the schools that's already out there on the shelf.

In terms of talking about how health and safety contributes to a student's learning, it's not so much we look at the safe school. You look at that school environment. If a child's not coming to school safe or willing and able to learn, he will never achieve. So as long as we all know that message -- so this shouldn't be anything again new to districts in Massachusetts because it's been a constant message. In order to measure a school's effectiveness, it talks about what is going on with your child. We're always asked rather than just give us surveys, do you really know what's going on with your kids? You have to talk to your community. This is why this is a Safe and Drug-Free Communities Act, not the safe and drug-free schools act.

So it talks about talking to everybody in the community, not just doing a survey, but what documents that that survey is true? Where is the substance abuse among your child? Is that alcoholism because of a high rate of overdoses or hospitalizations related to alcohol poisoning, or is it a number of frequent driving arrests, or is it incidents that the police have, or is it going around the high school and collecting beer bottles, number of heroin arrests, et cetera. What's going on towards the gang activity? What's your local Boys and Girls Club or community agency and what's going on? So we talk about, this can't be in isolation. And this is the message that we're trying to deliver in the schools.

The other piece that they have added the language around risk and protective factors and asset building, again, because the research about that says a child exists in four domains. School is only one of the domains. They have to exist within their family. They have to exist within the community, and they have to exist among their peers. So again, you have to look at all those environments in terms of what's going on that has an impact on their child, and what's putting them at risk, beyond excessive use of violence, but other health-related issues.

One of the other hallmarks of this is that we all have to disclose our information. We no longer can keep it secret. Whether we as a state, with everything that we have to collect from schools, including, truancy, weapons violations, substance abuse violations, things that may result in expulsion or suspension that are related to weapons or drugs, we have to report as a state to the state at large. Schools have to do that locally. They no longer can just hold the information within. One of the biggest problems we've had over time was schools' reluctance to disclose information about what they saw as punitive. My message has always been the reverse. I can't help you unless I know what's going on. We cannot give you funds because we don't know what's going on.

The next section basically is the last year, 2000 and 2001 school reports. That's part of the biannual reports to the federal government in terms of what has been going on in schools. As you can see, 307 schools -- districts out of 369 received safe and drug-free schools funds. Over a million kids were in those school districts that received funds. You see, there are various activities from alternative education, the junior service projects, curriculum acquisition, drug prevention curriculum, violence prevention curriculum -- I won't read them all, but it will tell you the number of districts that were involved in those various activities. Also it talks about the number of districts that had community involvement. You can see almost in every case, close to 50 percent of the districts already involve communities. So again, this is not a new endeavor for districts.

One of the things that, on MCAS for example, we asked some questions about school safety at the eighth and tenth grade levels. We asked about their perceived safety at school. At the eighth grade level, 87.4 percent of the children said they were safe. At the tenth grade level, it went to 88.2 percent. But what should be noted, children who were gay, lesbian, bisexual, trans-gender, those percentages went down. It was more like 75 to 70 percent thought they were safe, meaning that 30 or 34 or 35 percent felt unsafe.

The next section talks about incidents on school grounds. What I need to say about this is, when you look at these high numbers, you have to understand we have a tobacco prohibition policy or legislation that prohibits use of tobacco. So a lot of these incidents are related to tobacco use. They're just not clearly defined. But that's not to say there aren't weapons incidents, as you see at the end of the report that identified a hundred schools at the high school, middle school, or elementary school even report that they had weapon-related incidents on school grounds. When you look at the number of victims and/or perpetrators, still it was less than three -- in terms of victims, it's less than three percent, and in terms of perpetrators, it's less than four percent of the actual kids in schools today are either a victim of crimes or they perpetrated crimes.

Finally, in general terms, support services, we've always talked about what we call a coordinated service delivery system. So the last sheet shows you the various programs that we have in place. One of the major requirements of No Child Left Behind, was also collaboration, not only with local and state programs, but other federal programs. But now, they have clearly defined that as being able to support learning achievement, where before, it just asked how it was related to Title 1, how it's related to Title 2. But now, it says you now have to be able to be part of the performance standards showing that children achieve. And you do that by having a safe and supportive learning environment. I could go on, but in the interest of time, since my boss is looking at me --

CHAIRMAN PEYSER: I'd ask you two questions. One is, are data collection methods or systems currently adequate to meet the requirements, or do we need to so something to ---

MR. BYNOE: No, we have to improve, because right now, in order to meet the federal requirements, it's actually really a manual task. I have an evaluator. We sent out a form that's actually based on the biannual report from the U.S. Department of Education. At this time, it goes to all districts, but the only districts that are required are those that receive safe and drug-free schools funding. However, based on the new legislation, we have to report on every school on a school-by-school basis. So that now means we have to figure how to incorporate it into the report where we're already doing data collection.

CHAIRMAN PEYSER: Are there any categories of data that we're not collecting that we need to start collecting?

MR. BYNOE: We've had a debate around truancy, because I believe -- I've been around for awhile. So I believe we used to collect truancy, for example. So we'd have to request that information again. Also, around the prevalence of substance abuse and violence, we have a survey, actual hard data around reporting incidents in school. What we currently collect is expulsion in school data, which does not necessarily include suspension data beyond weapons and such. So we also have to collect that. We may have to modify that data to meet the federal standard.

CHAIRMAN PEYSER: You indicated that the incident reports included students who smoke on school property. Any sense for the 20,000 offenders, what percentage of them are smokers?

MR. BYNOE: We don't ask that specifically. I used to say to schools, because I was collecting this information; it's a federal requirement. But I used to ask, because schools were concerned about that. So I used to ask them to put an asterisk at the bottom of the report. So I may be able to get that for some schools, but not all.

CHAIRMAN PEYSER: But sort of an informed guess, what do you think? Is it 80 percent?

MR. BYNOE: I would say 70 to 80 percent because, again, that's the highest violation. If you look at the sheet that precedes this, you'll see that when they talk about incidents, it's a range, from the least serious all the way up to murder. But yet, when I report it – which always concerns me -- is that when I report that, it can be taken in the wrong way because you lump them into one broad category.

CHAIRMAN PEYSER: And especially, as you indicated, if the school or district policy is just tougher on smokers, for example, you're going to get higher numbers, than in a place where they have more relaxed standards.

MR. BYNOE: You hope they have no relaxed standards anymore.

CHAIRMAN PEYSER: Well, I know in some of the other states, for example, where they really --- like North Carolina and ---

MR. BYNOE: It's also 30 cents a pack.

CHAIRMAN PEYSER: Any further questions? Thank you all very much. I really appreciate this. This is an issue in general that we will continue to revisit. One last thing, and I'll be much briefer than I planned. The Joint Committee on Educational Policy, which is a group that includes, actually, Pat standing in for Judy Gill; it includes the four of us here, plus the Chair and Vice-Chair of the Board of Higher Education, has been meeting since I think October, and talking, among other things, about trying to put together recommendations and plans for students who complete twelfth grade without having met their graduation requirements, and in particular, without having passed either the English or Math portions of MCAS.

We produced a report which is in your packets under Tab 1. It's called "Keeping the Promise: Multiple Pathways to a High School Diploma." And we released that earlier. As of last week, there have been several stories in some papers about it, as you may have seen. It's relatively self-explanatory. I guess the thing that I want to mention here is that there are a number of assignments, if you will, that fall to the Department of Education, which are going to need some follow-up in order to bring these recommendations to fruition and to reality. Just a couple of things I want to mention. One is, through the School of Career Office within the Department, to expand work-based learning programs to include young adults who are out of high school but need to continue learning, and continue working towards their degree. Also, in terms of the Office of Adult Education, working with community-based providers, adult basic education services, as well as community colleges to try to ensure that those programs also include an expanded set of materials, curriculum, and staff who are capable not only of providing basic literacy services to young adults, but also to help them develop the academic skills necessary to earn their diploma and to pass MCAS.

There are some other specific issues in particular around exploring the feasibility of offering MCAS on a more frequent basis, to address some of the scheduling and other logistical needs of young people who are out of high school or are attending some programs that are not directly connected to high schools, that are not necessarily on the sort of traditional academic calendar. There is also a bullet in here about considering, or at least reporting back on the costs and feasibility, of more rapid scoring of spring MCAS exams to ensure that the results were available prior to the beginning of the summer for those students who are graduating; revisiting the issue of what is called in the report an "All but MCAS" certificate and a state-endorsed local certificate, that acknowledges that students have completed their local requirements, although they have not yet passed MCAS and, therefore, have not graduated. One of the reasons for doing this is to ensure that students who are completing twelfth grade who may be in one part of the state and

moving to another part of the state or taking employment elsewhere have some documentation that shows that at some point, either in a different place or at a different point in time, they are in fact eligible for graduation upon completing their MCAS requirements.

There are some other issues which are ensuring that the federal government will provide grants to students who are entering community college programs, developmental programs in particular, in preparation for matriculating to credit-earning courses, even though they don't have a high school diploma, which is now either a requirement or requires a specific test to determine whether a student can benefit from college experience; in any event, clarifying the rules around grants, clarifying some of the issues and economic forces around admissions and access to service in the Armed Forces in all of the branches for those students who can meet their standards for admittance into the programs based on their performance on their own tests, even though they may not have received their high school diploma, again on an assumption that on the basis of their having completed their local requirements, but not yet having passed MCAS.

There are probably several others items I can go through, but I think those are some of the main topics that the Department needs to begin addressing in the next several months in order to put in place a foundation that will allow us to have programs in place come June or July of 2003, for those students who are completing high school without their diplomas. Commissioner, I don't know if you have anything you'd like to add on that?

COMMISSIONER DRISCOLL: No, except to say that I think this is a great step forward, and certainly what the governor had in mind when she established, through Executive Order, the Joint Committee ,which had laid dormant. So I compliment you and Steve Tocco for your leadership. I think there's plenty of work to do on the higher education level, and within the business community and community-based organizations, and for the Department. But we need to start now because June of 2003 will come soon enough. So I give you credit for your leadership and foresight, and look forward to getting these things in place.

CHAIRMAN PEYSER: Are there any questions or comments that members might have about this? Or any other subject now that we're at the beginning of our agenda? Hearing none, we're adjourned until next month. Thank you.

On a motion duly made and seconded, it was:

VOTED: that the meeting adjourn at 12:00 noon, subject to the call of the Chairman.

Respectfully submitted,

David P. Driscoll
Secretary to the Board