Minutes of the Regular Meeting
of the Massachusetts Board of Education

March 25, 2003
9:15 a.m. – 1:00 p.m.

Massachusetts Department of Education
350 Main Street, Malden, Massachusetts

Members of the Board of Education Present:

James A. Peyser, Chairman, Dorchester
Henry M. Thomas, III, Vice-Chairman, Springfield
Charles D. Baker, Swampscott
J. Richard Crowley, Andover
Jeff DeFlavio, Chair, Student Advisory Council, Belmont
Judith Gill, Chancellor, Board of Higher Education (by Patricia Plummer, designee)
Roberta Schaefer, Worcester
Abigail Thernstrom, Lexington

David P. Driscoll, Commissioner of Education, Secretary to the Board

Members of the Board of Education Absent:

William K. Irwin, Wilmington

Chairman Peyser called the meeting to order at 9:15 a.m.

Comments from the Commissioner

Commissioner Driscoll opened the meeting by reporting on the results of the most recent MCAS performance appeals. He reported that a total of nearly 1,000 appeals have been submitted, including more than 400 in the latest round between January 25 and March 13. The Appeals Board reviewed about 280 submissions for this appeal period. Of the remaining appeals, about 60 are portfolios that will be reviewed in early April and 65 were withdrawn because the students passed the December re-test. Consistent with earlier submissions, about 50% of appeals are being granted; about 35% are being

returned for more information; and about 15% are denied because the student does not meet the eligibility requirements or has too low a grade point average.

The Commissioner updated the Board on the Department's initial implementation of the federally funded Reading First initiative, a major component of the No Child Left Behind Act. Massachusetts is the first state in the Northeast to receive this grant, which totals more than $15 million this year and $100 million over six years. The program is intended to help school districts improve reading instruction so that all students are reading at or above grade level by the end of grade 3.

Commissioner Driscoll also reported that the House Committee on Ways and Means is expected to release its FY 04 budget on April 23. He also noted a monograph published by the Center on Education Policy called *Teaching to the Test: The Good, the Bad, and Who's Responsible*. The report credits the Massachusetts standards and assessments with helping teachers and students to focus on critical skills, including writing.

Approval of the Minutes of the February 25, 2002 Regular Meeting

On a motion duly made and seconded, it was:

VOTED: that the Board of Education approve the minutes of the February 25, 2002 regular meeting as presented by the Commissioner.

The vote was unanimous.

1. Annual Report of the Board of Education for 2002

Chairman Peyser asked Board members to review the draft Massachusetts Board of Education 2002 Annual Report and to send any edits to the Commissioner or Melanie Winklosky. The purpose of the report is to chronicle the major decisions and actions of the Board from January through December of 2002. Commissioner Driscoll noted that the report is a record of the tremendous progress made by the Board during the past year, and thanked Chairman Peyser and members of the Board for their efforts on behalf of Massachusetts students. After final editing, the report will be published and distributed widely in April.

2. Lawrence Public Schools Partnership: Proposal to Update Agreement

The Board discussed an extension of the Department of Education/Lawrence Public Schools Partnership through August 31, 2005. The partnership was first established through a memorandum of agreement in 1998. The agreement was last renewed in 2002 and it expires in August 2003. The new agreement will be the final extension of the partnership.

Associate Commissioner Juliane Dow provided a brief history of the partnership and introduced Eugene Thayer and Matt George, both former superintendents, who serve as the Department's representatives on the partnership team. They have been advising Lawrence officials and administrators on budget, personnel, contracts, collective bargaining, major policy issues and improvement planning. They commended the Superintendent, Mayor and School Committee for their cooperation and said they have seen great professional growth in the district's leadership. Chairman

Peyser thanked Mr. Thayer and Mr. George for their efforts, and asked the Lawrence team to document the partnership to record what worked, what didn't work, and why in order to determine the most effective role the state can play in assisting school districts.

Lawrence Mayor (and School Committee Chair) Michael Sullivan, School Committee Vice Chair Suzanne Piscitello and Superintendent Wilfredo Laboy presented an overview of recent accomplishments in the Lawrence Public Schools. They thanked the Board and the Commissioner for supporting the partnership, which Superintendent Laboy said has provided invaluable guidance and support. He said several elements were vital to the district's progress: (1) the initial fact-finding report that provided direction on governance, management, teaching and learning; (2) development of a core curriculum to address weaknesses identified in the report; (3) promotion of good teaching practices; (4) ongoing assessment in English language arts and mathematics to inform and adjust teaching; and (5) alignment of professional development for teachers with the district's goals. Superintendent Laboy concluded, "We're not where we want to be, but we're way ahead of where we used to be." The Superintendent said Lawrence views the Department as a "critical friend," and he thanked Commissioner Driscoll for his accessibility and support.

Board member Abigail Thernstrom asked the superintendent about the main problem facing the school district at this time. Superintendent Laboy responded that school leadership is the biggest concern. He stated that the pool of candidates for vacant principalships is limited. He reported that Lawrence has created a district-based program in partnership with the University of Massachusetts.

Chairman Peyser noted that the Educational Management Audit Council will conduct a district evaluation of Lawrence Public Schools in the spring of 2004.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education authorize the Chairman and the Commissioner to sign the Memorandum of Agreement to Further Extend Partnership between the Massachusetts Department of Education and Lawrence Public Schools. The agreement will remain in effect until August 31, 2005.**

The vote was unanimous.

3. Review of the Improvement Plans from Henry Lord Middle School, Fall River; Dr. William Peck Middle School, Holyoke; and Putnam Vocational Technical High School, Springfield

The Board discussed the improvement plans presented by the Henry Lord Middle School in Fall River, Dr. William Peck Middle School in Holyoke, and Putnam Vocational Technical High School in Springfield. Under the Regulations on Under-Performing Schools and School Districts, schools that have been declared under-performing must submit plans for improving student achievement to the Board. The Department evaluates each plan based on a rubric developed for this purpose as well as the detailed fact-finding report that identifies the school's areas of strength and weakness. The Commissioner then makes a recommendation to the Board as to whether to accept the plan.

Associate Commissioner Juliane Dow presented an overview of the school improvement planning process and introduced the school and district representatives to present their plans. Springfield

Superintendent Joseph Burke reviewed the history of the vocational program at Putnam. Putnam Vocational Technical High School Principal William Goodwin presented the school's plan for improving student performance, which includes the creation of four small learning communities within the high school, as well as a full year preparatory school for incoming students with skills at a 6th grade level and full-year English language arts and mathematics programs in grades 9 and 10. Chairman Peyser stated that he is impressed by the bold reforms proposed in the context of a vocational school.

Board member Richard Crowley asked if the school was getting the support needed from the school district. Mr. Goodwin responded that the superintendent and the school committee have been supportive. Vice-Chairman Thomas commended Superintendent Burke, noting that the challenge is great, and that the superintendent will need support from both the school committee and the city of Springfield. Board member Charles Baker suggested that the school choose two or three essential items from the many goals in the school's plan for improving student performance, and to focus on those in order to achieve success.

VOTED: **that the Board of Education, in accordance with G.L. chapter 69, s. 1J and 603 CMR 2.03 (6), and upon recommendation of the Commissioner, hereby accept the plans for improving student performance submitted by the Putnam Vocational Technical High School in Springfield.**

The vote was unanimous.

Fall River Superintendent Richard Pavao and Lord School Acting Principal Kurt Peterson presented the Lord School's plan for improving student performance. Superintendent Pavao noted that the PIM process was useful, and that he is planning to use it in all of the district's schools.

Chairman Peyser asked about the status of naming a permanent principal at the Lord School. Superintnedent Pavao responded that he hopes to complete the hiring process within the next 30 days. Chairman Peyser offered the Department's help in that process, and asked the Superintendent to keep the Board informed.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with G.L. chapter 69, s. 1J and 603 CMR 2.03 (6), and upon recommendation of the Commissioner, hereby accept the plans for improving student performance submitted by the Henry Lord Middle School in Fall River.**

The vote was unanimous.

Holyoke Superintendent Eduardo Carballo and Peck School Principal Alex Borelli presented the Peck School's plan for improving student performance. Superintendent Carballo reported that the district is looking at all of its schools, and that UMass Amherst is working with Holyoke on leadership training. Principal Borelli reviewed the major changes that have been implemented at the Peck School. He noted that the PIM process has helped the school to focus on data, identify weaknesses, and address them.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with G.L. chapter 69, s. 1J and 603 CMR 2.03 (6), and upon recommendation of the Commissioner, hereby accept the plans for improving student performance submitted by the Dr. William Peck Middle School in Holyoke.**

The vote was unanimous.

4. No Child Left Behind Act: Standards for Identifying Unsafe Schools

The Board discussed the Standards for Determining Unsafe Schools, as required by the federal No Child Left Behind Act. The Act requires each state to adopt a standard for determining "persistently dangerous" schools. The law provides school choice options for students in such a school as well as for any student who is the victim of a violent crime in school.

Commissioner Driscoll and John Bynoe, Associate Commissioner for Student Support Services, explained that the Massachusetts policy is intended to assist local educators in improving the school climate and school safety by implementing prevention and early intervention. It also aims at helping schools to collaborate with parents, community agencies, law enforcement officials and others to prevent and address school violence.

Chairman Peyser proposed amending the draft policy to designate a school as “persistently dangerous” if it meets either of the following criteria rather than both: To be designated as "persistently dangerous," a school must meet <u>either</u> of the following criteria for three consecutive years beginning with the most recent enrollment data available to the Department as well as the prior two years. 1) One or more students have been expelled for violation of the Federal Gun Free Schools Act; <u>or</u> 2) The number of students who have been permanently excluded or expelled from school for a period greater than 45 days under Mass. General Laws Chapter 71, Section 37H for weapons or physical assaults or for violent crimes as defined by Mass. General Laws Chapter 140, Section 121 exceeds 1.5% of the student enrollment. The rate will be based on each individual school’s enrollment data submitted to the Department.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education approve the Standards for Determining Unsafe Schools in Massachusetts, as amended, in accordance with Section 9532 of the federal No Child Left Behind Act.**

The vote was unanimous. The Department will provide information and training for school staff on the new policy during the next several months.

5. Proposed Guidelines for Preschool Learning Experiences

Commissioner Driscoll invited the Board’s comments on the *Guidelines for Preschool Learning Experiences* that will be included as Part II of the proposed Early Childhood Program Standards. The

guidelines, drafted by the Department and the Early Childhood Advisory Council, are intended to help early childhood programs meet educational standards as well as health and safety requirements. The Board reviewed an earlier draft of the guidelines in June 2001 and released the draft for public comment.

Chairman Peyser commended the Department for its work on the guidelines, which he described as an essential foundation for infusing standards into early education. He noted that the next challenge is to build capacity in the field to implement the standards. Chairman Peyser stated that partnering with higher education and others to implement the standards is key. After further revision, the guidelines will be incorporated into the Early Childhood Program Standards that will be presented to the Board for approval at the April meeting.

6. Management Contract for the Holyoke Community Charter School

The Board discussed the management contract between Holyoke Community Charter School and Springfield Education Management, LLC. Under General Laws chapter 71, section 89, and 603 CMR 1.00, the Board of Education must approve the contract of a charter school that intends to procure substantially all educational services under contract with another person, either as part of the original charter or by way of an amendment thereto.

Chairman Peyser noted that while the new management contract meets legal requirements, the contract significantly changes the nature of the charter school. He proposed granting conditional approval of the contract, pending approval of charter amendments at the April Board meeting. This would permit the charter school to proceed with financing and construction, while preserving the Board's discretion to review and vote on the charter amendment at an upcoming meeting. Scott Goldman, the Executive Director of the Holyoke Community Charter School, addressed the Board on the importance of tentative approval, and reported that the project is in compliance with both public bidding and prevailing wage laws.

On a motion duly made and seconded, it was:

> **VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby conditionally approve the management contract between Holyoke Community Charter School and Springfield Education Management, LLC, as voted by the Board of Trustees of Holyoke Community Charter School on February 26, 2003. Such approval shall become final upon approval by the Board of Education of an amendment to the charter granted to Holyoke Community Charter School.**

The motion was approved 5-1. Mr. DeFlavio opposed the motion. The Board's approval is conditional on its review and approval of an amendment to the charter for the school, which will come before the Board at the April meeting.

7. Approval of Federal Grants

The Board discussed $12.5 million in federal grants, including over $11.4 million in grants to Massachusetts school districts under the Reading First program. The other federal grants included

funds for special education leadership training (Project FOCUS); curriculum content institutes for educators' professional development in the spring and summer of 2003; family literacy (Even Start); dissemination of successful charter school practices; and after-school academic enrichment (21st Century Community Learning Centers). Both Vice-Chairman Henry Thomas and Board member Roberta Schaefer recused themselves from voting on these grants.

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 was approved 4-0. Ms. Schaefer and Vice-Chairman Thomas abstained.

On a motion duly made and seconded, it was:

VOTED: that the meeting adjourn at 1:00 p.m., subject to the call of the Chairman.

Respectfully submitted,

David P. Driscoll
Commissioner of Education
and Secretary of the Board