

**Minutes of the Regular Meeting
of the Massachusetts Board of Elementary and Secondary Education**

**June 28, 2011
8:30 a.m. – 1:05 p.m.**

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

Members of the Board of Elementary and Secondary Education Present:

Maura Banta, Chair, Melrose
Vanessa Calderón-Rosado, Milton
Harneen Chernow, Vice Chair, Jamaica Plain
Gerald Chertavian, Cambridge
Michael D'Ortenzio Jr., Chair, Student Advisory Council, Wellesley
Beverly Holmes, Springfield
Jeff Howard, Reading
Ruth Kaplan, Brookline
James McDermott, Eastham
Dana Mohler-Faria, Bridgewater
Paul Reville, Secretary of Education, Worcester

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

Chair Banta called the meeting to order at 8:30 a.m.

Comments from the Chair

Chair Banta welcomed members to the last meeting of the academic year. The chair said she was pleased to represent the Board at the Herter Awards ceremony to recognize high school graduates who have overcome challenging circumstances. The chair said she also had the pleasure of attending the Teacher of the Year ceremony at the State House with Commissioner Chester and Mr. D'Ortenzio Jr.

Comments from the Commissioner

Commissioner Chester said the Teacher of the Year celebration was excellent. He noted that the Department is proceeding with review and revision of the curriculum framework in Science and Technology/Engineering. The commissioner updated the Board on educational collaboratives in light of the recent media coverage around Merrimack Special Education Collaborative and the Inspector General's report on the non-profit, Merrimack Education Center. The commissioner said the Department approves

collaboratives and does a review of their proposal, but they are governed by a local board of directors comprised of representatives from each member school district. The commissioner said the Department's Program Quality Assurance (PQA) unit is currently piloting a program for monitoring collaboratives on a cyclical basis with a focus on special education and other regulated programs. The Department's Audit and Compliance unit is also developing a financial and internal controls review to supplement each collaborative's independent financial review. The commissioner said that some collaboratives have established separate 501-C-3 non-profit corporations to sell a range of services.

Commissioner Chester said the Department is working with the Massachusetts Organization of Educational Collaboratives to update state policies and focus on procurement and auditing. Based on the findings of the IG and the Auditor, and the report of the Legislature's special commission on regionalization, the commissioner said the Department will review and bring to the Board recommendations for policy changes. The commissioner said that when he first arrived in Massachusetts he was hearing concerns about Merrimack Education Center, its director, and the Merrimack Special Education Collaborative. Commissioner Chester said that early in his tenure in 2008 he met with former Auditor DeNucci to share those concerns.

Comments from the Chair

Chair Banta thanked all the stakeholders who have been so thoughtful in the process over the past year to develop the final proposed regulations on educator evaluation.

Public Comment

- Frank McLaughlin of the Lawrence Teachers Union addressed the Board on Level 4 schools in Lawrence;

Secretary Reville arrived at 8:54 a.m.

- Tom Gosnell from the American Federation of Teachers – Massachusetts addressed the Board on educator evaluation;
- Henry Dinger, chair of the board of the Massachusetts Business Alliance for Education, addressed the Board on educator evaluation;
- Christian Price of Stand for Children addressed the Board on educator evaluation;
- Kathie Skinner from the Massachusetts Teachers Association addressed the Board on educator evaluation;
- Esteniolla Maitre and Ayan Hassan from the Boston Student Advisory Council addressed the Board on educator evaluation;

Dr. Calderón-Rosado arrived at 9:10 a.m.

- Michaela Colombo from MATSOL addressed the Board on educator evaluation;
- Monty Neill from FairTest addressed the Board on educator evaluation;

- Laurie Zucker-Conde from Bedford, MA Public Schools addressed the Board on educator evaluation;
- Myriam Ortiz from Boston United for Students addressed the Board on educator evaluation;
- Tom Scott, executive director of the Massachusetts Association of School Superintendents, addressed the Board on educator evaluation.

Comments from the Secretary

Secretary Reville said he was pleased to be present with the Governor and Commissioner Chester as the Department's Charter School Office was honored with the Manuel Carballo Award for Excellence in Public Service. The secretary said the state budget continues to be worked on in conference committee. Secretary Reville provided an update on Innovation Schools, with 11 new approved Innovation Schools and 4 or 5 more in the pipeline. The secretary talked about the Race to the Top competition in early education and care. Secretary Reville said his office has been working with the state offices of Employment and Training, Economic Development, college presidents, and vocational technical schools to build better pathways to student success in careers.

Comments from the Chair

Chair Banta recognized student member Michael D'Ortenzio Jr., who was participating in his last meeting as chair of the State Student Advisory Council. Chair Banta, Commissioner Chester, and the other Board members praised Mr. D'Ortenzio Jr. for his intellect, commitment to public service, and passion to make a difference in the lives of students across the Commonwealth.

Approval of the Minutes

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education approve the minutes of the May 23, 2011 special meeting and May 24, 2011 regular meeting.

The vote was unanimous.

Educator Evaluation

Commissioner Chester said the final proposed educator evaluation regulations are a celebration of teaching and leadership in our schools. The commissioner reviewed the five major objectives of the regulations: (1) fostering growth and development; (2) rewarding excellence; (3) setting a high bar for attaining tenure; (4) shortening the timeline for improving; and (5) putting student learning at the center of the process. The commissioner said there has been a very robust comment period since the April 2011

Board meeting, including six regional forums and receipt and review of roughly 500 written comments.

The commissioner said the Board has been very deliberate during this process, holding eight meetings on the topic in the last year. He noted that the requirement to supervise and evaluate educators has been in place since at least 1993, and today's regulations are a substantial change. Commissioner Chester said he rejects the notion that our administrators are not ready for this. The commissioner said he believes the proposal provides a very sound approach to measuring the impact of educators on student learning. There will be a two-year development period before the implementation of the student and staff feedback components.

The commissioner outlined the final changes recommended in his June 26 memo. He said these regulations have the potential to be very high leverage. In Massachusetts, the challenge is to go from good to great. He thanked the Educator Evaluation Task Force and the staff of the Department for their work.

Ms. Kaplan asked about a point raised during public comment by AFT-MA Executive Director Tom Gosnell related to sections 35.07 and 35.09. Commissioner Chester said this is a purposeful distinction, in that 35.07 identifies evidence that relates to the vertical axis on his graphic and could be expansive, while 35.09 is the horizontal axis and requires a common metric for impact on student learning. Ms. Holmes asked about evaluation in relation to teachers of English language learners. The commissioner said we are constantly working to strengthen ELL programs and while there is lots of work to do in that area, the evaluation regulations are not the place to address specific ELL issues.

Secretary Reville asked the commissioner to comment on the training of administrators. Commissioner Chester said the training will have several dimensions. Local evaluation protocols will be developed, including a model plan. The implementation of the model plan will take place in the Level 4 schools as well as other early adaptor districts. The commissioner said a year from now, we will have several models that could be adopted or adapted by any district. The Department will also develop various resources and tools to assist with evaluation. The American Institutes of Research (AIR) will provide technical assistance on implementation.

Secretary Reville said the training plan is robust and will give people the opportunity to shift effectively to the new system. The secretary commended the commissioner and staff for a superb job in involving the field. Secretary Reville said that in Massachusetts, we are saying that the evaluation of educators is a #1 priority for school systems and school leaders. The secretary said it borders on professional negligence for new teachers to receive little or no feedback. The secretary said this discussion has demonstrated that: (1) the quality of teaching has an impact on what students learn; (2) there is no simple formula, no instrument that can automate teacher performance, and that multiple measures are supported here; (3) the value of a student voice; (4) the need to take into account resources and what is needed to get the job done; (5) we need to look again at peer review; and (6) this is another chapter to improve the quality of education.

Dr. Calderón-Rosado said this is a very important milestone in Massachusetts, and she commended the commissioner and staff. She said she wants to see how we are going to measure student growth and the performance of ELL students. Dr. Calderón-Rosado said she hopes that as we move to implementation we can continue to involve all stakeholders in the process. Dr. McDermott said he believes in student work and that it is part of feedback. Dr. McDermott said he felt uncomfortable with the discrepancy between sections 35.07 and 35.09, and asked how we ensure that genuine student learning is part of the plan. Deputy Commissioner Baehr said 35.09 limits the use of student achievement to statewide tests or district determined measures, and that the definition conveys the broader array of tools that can be used.

Dr. Howard said he is interested in statewide standards of reliability. Dr. Howard commended the commissioner for making each iteration of this document clearer and stronger than the one before. Vice Chair Chernow said she remained concerned about the use of standardized tests as a mechanism for determining teacher effectiveness. The vice chair said she appreciated the Department incorporating student feedback in evaluation. Vice Chair Chernow agreed that the regulations today are clearer and simpler than the April version, and she appreciated the streamlining done by the Department.

Vice Chair Chernow spoke about training and professional development of evaluators. She said the Board has an obligation to set the standard for training. Vice Chair Chernow made a motion to amend the original motion to state that the Department shall issue an RFP for professional development, and to be qualified, an evaluator must complete Department-approved training, have five years of successful teaching experience, and have five years of successful experience as an administrator.

The Vice Chair's motion was moved and seconded.

Vice Chair Chernow said we should have a standard for how an evaluator should be trained to be in that role. Ms. Kaplan said she supported the vice chair's amendment and that we need to do this right. Chair Banta said she could not support the amendment and that requiring an evaluator to have five years of teaching experience will limit the profession of principals. Secretary Reville expressed concerns about this amendment. The secretary said our regulations for licensure of administrators call for competency in supervision and evaluation. The secretary said requiring five years of experience would be arbitrary. Secretary Reville said the weaknesses of the current evaluation system relate to the system itself, not the competence of administrators, and these regulations will address the weaknesses.

Mr. D'Ortenzio Jr. said he also had concerns about the five year requirement and what constitutes successful teaching experience. He said training is a key part of these regulations. Mr. Chertavian said the new regulations would build in accountability and together with the model system they would lead to higher quality. Dr. Howard said the effect of the motion would be to slow this down, when in fact if we launch the system, people will become familiar with it and build their competence.

Commissioner Chester said he is committed to providing ongoing support in training and technical assistance, and he does not believe the vice-chair's amendment is advisable. Dr. Calderón-Rosado said the Department has made a commitment to support the new evaluation system, and the motion would place a hardship on districts.

On a motion duly made and seconded, it was:

MOVED: that 603 CMR 35.11(7) be amended by striking the language and inserting in its place the following:

- (7) The superintendent is responsible for ensuring that all evaluators have training in the principles of supervision and evaluation.
 - (a) The Department shall issue a Request for Proposals for professional development for administrators and peers who will observe or evaluate teacher and administrator practice. This professional development shall include presentation, practice and application of knowledge and skills directly related to: understanding and applying adult learning theory, observing and assessing educator practice, conducting difficult conversations, and developing and implementing professional growth and improvement plans.
 - (b) To be qualified to observe, evaluate and judge teaching or administrator practice, the potential evaluator must successfully complete this DESE approved professional development program. Upon completion of the professional development program, the prospective evaluator must pass an inter-reliability performance assessment and successfully complete a personal professional growth plan. The educator meeting these requirements shall have his/her license "endorsed" as an evaluator.
 - (c) To be qualified to observe, evaluate and judge teaching practice, the potential evaluator must have five years of successful teaching experience; successfully complete the professional development and complete the performance assessments outlined in 35.11(7)(b).
 - (d) To be qualified to observe, evaluate and judge administrator practice, the potential evaluator must have five years of successful administrative experience; successfully complete the professional development and complete the performance assessments outlined in 35.11(7)(b).
 - (e) Hardship Waivers
 - i. The Commissioner may exempt a district for individual evaluators from 35.13(7) c-e for one school year upon request of a superintendent and demonstration to the Commissioner that the district has made a good-faith effort to find or train a qualified evaluator who had completed the training, passed the performance assessment and had the

- ii. The Commissioner may deem a district to have a critical shortage of evaluators upon request of a superintendent and demonstration that the district has made a good-faith effort to hire personnel who have not retired under M.G.L. c. 32 and has been unable to find them. A district deemed to have a critical shortage of qualified evaluators may employ retired, qualified teachers or administrators subject to all laws, rules, and regulations governing the employment of teachers or administrators. The period of a determination of a critical shortage shall not exceed one year, but a district may seek to invoke this provision in consecutive years upon a new demonstration of a good-faith effort to hire personnel who have not retired. The Commissioner shall notify the Teachers' Retirement Board of each determination of a critical shortage made for the purposes of M.G.L. c. 32 § 91 (e).

The motion was defeated 2-9. Vice Chair Chernow and Ms. Kaplan voted in support.

Ms. Kaplan commended the Department for its work on these regulations, but said she was not able to support them. Ms. Kaplan said she was concerned that the regulations might create an incentive to teach to the test.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education, in accordance with M.G.L. c. 69, § 1B, and c. 71, § 38, and having solicited and reviewed public comment in accordance with the Administrative Procedure Act, G.L. c.30A, § 3, hereby adopt the Regulations on Evaluation of Educators, 603 CMR 35.00, as presented by the Commissioner. The regulations replace the current Regulations on Evaluation of Teachers and Administrators and accompanying Principles of Effective Teaching and Principles of Effective Administrative Leadership, as adopted in 1995.

The vote was 9-2. Ms. Kaplan and Dr. McDermott voted in opposition.

Ms. Kaplan had to leave the meeting at 11:35 a.m.

Report on New Bedford Public Schools

Commissioner Chester said New Bedford is one of 12 Level 4 districts in the Commonwealth. The commissioner said Department representatives led by Deputy Commissioner Karla Baehr attended the June 13, 2011 meeting of the New Bedford School Committee. The commissioner noted the mayor's response to the report, included in the Board's materials. Commissioner Chester expressed concern that rather than addressing the identified problems in the district, the mayor seems to be trying to discredit the process and objectivity of the District Review report.

Senior Associate Commissioner Lynda Foisy said the Department is proposing to work with the district jointly to select and appoint a plan manager to help the district develop a more focused, accelerated district improvement plan that will include no more than 3-5 priorities. Senior Associate Commissioner Foisy said in addition the Department will identify a monitor to regularly check in with district leaders and the plan manager to get regular progress reports.

Dr. Howard said he would recuse himself from any discussion or vote on this matter because his organization, the Efficacy Institute, has dealings with New Bedford Public Schools. Dr. Mohler-Faria said that New Bedford Mayor Lang has approached Bridgewater State University to discuss the university helping the district to develop its plan. Dr. Mohler-Faria said he has asked Commissioner Chester to meet with university officials to see if the university could play a role.

Mr. Chertavian said this report is very troubling, especially when he thinks about the children behind the report. He said if the fact that the district is graduating only 53 percent of students over 4 years is not failure, he is not sure what is. Mr. Chertavian commended the work the Department is doing, and said we should be strong about it. Dr. Calderón-Rosado asked about next steps. Senior Associate Commissioner Foisy said the role of the plan manager is to model for district leaders how to go about the process, select the priorities, and establish strategies and benchmarks. She said short and long-term measurable outcomes will be set. Deputy Commissioner Baehr said the plan needs to be developed by August 31st and a first quarterly report will be due at the end of three months. Deputy Commissioner Baehr said all benchmarks will be reported publicly.

Secretary Reville asked about implementation timetables. Deputy Commissioner Baehr said the district has identified some strategies, and the Department is insisting that those be wrapped into the district's plan. She said the district is moving to fill two key central office positions and there is significant professional development underway this summer. Deputy Commissioner Baehr said the turnaround plan for the Parker School in New Bedford has been submitted, and while the plan for the school is adequate, the plans for district support and monitoring of that school are not yet sufficient.

Update on State Education Budget

Commissioner Chester distributed a spreadsheet to update the Board on the state education budget. Department CFO Bill Bell said on balance the Legislature has heard the needs of the education sector and has prioritized funding for local school districts and the circuit breaker account. Secretary Reville said we will also keep our eyes on the federal budget. Chair Banta asked how the numbers that differ between the House and Senate version eventually square. Mr. Bell said any need for a reduction in expenditures would not necessarily be taken from our accounts. Commissioner Chester said the biggest discrepancy between the Senate and House budget proposals was the circuit breaker account, with almost a \$20 million difference between them.

Annual Performance Evaluation of the Commissioner

Ms. Holmes, chair of the Board's Committee on Commissioner's Performance Evaluation, reviewed the process to evaluate the commissioner. Ms. Holmes said interviews were conducted with senior staff and the committee also received the commissioner's self-evaluation. Ms. Holmes read from the committee's recommendation to the Board, highlighting the commissioner's accomplishments over the past year, and concluding that the commissioner's performance in FY2011 has met or exceeded the Board's high expectations. She said the committee considered this to be an exceptionally successful year for the commissioner and for education in the Commonwealth.

Ms. Holmes said the committee appreciated the commissioner's leadership around Race to the Top. Chair Banta said that people interviewed talked about the commissioner's incredible intellectual energy and his amazing command of issues and details. Chair Banta said Commissioner Chester has mobilized people within and outside the Department and has led Massachusetts in an exemplary fashion. Mr. Chertavian talked about the effective and focused leadership the commissioner provides and how he is able to get things done. Mr. Chertavian also complimented the commissioner on hiring people who can deliver and manage to that end, and have a command of content. Mr. Chertavian said it has been an excellent year and he expressed his appreciation for the incredible hard work of the commissioner and his staff. Dr. Howard said this is a team, including the commissioner and his deputies, that works together very effectively. Mr. D'Ortenzio Jr. said it has been an honor and pleasure to work with the commissioner. Dr. Mohler-Faria said as important as what the commissioner has accomplished is what he has been able to avoid, and said he appreciated the commissioner's ability to stay focused. Dr. Calderón-Rosado said she appreciated the commissioner's transparency, availability, and communication.

Secretary Reville said Massachusetts is a complex environment in which to do education business. The secretary said the two major accomplishments of the past year were the Race to the Top competition and the new educator evaluation regulations. In both instances, the secretary said we saw the commissioner at his best. Secretary Reville said Commissioner Chester makes people in the field feel heard and he has a willingness to

stand on principle. The secretary said he appreciates the commissioner's give-and-take and his responsiveness, and he feels privileged to have the commissioner as a colleague.

Dr. McDermott said the mark of a good teacher or leader is what they can get other people to do, and the commissioner's teamwork says a lot about him. Vice Chair Chernow said the commissioner sets the tone for a healthy board that values the diversity of thought and opinion. The vice chair thanked Ms. Holmes for leading this year's evaluation process.

Commissioner Chester said this is his third year, and it is no less humbling the third time around to experience the evaluation. He thanked the Board and the Department staff. The commissioner said he feels privileged to do this work on behalf of the Commonwealth and the Board.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education approve the Commissioner's FY2011 performance rating, as recommended by the Board's committee.

The vote was unanimous.

Dr. Mohler-Faria had to leave at 12:20 p.m.

Proposed Contracts with Educational Management Organizations for Four Charter Schools in Boston: Delegation to the Commissioner

Commissioner Chester asked the Board to delegate to him the authority to approve the management contracts for four charter schools in Boston. Dr. McDermott asked what we know about Unlocking Potential. Commissioner Chester said the charters that the Board granted anticipated reliance on these two management companies (Unlocking Potential; Uncommon Schools), and at that time the Department had provided background information to the Board. Deputy Commissioner Wulfson said both organizations have been staffed in part by charter school leaders who have come up through Boston. Vice Chair Chernow asked if the Board has voted on these contracts in the past. Deputy Commissioner Wulfson said the Board used to vote on the contract as part of the charter approval but that can be problematic. Secretary Reville said this strikes him as the kind of business the Board ought to regularly delegate to the commissioner.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education authorize the Commissioner, in accordance with General Laws c. 15, § 1F, paragraph 3, to act on behalf of the Board in approving the management contract between UP Academy Charter School of Boston and Unlocking Potential and the management contract(s) between

Roxbury Preparatory Charter School, Grove Hall Preparatory Charter School, and Dorchester Preparatory Charter School and Uncommon Schools, as required by General Laws chapter 71, section 89 (k)(5), and 603 CMR 1.00, following his legal and technical review of the contracts and a vote by the boards of trustees of these charter schools. Such approval shall also operate to amend the charters granted to UP Academy Charter School of Boston, Roxbury Preparatory Charter School, Grove Hall Preparatory Charter School, and Dorchester Preparatory Charter School to include these management contracts.

The vote was unanimous.

Report from Board's Charter School Committee

Mr. Chertavian, chair of the Charter School Committee, thanked the other members. Mr. Chertavian said Deputy Commissioner Wulfson does an excellent job in managing the work. Mr. Chertavian said the committee was charged with developing criteria for proven provider status and the allocation of seats and looking at the Board's time management around charter schools. Mr. Chertavian presented the findings of the committee about how other states authorize charter schools. Mr. Chertavian said the goal is to maintain the quality of our authorizing process and to reduce the Board's time commitment.

Mr. Chertavian presented six recommendations, including: (1) keeping the current structure; (2) delegating additional authority to the commissioner; (3) establishing an ongoing Board Charter School Committee; (4) eliminating unnecessary duplication, such as with public hearings; (5) planning extra meeting time in February; and (6) continuing to advocate for adequate funding for the Department's charter school office.

Chair Banta thanked Mr. Chertavian and the committee for their focus on maintaining quality and spending the Board's time wisely. Mr. D'Ortenzio Jr. said he appreciated being on the committee.

State Student Advisory Council End-of-Year Report

Mr. D'Ortenzio Jr. made a presentation on the work of the State Student Advisory Council this year. Mr. D'Ortenzio Jr. discussed the launch of the "By Students, For Students" campaign, which was a student-to-student effort to engage middle school students about the value of attaining a high school diploma. He said the council's ultimate goal is to encourage students to get engaged in their education and make what they want of their high school experience.

Schedule for Regular Board Meetings through June 2012

The Board voted to adopt its meeting schedule for the 2011-12 year.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education approve the schedule of regular meetings through June 2012, as presented by the Commissioner.

The vote was unanimous.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 1:05 p.m., subject to the call of the chair.

The vote was unanimous.

Respectfully submitted,

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

**Minutes of the Special Meeting
of the Massachusetts Board of Elementary and Secondary Education**

**June 27, 2011
5:15 p.m. – 7:05 p.m.**

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

Members of the Board of Elementary and Secondary Education Present:

Maura Banta, Chair, Melrose
Vanessa Calderón-Rosado, Milton
Harneen Chernow, Vice Chair, Jamaica Plain
Gerald Chertavian, Cambridge
Michael D'Ortenzio Jr., Chair, Student Advisory Council, Wellesley
Beverly Holmes, Springfield
Jeff Howard, Reading
Ruth Kaplan, Brookline
James McDermott, Eastham
Paul Reville, Secretary of Education, Worcester

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

Members of the Board of Elementary and Secondary Education Absent:

Dana Mohler-Faria, Bridgewater

Chair Banta called the meeting to order at 5:15 p.m.

Chair Banta welcomed the Board to its special meeting to look at the year in review and continue its conversation on educator evaluation.

Year in Review

Commissioner Chester reviewed a report on the Department's progress in its areas of focus as well as initiatives for the current year. Mr. Chertavian said it is amazing to see what was accomplished in one year.

Mr. Chertavian asked if we made as much progress as we needed to with respect to classroom culture. Commissioner Chester said two goal areas – wraparound and school and classroom culture – encompass Mr. Chertavian's question. The commissioner said these are areas where work is in progress and the Department has plans on how to bring

them to fruition. Commissioner Chester said he recently signed off on the award of wraparound zone grants to 5 school districts. On school and classroom culture, the commissioner talked about the administration of a set of questions on the MCAS exam this year to see how those responses correlate to performance. The commissioner also said the teacher and administrator evaluation regulations propose collecting feedback from students and staff relative to what students experience. Mr. Chertavian asked about supports and services that could be more scalable and should be prioritized. Deputy Commissioner Karla Baehr said the health needs of youngsters could be addressed through a partnership with public health agencies, and that youngsters should have a safe place and support to do work after the school day. Deputy Commissioner Baehr said school partnerships with community health vary widely in urban districts. Secretary Reville said the Secretary of Health and Human Services has designated a half-time staff person to connect with the 35 underperforming schools. The secretary said the challenge is to build out a strategy to turn around underperforming schools. Deputy Commissioner Baehr said the Level 4 schools have embraced the challenge, though it must be done in a systematic way and last beyond the current players.

Vice Chair Chernow and Ms. Kaplan arrived at 5:25 p.m.

Chair Banta asked about educator effectiveness and recruitment efforts. Deputy Commissioner Baehr said work is underway on revising administrative licensure. Deputy Commissioner Baehr said the state's Race to the Top application contains a number of projects to expand the pipeline for recruiting and for evaluating preparation programs. UTEACH also has plans to come to Massachusetts to broaden opportunities.

Dr. McDermott asked about the Massachusetts Curriculum Frameworks and how the guides will be used to create powerful learning. Deputy Commissioner Baehr said the Department is developing a teaching and learning system under Race to the Top with model units, using teacher teams to develop strong units of instruction. Dr. Howard asked about annual goals for Level 4 schools. Deputy Commissioner Baehr said the goals vary; some are concrete such as what the median student growth percentile needs to be. Commissioner Chester said the goals are set individually for schools based on where the schools were previously.

Ms. Holmes arrived at 5:30 p.m.

Deputy Commissioner Baehr said the Department took all schools with a three-year history of improvement and determined what was the fastest improving cohort. That became the standard. Dr. Howard asked about a standard based on Level 4 schools that improve.

Ms. Kaplan expressed concern that the three areas of work under wraparound services are not yet completed. Commissioner Chester said a cross-unit working group has been established in the Department and they are working on these issues in conjunction with several of the advisory councils. Ms. Kaplan said she would like to see an evening meeting devoted to the topic of wraparound services. Deputy Commissioner Baehr said it

was exciting to see the energy within the Department at the cross-unit kick off meeting, and that a range of people who have done work in parent and community engagement were represented. Ms. Kaplan suggested the group should be aware of the work of the Boston Title I Office, as they have a lot of experience.

Dr. McDermott asked about work to align public colleges with the expertise we need around curriculum and instruction. Commissioner Chester said the ongoing work around college and career readiness is likely to lead to a joint meeting of the Boards of Elementary and Secondary Education and Higher Education. Secretary Reville said better alignment is a high priority, and the Administration is very active in rethinking college readiness versus career readiness. The secretary said the Readiness Centers are also engaged in matters of curriculum and instruction and professional development, although we still have a long way to go in this area.

Chair Banta thanked the Department for its hard work in moving forward on the long-term goals. The chair said much progress has been made on the goals and initiatives and around developing better partnerships with the advisory councils.

Educator Evaluation

Commissioner Chester reviewed his June 21st memo to the Board and some last minute clarifications about the proposed final regulations on educator evaluation. The commissioner said the five goals remain the same. Commissioner Chester said the Department received over 500 written comments and more than 800 individuals participated in the 6 in-person regional events. The commissioner said that among the participants in the regional events, 11 percent reported that evaluations were very useful, 56 percent said they were somewhat useful, and 43 percent said evaluations were not useful at all.

Commissioner Chester said the Board had received a packet with all of the comments submitted to the Department. The commissioner said a lot of comments pertained to capacity for implementation and whether there were sufficient resources in the system. Other comments were about administrators going through additional training to qualify as evaluators and about the impact of student learning. The commissioner said he started with the proposition that our administrator corps is capable and that the supervision and evaluation requirements have been in effect for a long time, since 1993. Commissioner Chester said there would be a two-year period for the Department to develop instruments to collect student and staff feedback and protocols for reporting it.

Commissioner Chester said the revisions outlined in his June 26th memo related to a number of inquiries the Department received about the intent of certain language and clarifying that language. Deputy Commissioner Baehr said the Department needed to be consistent throughout the regulations that MEPA data had to be used where available, and where determining the rating of an educator, MCAS growth and MEPA had to be used.

Ms. Kaplan said it seems the Department has the right to review evaluation plans of districts but not approve or disapprove them. Commissioner Chester said that was correct

and that current statute requires the Department to review districts' plans to determine the alignment of the plan with the regulations the Board adopts. Ms. Kaplan asked if the Department had been reviewing plans on a regular basis. The commissioner said no, but misalignment would prompt a discussion between the Department and the district. Deputy Commissioner Baehr said evaluation plans have to be locally bargained. Ms. Kaplan asked about capacity issues that challenge the Department. Deputy Commissioner Baehr said there are dollars available in the state's share of Race to the Top dollars to fund the initial review process

Ms. Kaplan asked about potential litigation. Deputy Commissioner Baehr said an example would be whether the statutory language permits the Department to approve or disapprove plans. She said if we report that the evaluation system does not match the regulations, there is a range of actions we could take, including to withhold federal or state aid. Mr. D'Ortenzio Jr. asked if we should seek statutory authority to review and approve.

Secretary Reville asked the commissioner to describe the sequence for implementing the regulations subsequent to the Board's approval. Commissioner Chester said implementation of the new regulations would happen over a three-year period. The commissioner said the Department will start in the coming year with the 9 districts that have Level 4 schools. Secretary Reville asked about districts that may not have collective bargaining open this year. Commissioner Chester said those districts that receive federal turnaround monies could jeopardize that funding if they are not realigning their evaluation systems to the new regulations. Deputy Commissioner Baehr said she believes all 9 districts are committed to aligning their plans to the new regulations. Commissioner Chester said the Department has alerted superintendents that in their negotiation cycle they should anticipate the new regulations.

Ms. Holmes said that supervisors and evaluators are not included in the same bargaining unit as employees, and asked if we have evidence they have performed at a level we are comfortable with. Commissioner Chester said our administrative workforce is the supervisors and evaluators of record, and these regulations define a new system for evaluation that will be coupled with a robust game plan to support implementation and models to adopt wholesale. Ms. Holmes asked who evaluates the evaluators. The commissioner said the buck stops with the superintendent of schools. Ms. Holmes said there could be a conflict if the evaluator and evaluatee were in the same bargaining unit. The commissioner said to put that exclusion in would undo some arrangements that exist in many work settings. Secretary Reville said peer review is something a number of us would like to encourage.

Vice Chair Chernow said she was concerned that the process for training and preparing evaluators is not rigorous enough. She said her concern was that we leave districts to determine who is and is not eligible to evaluate, and a new evaluation system should include required standards and components.

Mr. Chertavian said adults with authority for managing need some help in this, but it is not like we are dealing with a whole new language. Dr. Howard said administrators are responsible for ensuring the education of children and ensuring there is effective instruction in the buildings in which they operate. Dr. Howard said his concern is whether principals have the time to evaluate teachers.

Secretary Reville said high performing organizations are about managing people effectively and evaluation is a key. The secretary said it is a challenge for principals to be lead managers as well as instructional leaders, but we need to make this a priority.

Ms. Kaplan asked what happens if a principal "needs improvement" and does not evaluate well. Commissioner Chester said as part of principals' evaluations, these regulations require staff feedback to be part of the evidence. Over the next two years the Department will identify the process and instruments for collecting staff feedback. Deputy Commissioner Baehr said the TeLLS survey is being repeated next fall. She said the model system the Department will develop will include a model principal evaluation system.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 7:05 p.m., subject to the call of the chair.

The vote was unanimous.

Respectfully submitted,

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