

Building on 20 Years of Massachusetts Education Reform

Prepared for the
Massachusetts Board of Elementary and Secondary Education

**Mitchell D. Chester, Ed. D.
Commissioner**

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The strong public school system that exists in Massachusetts today is the result both of the Commonwealth's centuries-old belief in public schools and, more recently, the broad and ambitious agenda established by the Massachusetts Education Reform Act of 1993 (MERA, St. 1993, c. 71).

In the early 1990s, the Massachusetts Business Alliance for Education (MBAE) spent two years producing their highly influential report, *Every Child a Winner*. Often credited with creating the intellectual framework and political impetus for the reform act (referred to herein as MERA, or the Act), the MBAE and their contemporaries, both in and out of government, established the framework under which public education in Massachusetts has operated over the ensuing two decades. That reform led to major increases in the amount of state aid that flows to schools, and it also established high standards and required more accountability across the entire education system.

Implementation of these changes brought controversy and challenges, but few would argue today that the standards-based reform effort embarked upon in 1993 has been anything less than an overwhelming success for the Commonwealth. Over the last two decades, scores of individuals and organizations have pursued and implemented a non-partisan agenda of high standards and accountability that has made Massachusetts a national leader in education. People look to Massachusetts as a place where high expectations, a consistent educational agenda, and strong fiscal support for schools have produced results.

The Education Reform Act has enjoyed stable and generous support from leaders from both political parties. Through several changes in governors, legislative leadership, education commissioners, and members of the Board of Elementary and Secondary Education, the basic framework established by the Education Reform Act continues to define and lend coherence to the Commonwealth's approach to improving public education. The stability of that framework has been critical to the success that Massachusetts has experienced and will continue to be critical in the future.

Two decades after adopting the Education Reform Act, the Commonwealth is uniquely engaged in the challenges and opportunities that accompany a mature phase of standards-based reform. Unlike many states that are debating or adopting the reforms begun here in 1993, Massachusetts is engaged in the kind of next-generation work that two decades of policy stability facilitates, such as: supporting educators in a process of self improvement and performance review; helping districts strengthen their curriculum and instruction; delivering technologically sophisticated tools to help educators and administrators leverage data they routinely collect; and identifying and intervening in the schools that are struggling the most to serve their students well. More generally, Massachusetts has been actively defining the most appropriate role of a state education agency in a standards-based system characterized by a highly decentralized system of school management and governance.

To understand our present context, it helps to understand the conditions and circumstances that led to the Education Reform Act's adoption and how our current opportunities and challenges fit within the broader framework that the Act created.

NERA – Fundamental Change Built on an Existing Foundation

The Massachusetts Education Reform Act of 1993 was the most dramatic change in generations in how the Commonwealth supported and oversaw the delivery of education services by local school districts, and it continued Massachusetts' reputation for public education leadership that Horace Mann established in 1837. At its most basic level, the Act required the establishment of high standards that each student would be expected to meet, a statewide assessment system designed to measure progress towards that goal, and an accountability system to hold schools and districts responsible for progress in meeting the new standards. To help districts meet the new standards, the Act established a new school finance system designed to make available an adequate level of resources to each school district irrespective of each community's fiscal capacity.

The impetus, authorization, and support for this fundamental shift were rooted in a confluence of forces:

- The National Context: The decade that preceded NERA's adoption began with the release of *A Nation at Risk*, which spurred public debate over how to reverse what was widely accepted as a prolonged decline of American public education and "a rising tide of mediocrity." By the end of that decade, the Education Summit of 1989 and creation of the National Education Goals Panel, which grew from it, began to focus reform discussions around the concept of standards-based education reform. The creation of the National Assessment Governing Board (which administers the National Assessment of Educational Progress) in 1991 and reforms of the federal Title 1 law in 1994, which required states to adopt content standards and assessments tied to them, reflected a growing national consensus in support of standards-based reform.
- Emergence from a Fiscal Crisis: By 1993, the Commonwealth was emerging from a major fiscal decline. In 1991, a report commissioned by the state Board of Education documented severe deficiencies in many public schools and the fiscal challenges facing many of the poorest districts in the state. Given the limits Proposition 2-1/2 had imposed on municipal revenue growth prior to the fiscal decline, the need for a significant expansion of state education assistance, particularly in the communities now referred to as "Gateway Cities," was evident to state policymakers and their constituents. (Proposition 2-1/2 went into effect in 1982.)
- Equity Suits Across the Nation, McDuffy at Home: Following a nationwide pattern of lawsuits challenging the equity of state education finance systems, based on state rather than federal constitutional law, plaintiffs in Massachusetts grounded their equity claims in the Massachusetts Constitution, in a case that became known as *McDuffy v. Robertson*. That successful lawsuit established the state constitutional standards that policymakers would be expected to meet, but the Supreme Judicial Court (SJC) deferred to the legislative and executive branches to identify and take steps to meet those standards. The Education Reform Act, and other education efforts that followed, were commonly understood as having been responsive to the plaintiffs' claims for relief from the constitutionally deficient state system of educational standards and finance that led to the lawsuit. A subsequent decision by the SJC in 2005, *Hancock v. Commissioner of Education*, validated that state officials had, in fact, established and continued to pursue an educational reform system designed to address educational deficiencies and meet the constitutional standard.

Perhaps most significant from a governance and finance perspective, the *McDuffy* and *Hancock* decisions clearly established that while state officials can delegate responsibility for some aspects of the education system to local governments, the fundamental constitutional duty to educate all children to a high standard rests with the Commonwealth's executive and legislative officials.

It is important to recognize the ways in which the *McDuffy* decision and the Education Reform Act did and did not alter the historic relationship between state and local responsibilities in education matters.

On one hand, both the *McDuffy* decision and the Act clearly identified, for the first time, broad state authority and responsibility to establish the goals and standards for the public education system and a mechanism to monitor and report on the progress of that system in meeting those goals and standards. The Act, also for the first time, established a required "foundation" level of spending for each district in the Commonwealth that was to be reached by the establishment of both a state-mandated, required local contribution and a supplemental amount of state aid. In this way, the Chapter 70 education aid formula was designed to ensure that all districts had adequate resources to provide all students the opportunity to meet the established educational goals and standards. Finally, the Act directed the state Board of Education to develop a school and district accountability system that provided for direct state intervention in cases of underperformance or chronic underperformance.¹ In all these ways, the Act was a significant change in the paradigm of public education in the Commonwealth.

On the other hand, in enacting and implementing the Education Reform Act and thereby moving to meet the constitutional mandate articulated by the SJC in the *McDuffy* case, state policy makers did not deem it necessary to fundamentally change the longstanding tradition of using local school districts to manage and direct the delivery of educational services to the vast majority of students.² The Education Reform Act did not, for example, eliminate, consolidate, or otherwise significantly alter the make-up of existing local school districts.³ Rather, it envisioned the Board of Education, the Commissioner, and the state education agency (SEA) that he directs leading a relatively decentralized delivery system by establishing high standards of educator licensure and continuing professional development, promulgating state standards and curriculum frameworks of high quality, and annually assessing and reporting on how schools and districts perform in helping students master the academic standards. In this sense, other than in instances of very low performance, the framers of the Education Reform Act established a system that assumed that, with foundation levels of spending, local districts would have the human capital, expertise, and general capacity to identify their own needs and respond in an efficient and effective manner to meet the new state standards. In addition, through the

¹ Sections 1I, 1J, and 1K of M.G.L. c. 69, added by Section 29 of Chapter 71 of the Acts of 1993.

² The Act did authorize the establishment of up to 25 commonwealth charter schools (including up to five in Boston) outside the jurisdiction of existing school districts. Charter schools as a significant policy initiative originating in the Act will be discussed later in this paper.

³ There are currently 325 operating school districts (not including charter schools) with half enrolling fewer than 1,859 students each. In fact, one-fourth of districts enroll fewer than 770 students. In comparison, the state of Maryland, which enrolls a similar number of students as Massachusetts, is organized into 24 operating school districts – each with greater capacity to support expansive student programming and staff development than most of the Commonwealth's school districts.

expansion of parental choice through charter schools, the Education Reform Act provided incentives for local districts to address low performance.

As the accountability system has developed over time, however, calls have increased for additional state support for the benefit of students in persistently low-performing schools. The accountability system highlights a challenge inherent in the Education Reform Act: how to build an effective state system of standards, accountability, and support, while still respecting the decentralized district system that facilitates community and educator engagement. This challenge continues to confront state policy makers and education officials and continues to defy easy resolution or even the sense of having achieved an appropriate reconciliation of the competing values.

The Principal Elements of Standards-Based Reform in Massachusetts and their Continuing Implementation

The Education Reform Act was a detailed and far-reaching piece of legislation that affected many aspects of K-12 education beyond the core reforms of standards, assessments, finance, and accountability. A short list includes educator licensure, professional development, educator evaluation, vocational education, charter schools, school budgeting and accounting, district hiring authority, and technology utilization. The discussion below does not purport to catalogue all the initiatives contained in the Act. Rather, it focuses on the core elements of standards-based reform that established the broad framework under which we continue to operate, in order to give context to current issues.

School Finance: A Crisis Gives Rise to a Grand Bargain

The state aid program that provides general financial assistance to local school districts is popularly known as Chapter 70 due to its statutory basis in Chapter 70 of the Massachusetts General Laws. It was enacted as part of the Education Reform Act. While education aid formulas existed as early as 1919, none had assigned state government such a central role in establishing and supporting a minimum level of educational spending for all districts.

Even in the absence of the *McDuffy* decision, it is likely that the Commonwealth would have been forced to assume a broader role in supporting local communities. The Board of Education had recently found many schools to be “in a state of emergency due to grossly inadequate financial support,” based on a report it had adopted and published in 1991⁴. Massachusetts had historically relied very heavily on the property tax as the main source of school funding, even among communities with little property wealth. Given the adoption of Proposition 2-1/2 ten years earlier, however, local communities were severely limited in their ability to provide resources to improve the identified poor conditions in the schools. A significant expansion of state support was likely then, in any event, but the *McDuffy* decision clarified that the constitutional duty lay with the state and the Act provided a policy and programmatic framework to direct the expansion of state funding.

⁴ [A Policy Position On Distressed School Systems and School Reform](#), November 26, 1991 was adopted by the Board in response to the “Report on Distressed School Systems” that had been delivered to the Board by staff, working at its direction, on October 15, 1991. The “policy position” included an explicit discussion of the role of Prop 2-1/2 in the fiscal crisis and how its impact was muted during the era of prosperity that followed its adoption.

The Act defined a foundation budget for each school district that represented the amount of money necessary to provide an adequate education to all students in that district. Each district's foundation budget reflected its enrollment and the demographics of its student body.

In order to ensure that the foundation budget of each district keeps pace with inflation, Chapter 70 indexes the core elements of the foundation budget to inflation by a government price deflator calculated by the U.S. Department of Commerce. With the exception of a few significant changes, the underlying assumptions and calculations of foundation budgets have remained largely unchanged since their adoption in 1993.

Besides establishing foundation spending levels for each district, Chapter 70 also established required local contributions for each municipality in the Commonwealth. Often referred to as the “equity” provisions of the formula, these local contributions were designed to reflect the relative fiscal capacity of the Commonwealth's 351 cities and towns. State aid amounts were then calibrated to ensure that each district had adequate total resources to meet its established foundation level within seven years. While legislative changes to foundation budget calculations have been relatively infrequent and modest since 1993, changes to the equity provisions became more frequent and significant once all districts reached foundation levels of spending after the seven-year phase-in was completed in 2000.

The relationship between adoption of state standards and the simultaneous adoption of a means-tested state finance system is sometimes referred to as “the grand bargain.” It is critically important to recognize, however, that the billions of dollars in state aid that Chapter 70 delivers to local schools annually (approximately \$4.4 billion in Fiscal Year 2015) is spent entirely at the discretion of local officials, irrespective of the programmatic assumptions and calculations made

Current Issue
Foundation Budget Review Commission

Given the centrality of foundation budgets to the overall framework of standards-based education in Massachusetts, the original Act provided for periodic reviews of its elements and calculations. The FY15 state budget authorized a newly constituted Foundation Budget Review Commission to convene and issue a report by June 30, 2015. The Act's conceptual framework is reflected in the Commission's charge to both review the way foundation budgets are calculated and to make recommendations of programs and services necessary to meet the Commonwealth's goals for student success as measured by state assessments.

After two decades of experience under the Act's Chapter 70 framework, lawmakers also asked the Commission to “determine and recommend measures to promote the adoption of ways in which resources can be most effectively utilized...”^{*} Given the long-term stability of state support for districts under Chapter 70, the dominance of this funding stream in the overall state support of K-12 education, and the variance in district performance among those receiving similar financial support, it is not surprising that state lawmakers are interested in insuring that locally determined budget decisions are made in the most informed manner possible.

* Sections 124 and 278 of Chapter 165 of the Acts of 2014.

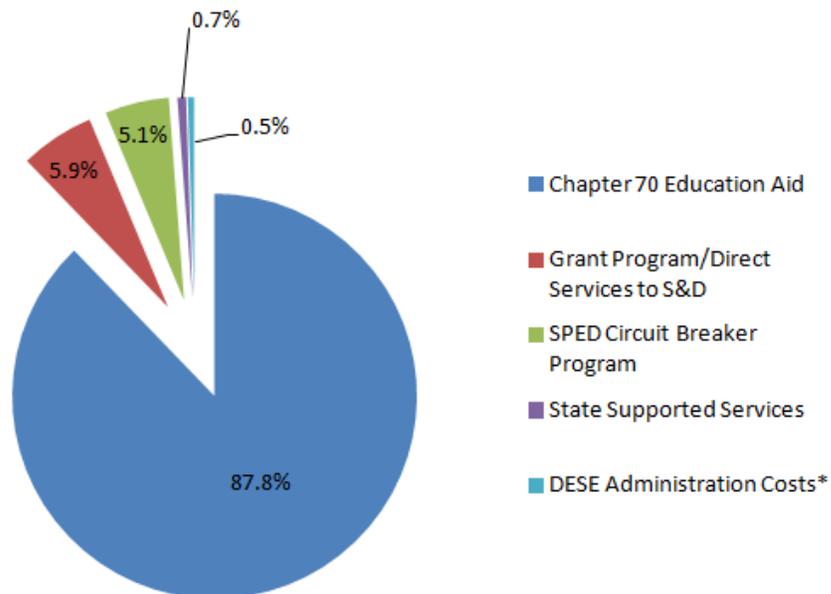
to establish the aid amount. In this sense, the Education Reform Act’s finance system embodied the core choices and assumptions about maintaining local control and depending on the development of local district capacity to meet the new state standards.

Chapter 70 represents almost 90 percent of all state funding that passes through the Department of Elementary and Secondary Education (DESE) on an annual basis and thereby represents the primary vehicle by which the Commonwealth supports student mastery of the state standards. In our poorest communities in particular, Chapter 70 aid is the lifeline that brings a high quality education within reach of children and frequently supports more than 80 percent of total operating expenditures in the neediest districts.

DESE's FY15 State Budget Appropriations

Budget Category	% of Total Budget	FY15 Budget
Chapter 70 Education Aid	87.8%	4,400,696,186
Grant Program/Direct Services to S&D	5.9%	296,191,948
SPED Circuit Breaker Program	5.1%	255,851,513
State Supported Services	0.7%	34,573,794
DESE Administration Costs*	0.5%	25,778,123
Grand Total		5,013,091,564

* Funding is derived from multiple state accounts to support administration costs



Funding Category	FY15 Budget	
Chapter 70 Education Aid	4,400,696,186	
SPED Circuit Breaker Program	255,851,513	
Grant Program/Direct Services to S&D	296,191,948	
Charter School Tuition Reimbursements		80,000,000
Regional School Transportation		70,251,563
Adult Learning Centers		30,280,530
Kindergarten Expansion Grants		23,928,155
METCO		19,142,582
Expanded Learning Time Grants		14,535,388
Transportation Reimbursement for Homeless Children		7,350,000
Supports to Close the Achievement Gap		5,994,804
School Lunch Program		5,426,986
Targeted Assistance to Schools & Districts		5,223,375
Mental Health & Substance Abuse Counselor Grants		4,843,929
School Breakfast Program		4,421,323
Foundation Reserve		3,383,233
School-To-Work Connecting Activities		2,750,000
AP Math and Science Programs		2,600,000
Non-Resident Vocational Students Transportation		2,244,847
English. Language Acquisition		2,136,817
YouthBuild Programs		2,000,000
Consolidated Literacy Program		1,800,438
After School Grant Program		1,686,396
Reserve for shortfall in Federal Impact Aid		1,300,000
College and Career Readiness Program		1,000,000
Innovation Schools		915,442
Education Evaluation Grant Program		500,000
Massachusetts Service Alliance Grants		400,000
Bay State Reading Institute		400,000
Early Intervention Tutorial Literacy		300,000
Regional Bonus Aid		280,000
Financial Literacy Grants		250,000
Alternative Education		246,140
Safe and Supportive Schools Grant Program		200,000
P.D. for Mathematics		200,000
Creative Challenge Index		200,000
State Supported Services	34,573,794	
Student Assessment (MCAS)		27,115,088
Special Education in Institutional Settings		5,091,718
Teacher Certification Retained Revenue		1,824,546
School & District Accountability Reviews & Monitoring		542,442
DESE Administration Costs	25,778,123	
Grand Total	5,013,091,564	

Development of Academic Standards and Assessing Student Mastery of Them

STANDARDS

Along with the expansion of financial support for districts, the development of statewide curriculum standards and a student assessment system dominated the first seven to ten years of the reform effort.

The Education Reform Act directed the state Board and Commissioner to develop academic standards in core subjects setting forth the “skills, competencies, and knowledge” to be possessed by all students at each grade or cluster of grades, with high expectations for student performance consistent with skills, competencies, and knowledge “possessed by typical students in the most educationally advanced nations.”⁵ The Board adopted the first curriculum frameworks in mathematics and English language arts (ELA) in 1996 and 1997 with significant revisions occurring in 2000 and 2001. The statute, as well as best practice, calls for the standards to be updated periodically. The Board adopted the current curriculum frameworks in mathematics and ELA in December 2010. The Board adopted frameworks in other subject areas in 1999, 2003, and 2006. As would be expected, and as is appropriate given the centrality and importance of frameworks in a standards-based system, each adoption and revision of standards is characterized by vigorous debate and some measure of controversy.

As the first decade under the Education Reform Act came to an end, Massachusetts had earned recognition for developing and maintaining a set of frameworks ranked among the very best in the country. The quality of our standards is often cited as an important element in the Reform Act's success and the state's high performance on national and international assessments.

⁵ Section 1D of M.G.L. c. 69, as added by Section 29 of Chapter 71 of the Acts of 1993.

Current Issue

Common Core State Standards (CCSS)

The most recent revisions of Massachusetts' mathematics and ELA frameworks began in 2008 when the commissioner convened teams of Massachusetts educators to begin the process. In 2009, the National Governors Association (NGA) and Council of Chief State School Officers (CCSSO) initiated a bipartisan effort to write a set of Common Core State Standards. Given the status and reputation of Massachusetts' frameworks, the groups solicited input from the Massachusetts teams, and the work of the Massachusetts teams was deliberately coordinated with the NGA and CCSSO effort. In December 2010, after an extended period in which Massachusetts educators and outside experts compared the Common Core to the existing Massachusetts standards and during which the traditional process of public review and comment took place, the Board of Elementary and Secondary Education voted to adopt the Common Core State Standards while also voting to augment them with elements from the Massachusetts frameworks that had not been included in the Common Core.

Based on the extensive review, the Board determined the quality and rigor of the Common Core State Standards matched or exceeded those they replaced. In addition, there were other compelling reasons to join other states in adopting the Common Core, including the potential to share some of the expense and burden of developing and maintaining high-quality standards, and the promise of creating a common market for high-quality instructional materials that are aligned with the standards. In 2012, the Commonwealth took advantage of just such an opportunity by jointly procuring, with Ohio, a suite of instructional tools called *Edwin Teaching and Learning*. As a result, the Commonwealth has been able to offer districts quality tools of formative assessment and model curriculum units that are aligned with our state standards and which would not otherwise be within reach for many of our smaller and poorer communities.

The ongoing debates over the adoption of the Common Core Standards in many other states reflect both the significant shift in policy that adoption of high standards and accountability represents for those states and the resentment of opinion leaders in those states over the role of the U.S. Department of Education in promoting and encouraging such an adoption.* Having developed and adopted our standards-based system in 1993 without federal involvement, the focus of debate in Massachusetts has been whether the Common Core State Standards meet the level of quality and rigor that we have come to expect in Massachusetts. While such a debate is appropriate and common at moments of standards revision, this debate should not be confused with the more fundamental and politically charged debates occurring in other states. The debates in other states should also not distract educators in our schools from the important work of completing the alignment of their education programs with the new standards that the Board adopted almost four years ago. Our educators are experienced in this work, given past transitions, and they have demonstrated much success in it.

* The federal government, through Race to the Top, encouraged states to adopt college- and career-ready standards but did not specify any particular standards. It is worth remembering that a group of states created the Common Core State Standards, and Massachusetts played a leading role.

ASSESSMENTS

The annual administration of student assessments aligned to the state standards is another of the core elements of the standards-based system that the Education Reform Act created. The Act specifies that the testing program must:

- test all students who are educated with Massachusetts public funds, including students with disabilities and limited English proficient students;
- measure students' knowledge of the material contained in the Massachusetts Curriculum Frameworks; and
- report on the performance of individual students, schools, and districts.

The Board adopted the Massachusetts Comprehensive Assessment System (MCAS) in accordance with this requirement.

The Education Reform Act also established a new state standard (called a competency determination, or CD) for high school graduation: students must meet the 10th grade standards adopted by the Board through regulation and measured by the statewide student assessment, in order to be eligible for a Massachusetts high school diploma. (The state CD standard is in addition to a district's local graduation requirements.) The inclusion of this high school graduation requirement energized the debates surrounding state standards, injected a sense of urgency into the Act's implementation, and gave institutional expression to the state's central responsibility in establishing high standards. The first CD requirements that the Board adopted involved grade 10 mathematics and English language arts only. The Board subsequently raised the standard for the CD; students since the class of 2010 have also been required to meet or exceed the passing standard on one of four high school science and technology/engineering MCAS tests (biology, chemistry, introductory physics, and technology/engineering) to earn the CD.

The Commonwealth has administered MCAS tests since 1998. In 1998, students were assessed in ELA and mathematics at grades 4, 8, and 10. In subsequent years, additional grades and content areas were added to the testing program. In accordance with the federal No Child Left Behind Act, mathematics and ELA assessments expanded to include all grades 3 through 8⁶. No Child Left Behind also required that states adopt assessments in science. At state initiative, the subjects tested grew to include not only science, but also technology/engineering, in several grades.⁷

The expansion of testing in mathematics and ELA to all grades between 3 and 8 facilitated the development of a measure of student year-to-year learning gains. Student Growth Percentiles (SGPs) complement the MCAS year-by-year test scores. The Department began reporting SGPs in 2010 for schools, districts, and students taking the standard MCAS test in grades 4-8 and 10 in ELA and mathematics. The SGPs measure change in achievement over time rather than simply

⁶ The requirement to expand the number of grades assessed was related to a newly established federal mandate created pursuant to revisions of Title One of the Elementary and Secondary Education Act. The revised act is commonly referred to as "No Child Left Behind" (NCLB).

⁷ The history and technical development of the MCAS system is described more fully in "Ensuring Technical Quality: Policies and Procedures Guiding the Development of the MCAS Test" which can be found at the DESE website at: http://www.doe.mass.edu/mcas/tech/technical_quality.pdf

grade-level achievement results in any one year, which fail to take into account prior achievement. In this way, growth percentiles add an important dimension to the evaluation of school and district performance that is responsive to the concern about the correlation between socio-economic status and achievement.

At its most basic level, MCAS data constitutes an independent, annual academic assessment of the schools and districts that educate the Commonwealth's children. While the student assessment system has gone through occasional revisions over the years, partly in order to accommodate overlapping state or federal initiatives, its fundamental structure as a summative assessment aligned to the state curriculum frameworks remains essentially unchanged since its development under the Education Reform Act of 1993. Spring 2015 will be the 18th annual administration of MCAS tests.⁸

As a summative annual assessment, MCAS provides parents and the broader public a common basis to evaluate whether students are mastering the state standards and whether schools and districts are supporting that mastery. The collection and reporting of aggregated student achievement data has fundamentally changed the focus of educational policy debates and practice in the Commonwealth and has allowed communities and district leaders to identify patterns of excellence and underperformance within their own districts. Without such assessments and reporting, state and local leaders would not have the ability to confidently, independently, and accurately identify schools and districts where students are and are not meeting the state standards. Likewise, the ability to build public support for efforts to close achievement gaps between students from different racial, linguistic, and economic groups, as well as to measure the impact of these efforts, would not exist. In addition, educational leaders have begun to use student achievement and growth data as one factor in educator evaluations and to guide professional development and staffing practices.

MCAS has proven helpful to parents as an independent, annual academic check-up on student achievement; to the broader public as a basis for evaluating school and district performance; and to educators and school leaders in identifying patterns of weakness in curriculum and instruction. MCAS has been less useful in informing instruction for individual students, because it is a summative (typically end- of-year) assessment and results are reported after the end of the school year. Also, while the accountability attached to MCAS results has led most schools to strengthen teaching and learning, some schools have devoted an inordinate amount of time to test preparation rather than to building strong instructional programs.

⁸ Section 11 of M.G.L. c. 69, added by Section 29 of Chapter 71 of the Acts of 1993.

Current Issue

Partnership for Assessment of Readiness for College and Careers (PARCC)

The development and administration of a high quality assessment system is one of the core functions of a state education agency in a standards-based education system. As such, it is incumbent upon the Board to periodically update the assessment instrument and maintain its alignment with the state standards. The development and administration of the Massachusetts Comprehensive Assessment System (MCAS), mandated by MERA, has been an important element of Massachusetts' overall educational success over the past 18 years. Closely aligned with our state standards, these assessments have served the Commonwealth well during its first decades under standards-based reform.

The Board's adoption of the Common Core State Standards gave the Commonwealth a unique opportunity for interstate cooperation to develop an affordable, state-of-the-art, high quality assessment system that is closely aligned to those standards. The Partnership for Assessment of Readiness for College and Careers is a multi-state consortium working to develop a common set of K-12 assessments in English and mathematics anchored in what it takes to meet the literacy and mathematics expectations of post-secondary education institutions and employers, as well as to be a fully engaged citizen. While fiscal constraints forced Massachusetts to abandon our independent effort to modernize the MCAS (including computerized administration opportunities) in 2009, the PARCC consortium promises to deliver a significant upgrade of the system within the existing cost structure of our legacy MCAS. Massachusetts has played an important leadership role in the consortium, and the broad interstate collaboration has also afforded ongoing access to the leading experts in test design and development.

If the consortium is able to deliver the high quality assessment system envisioned, Massachusetts will have the opportunity to provide richer, more actionable information to families and educators about students, programs, schools and districts. The focus on college and career readiness of both the standards and the PARCC assessments, for example, has resulted in the Board of Elementary and Secondary Education and the Board of Higher Education partnering in the development of PARCC. Our partners in higher education regard the aligned assessment as a promising tool to help stem the high percentage of students needing to enroll in remediation courses in their institutions after successful high school completion.

In spring 2014, approximately 80,000 students statewide took some portion of PARCC as part of a field test. Massachusetts is in the second year of a two-year "test drive" of PARCC. The Board of Elementary and Secondary Education is scheduled to vote on adoption in the fall 2015. Most Massachusetts educators who have been involved in the development and testing of the new assessments have been favorably impressed. The lessons learned in these first administrations will help to improve the future iterations and administrations of the tests. While any shift to a new assessment instrument involves challenges and requires significant effort to maintain consistency and rigor, the PARCC consortium presents Massachusetts an exciting and timely opportunity for system improvement.

Charter Schools

The Education Reform Act also authorized the creation of charter schools. Advocates for charter schools argued that families needed options in addition to traditional district schools, that charter schools could introduce and promote models of educational innovation, that the competition from charters would spur improvement in traditional schools, and that charter schools could serve as models of outcomes-based accountability.

The push for charter schools did not arise from within the original education reform coalition that was advocating for finance reform, standards, assessments, and accountability. Rather, it was incorporated within the legislation as a parallel, or tandem, reform initiative within the broader Act.

The Education Reform Act originally authorized the awarding of up to 25 charters statewide to boards of trustees operating independently of local school committees (under terms and provisions that apply to what we now call Commonwealth charters). The original Act limited the number of charters granted in the cities of Boston and Springfield to up to five each and up to two each in any other city or town. The original provisions of the Act also delayed the opening of any new charters until 1995 and imposed a statewide enrollment cap of just over 6,000 students. Horace Mann charter schools (in which school committees participate in the application process, and of which there are currently three varieties) were created under subsequent legislation enacted beginning in 1997.

Since 1993, the charter school sector of public education has grown significantly. Parental support, significant waiting lists, strong academic performance in many charter schools, and an active advocacy community have prompted the Legislature to raise the statutory cap on the number of and enrollments in charters on several occasions.

Massachusetts is one of a small number of states in which the state board of education that oversees the public elementary and secondary education sector also is the sole authorizer of charter schools. Over time, the Massachusetts Board has set a high bar for entry and has demonstrated a willingness to exit low performers. Since 1994, 431 prospectuses and 246 full applications for charters have been submitted and, from those, 104 charters have been awarded. During the same period, 23 charters have been surrendered, revoked, or non-renewed (12 of which were for performance reasons after opening).

In 2013-14, there were 80 operating charters in Massachusetts (70 of them Commonwealth charters), and they enrolled approximately 35,000 students. Of the 70 Commonwealth charter schools, 19 were in Boston and enrolled approximately 7,000 Boston students, or 13 percent of the district's total enrollment, with another 1 percent attending Commonwealth charters outside the city limits.

The 2010 Achievement Gap Act considerably expanded the allowable limits on charter school enrollments in communities with particularly low-achieving school districts. The impetus to lift existing caps came from both an initiative petition widely believed to be likely to pass and from the incentive of Race to the Top funding. Many of those newly available charter slots are currently being built out under approved and operating charters. Several elements of the

Achievement Gap Act made the legislation particularly significant for the charter sector and reflect how the role of charter schools has evolved since the Education Reform Act, including:

- Cap expansions were limited to those communities where district performance was in the lowest 10 percent of districts statewide. This explicit and targeted use of available charters to serve students in low-performing districts reflects a growing recognition that many charters were having particular success in serving minority and low-income students who were performing at low levels on state assessments. New provisions also required charter operators to adopt recruitment and retention plans designed to ensure that they were serving representative populations within the low-performing districts they were being approved to serve.
- New charters and expansions under the cap-lift are limited to “proven providers.” This provision similarly reflected recognition that some charter operators were demonstrating success in closing persistent achievement gaps, and the Commonwealth has an interest in developing and expanding the capacity of those operators in particular.
- At the request of advocates and public officials from some urban districts, a new category of Horace Mann charters was created, allowing more flexibility than would be available under district collective bargaining agreements, for up to 14 so-called Horace Mann III schools statewide. These “in-district” charters allow districts to directly contract for the educational management expertise that some charter operators had developed within the Commonwealth charter sector.

In all these ways, the 2010 legislation reflects a significant evolution in the debates and discussions about the role of charter schools and educational management organizations within the public education system of Massachusetts. Passed nearly two decades after the adoption of the Education Reform Act, the Achievement Gap Act no longer treated charters as a tandem, or parallel, reform effort. Rather, the 2010 Act recognizes the charter school sector as an important element in the Commonwealth’s overall effort to support and improve student achievement.

The new legislation expanded choice opportunities for families by expanding charter caps in low performing districts. The legislation also facilitated the expansion of experienced turnaround expertise by concentrating demand for new operators on “proven providers” and providing for charter networks run by the same board of directors. Finally, the 2010 act also accommodated the desire of local districts to access the expertise developed in the charter sector within the operation of their own district schools.

Accountability and Assistance Systems

Of all the core elements of the standards-based system the Education Reform Act established, the school and district accountability system was the least well defined. Nevertheless, the basic architecture and authorities of the existing accountability system have their origin in the original Act. Until the Education Reform Act’s new finance, standards, and assessment systems were developed and put in place, however, there was little need, or justification, to begin developing or exercising the accountability provisions contained in the Act. It is not surprising, then, that some of the important limitations of the accountability provisions were not fully appreciated

until after the initial seven-year systems-building period had ended and a subsequent period of experimentation and development had begun.

As with the student assessment system, the legal and regulatory structure of the school and district accountability system has been influenced by, and adapted to conform to, overlapping state and federal policy initiatives. At times, in fact, those two influences were not easily reconciled, and state policymakers chose to maintain dual accountability systems for several years in order to maintain fidelity to the broad purposes embodied in the Education Reform Act⁹.

Despite the general lack of detail in its accountability provisions, the Education Reform Act did require the state Board of Education to “adopt a system for evaluating on an annual basis the performance of both public school districts and individual public schools” based on their success in improving student performance. It also required that the new system “...provide means to compare student performance among the various school systems and communities in the commonwealth” and directed the state board to “...continue the commonwealth’s participation in the assessment activities of the National Assessment of Educational Progress.”¹⁰

The 1993 Act created new sections, 1J and 1K of Chapter 69, authorizing the Board to declare some schools or districts “underperforming” or “chronically-underperforming” and also laying out basic procedures to do so. The new sections directed the commissioner to “provide technical assistance for the improvement of the education program” of an underperforming school and directed the board to “designate a receiver for (a chronically underperforming) district with all the powers of the superintendent and school committee” who would report directly to the commissioner.¹¹

As the initial, seven-year phase-in of the Education Reform Act ended, however, the skeletal nature of the original accountability sections left many substantive components of the system to be further developed by the state Board and ultimately by subsequent legislative action. While the standards and assessment systems provided a firm basis to identify low performance, they did little to guide the development of state systems of support to promote or ensure appropriate responses by schools and districts to underperformance. Given the continuing reliance on local control to lead school improvement efforts, this lack of attention to system capacity for school turnaround work would prove a continuing limitation of the Act.

By the late 1990s, the first efforts at building an accountability system had begun. In February 1997, then-Governor Weld issued Executive Order 393, creating the Educational Management Accountability Board (EMAB) to review how effectively school districts had used the infusion of new state dollars and to recommend low performers to the Board of Education for possible declarations of underperformance.

⁹ The “No Child Left Behind Act” (NCLB) used a system based on test results to measure “adequate yearly progress” toward state defined “proficiency” standards from 2002-12. During this period, Massachusetts maintained its own system under which test performance triggered state-based site reviews that could lead to declarations of “underperformance” pursuant to the provisions of the Massachusetts Education Reform Act.

¹⁰ Section 1I of M.G.L. c. 69, added by Section 29 of Chapter 71 of the Acts of 1993.

¹¹ Sections 1J and 1K of M.G.L. c. 69, added by Section 29 of Chapter 71 of the Acts of 1993.

Meanwhile, the Board and Department of Education were beginning to invoke the Act's original provisions to develop a system to identify and respond to underperformance by individual schools. By the 1998-1999 school year, the Department had designed the first system of performance and improvement ratings under the Education Reform Act. Under the new system, low ratings based on student achievement and improvement data would trigger subsequent fact-finding and panel reviews by the state agency. During the summer of 2000, then-Education Commissioner David Driscoll designated the first two schools "underperforming" under the Education Reform Act's accountability provisions. With these designations, the Department and Board began their decade-long process of developing a system best characterized as a state-initiated and, to varying degrees, state-assisted school improvement planning process by local districts.

With little experience or internal capacity to lead districts in school turnaround work, the Department was left to rely heavily on local district capacity to lead school turnaround efforts in their own schools. Furthermore, the divided school and school district accountability systems (which began in 1997 with the Executive Order creating the Educational Management Accountability Board and was subsequently institutionalized with the creation of the independent Office of Educational Quality and Accountability (EQA)¹²) fragmented what little capacity was being developed at the state level. In 2008¹³, largely in response to district complaints regarding the state's outsized capacity to identify low performance relative to its much more limited capacity to offer guidance and assistance, the legislature brought EQA's auditing and information gathering function into the Department of Education.

Meanwhile, the Board and the Commissioner were also working to align accountability and assistance efforts. Five levels, or categories, anchored the emerging alignment of accountability and assistance. Level 1 schools and districts are those making strong continuous progress and needing minimal state support and intervention. At the other end of the spectrum, Level 4 are schools and districts with the lowest performance and little improvement, and thus those subject to state receivership (Level 5). Through this effort the Board was attempting to compensate for a fundamental limitation of the original accountability provisions of the Act – that the State Board direct improvement of locally-developed plans for "underperforming" schools, without provision for the state to develop capacity to support local districts in their efforts. While Massachusetts was engaged in these early efforts to enhance local district capacity to lead school turnaround work, the U.S. Department of Education was increasing its attention to the need to identify, develop, and support successful turnaround strategies for local schools and districts.¹⁴

Viewed within this context, the Achievement Gap Act of 2010 can be understood as having codified the accountability and assistance system that had evolved under Board leadership over a 10-year period. That system has sometimes been referred to as a "loose/tight" paradigm of state-based oversight and accountability. The Achievement Gap Act put in place a system of progressive sanctions and authorities where high performance in schools and districts leads to

¹² Section 4 of Chapter 384 of the Acts of 2000.

¹³ Chapter 311 of the Acts of 2008.

¹⁴ These federal activities arose from similar frustrations with the provisions of the No Child Left Behind Act.

loose state oversight and poor performance results in increasingly tight state oversight and progressively expanding state authority over local schools.

Current Issue

Lawrence Turnaround and Demonstrating Successful Turnaround Strategies

Even if the MERA of 1993 had included the school and district turnaround provisions of the Achievement Gap Act of 2010, it is unlikely that the Board and Department of Elementary and Secondary Education would have been in a position to support the turnaround of the Lawrence Public Schools, as has been the case since 2011 when the Board declared Lawrence a chronically underperforming (Level 5) district and placed it in receivership. The data to support turnaround efforts, the existence of successful turnaround partners, and the experience and insights gained in over a decade of standards-based turnaround efforts were simply not in place when the Act was adopted in 1993. In fact, while mismanagement in Lawrence triggered development of the first iterations of accountability and auditing systems under MERA in 1997, earlier state interventions in Lawrence produced little in the way of increased student achievement.

The Achievement Gap Act of 2010 more clearly delineated the powers available to the Board and Commissioner in cases of extreme underperformance by districts. Even so, those powers only established an opportunity for effective intervention. The various elements necessary to take advantage of that opportunity grew out of the experience gained under two decades of standards-based education both within districts and by many successful charter organizations serving high-risk, high-need students.

Exercising this newly created statutory authority, the Commissioner recommended and the Board designated the Lawrence Public Schools as chronically underperforming in November 2011. The Commissioner appointed an experienced district leader and educator as receiver in January 2012 and has supported him with expertise from both inside and outside DESE. The receiver's approach in this turnaround effort has been to devolve authority from the central office to the school level and supplement existing district capacity with proven educational managers drawn from the growing numbers of successful school operators from both within and outside the traditional district system, including successful charter school operators. The Commissioner also worked with the receiver to negotiate a first-of-its-kind for Massachusetts, collectively bargained teacher contract that eliminates the traditional step and lane system that rewarded longevity and educational attainment. Instead, the new contract rewards competence, increased responsibility, and leadership, and assigns decisions about working conditions to the school level.

The combination of experienced turnaround leadership, a negotiated set of conditions that facilitates collaborative school leadership, an extended day and year, and the implementation of an effective educator evaluation and development system has produced positive early results. The early results show promising gains in student achievement. Moreover, there is clear evidence of a cultural change within the district that promises a significant return on the investment of time and expertise that has been made in the district, for many years to come. Families are engaged in student learning, educators are reporting a rewarding professional culture under the receivership, and a system that supports continuous improvement is emerging.

Achievement Gap Act of 2010¹⁵

Grounded in the framework of the 1993 Education Reform Act, the 2010 Achievement Gap Act more clearly outlined accountability provisions that flowed from the original Act's broad framework and powers. While student assessment data informs the determination of a school or district's status under the refined system, for example, the most significant state interventions and highest levels of technical assistance to local districts are not automatically triggered by student assessment data alone. Rather, in authorizing the Board and Commissioner to identify schools as "underperforming" or "chronically underperforming," the statute requires the Board and Commissioner to base their decisions on multiple indicators. Similarly, the 2010 Act empowered local and state officials to overcome some financial and legal obstacles encountered in carrying out their respective accountability obligations under the original provisions of the Education Reform Act. For instance, the 2010 Act provided a process to expeditiously resolve conflicts between existing collectively bargained provisions and locally created turnaround plans.

Informed by almost two decades of standards-based education reform in a highly decentralized education management system, lawmakers recognized that mere public identification of low performance was of limited utility in the absence of local

capacity and opportunity to remediate the low performance. The 2010 Act pursued a realistic set of expectations for state oversight of school and district turnaround efforts and delineated

Promoting District Analytic Capacity Edwin Analytics

The post-World War II period has been one of an expanding national and state economy wherein public revenues and budgets have expanded annually with few exceptions. The recent worldwide recession and emerging economic and jobs restructuring, in combination with increasing demand for public revenues from health needs, pension obligations, and an aging population, suggest that taxpayers will be increasingly challenged to consistently and substantially expand K-12 funding. In this context, school districts will best be served by educational leaders who are able to rethink practices and expenditures in order to maximize return on investment.

Largely with the support of federal funding, the Department is collaborating with local districts to develop a set of reports and analytic tools that provide access to local and state data in formats that can inform district practice. These reports and tools, branded under the name "Edwin Analytics," provide access to a wide range of data including student level data, post-secondary success data, staffing and educator data, and school and district finance data.

Included in these tools and reports is a series related to school and district finance data. These are designed allow districts to benchmark their expenditure, staffing, and other practices relative to schools and districts with comparable characteristics. The goal of these reports, and the culture they are designed to support, is to promote the most efficient and effective allocation of resources to promote student success by the local officials who are responsible for school budgeting.

¹⁵ Chapter 12 of the Acts of 2010.

significant state and local authorities to meet those expectations. As of the 2014-15 school year, 43 underperforming (Level 4) schools, four chronically underperforming (Level 5) schools, and one Level 5 district exist.

The Achievement Gap Act of 2010 also represented a moment of convergence in state and federal education policy in Massachusetts. Adoption of the 2010 Act successfully positioned the Commonwealth to secure substantial federal Race to the Top funding to jumpstart and support the programs and policies envisioned under the amended accountability system. In doing so, the legislation and grant advanced a refined vision of the accountability function of our state education agency within our decentralized, but standards-based, system.

In both clarifying the accountability responsibilities and authorities of DESE and working to access federal financial support to build capacity throughout the state and local public education system, the 2010 Act brought the accountability and assistance functions in line with other core elements of our standards-based system. The convergence of state and federal policies has also been reflected in a subsequent waiver that the Commonwealth requested and received from the U.S. Department of Education that allowed Massachusetts to eliminate its dual accountability system and use the updated state system for both state and federal accountability purposes.

Technical Assistance and Supplementing District Capacity Massachusetts Model System for Educator Evaluation

As the Commonwealth's accountability system has matured and the low hanging fruit of education reform has been harvested, the Department has focused on elevating the program of instruction through the engagement of all professional educators. The core of this effort is the linkage of the Massachusetts academic content standards with the educator evaluation mandate that originated with MERA. The mandate has been upgraded over the past four years.

The Model System is a comprehensive educator evaluation system collaboratively designed by DESE and Massachusetts educators, pursuant to new educator evaluation regulations adopted by the Board in June 2011. The new system supports effective implementation of the new evaluation system by districts and schools that might not otherwise have had the internal capacity to develop these resources on their own. The new regulations and the Model System place student learning at the center of the evaluation process, and use multiple measures of student learning, growth, and achievement alongside observations to inform educators' ratings.

The Model System is designed to support the core goals of:

- Support the growth and development of teachers and administrators;
- Place student learning at the center, using multiple measures of achievement;
- Recognize excellence in teaching and leading;
- Establish a high bar for professional teaching status; and
- Shorten timelines for improvement.

The educator evaluation framework, and Model System, support implementation of the Massachusetts Curriculum Frameworks. While the frameworks represent the key content and skills to be mastered by all students, the evaluation system is designed to assess educator effectiveness in teaching this material.

Educator evaluation and professional development (PD) both are intended to improve educator practice and student outcomes. The evaluation framework highlights PD needs within a school and across a district. Thoughtful implementation of educator evaluation also enables districts to identify educators with exemplary skills who are well positioned to provide job-embedded PD to their colleagues.

In these ways, the new evaluation framework brings together many of the core elements of our standards-based system. While MERA required teacher evaluation as well as professional development activities from the outset, it is only in recent years, with DESE support using state and federal dollars, that most districts have adopted a system that ties together student assessment data and information on educator competence to promote student mastery of the Commonwealth's academic content standards.

The Department has been working with districts to promote a culture of constant improvement and to provide districts with the tools and skills to put improvement into practice. Aligning instruction with the state standards, effectively using data to inform and differentiate instructional practice, and using educator evaluation as a means of professional improvement are some of the core elements of that work. Many districts did not possess the expertise or capacity to adopt and implement that work on their own.

Besides providing cost-effective technical assistance to many districts, the DESE's school level interventions have disseminated best practices within some of the Commonwealth's larger districts. In this way, the DESE's interventions have served as creative disruptions to ineffective practice in the lowest performing schools and districts. To better fulfill this newly refined role, the Commissioner has directed DESE to serve as a broker to link districts with proven educational management organizations and other successful educators working in the Commonwealth's schools and districts.

This role of DESE, as broker between successful school operators and the lowest performing schools and districts, would not have been possible 20, or even 10, years ago and is partially an outgrowth of the charter expansion provisions of the Achievement Gap of 2010. Because that Act created an expanded demand for "proven providers," required them to focus on high needs students, and thereby expanded the number of these entities operating in Massachusetts, the state is now in a position to use that expertise to support its own school and district turnaround work within the traditional delivery system. Similarly, local districts, including Boston, Springfield, and Salem, are now leveraging this newly expanded sector themselves, in order to improve their own district schools through the vehicle of Horace Mann (in-district) charter schools.

Current Issue

Development of DESE's Capacity and the End of RTTT and other Federal Funding

The Achievement Gap Act of 2010 represented further development of almost two decades of Massachusetts policy evolution. The Act of 2010 continued the local control tradition while anticipating and authorizing a more active role for the Department of Elementary and Secondary Education (DESE) than one primarily focused on regulatory compliance. Under the framework established and supported by the 2010 Act, and with the federal financial assistance it was partially designed to secure, expectations have been raised for DESE's role in helping local schools and districts develop the capacity to operate effectively in a standards-based environment and for responding effectively in instances of identified low performance. Most of the funding under the RTTT grant has been used for this purpose. Some of those initiatives are highlighted or discussed elsewhere in this paper and include:

- Supporting local educators' work to implement newly updated state curriculum frameworks.
- Supporting development and implementation of next-generation student assessments that are aligned to the new standards.
- Assisting districts in the adoption and implementation of new educator evaluation instruments, including the development of locally determined measures of gains in student achievement.
- Support of six regional District and School Assistance Centers (DSACs) to help struggling districts through targeted assistance to promote, model, and facilitate the implementation of effective practices that can raise student achievement.
- Support of implementation of turnaround plans for underperforming (Level 4) and oversight of chronically underperforming (Level 5) schools and one Level 5 district.
- Efficiently procuring high quality formative assessment tools and model curriculum units aligned to the new state standards that can improve instruction in a timely and efficient manner. These types of state procurements can be particularly important for small or poorly resourced districts that might not otherwise be able to procure tools of this nature and quality.
- Supporting the development and dissemination of information technology tools that provide access to state level and locally originated data in formats that can inform instructional practices and district financial and policy-making decisions.
- Convening of local educators and administrators to promote dissemination of best practices.

By design, the Executive Office of Education and DESE has used much of the federal grant funding to support one-time expenditures on items such as information technology enhancement and the adoption and implementation of new educator evaluation systems. Other elements of that work, however, are ongoing operating costs as DESE supplements and elevates local district capacity and promotes dissemination of best practices.

Given the timing and fiscal circumstances under which the 2010 Act was adopted, much of the funding to support the evolution in DESE's core work came from federal sources. The agenda that the core work fulfills, however, was established by the 1993 Act. Two decades after adoption of the MERA, the role of the DESE within our standards-based system has been more clearly defined. It is now critical that we work with the state board, Governor, and legislative leaders, to position the agency's core work on a secure and sustainable fiscal footing.

Conclusion

The journey that Massachusetts began over two decades ago with the adoption of the Education Reform Act of 1993 has not ended. Under bipartisan leadership over two decades, Massachusetts has become a national leader in public education and has continued on to the next-generation work of fulfilling the original vision of the Education Reform Act. The future of our Commonwealth is linked to maintaining our competitive advantage in the education of our citizens: we are not a state that will derive vast wealth from natural resources.

As we begin our third decade under standards-based education, the Commonwealth is engaged in the next generation of challenges, no less daunting than the first, that are inherent in a highly decentralized, standards-based education system. In that work, the Department of Elementary and Secondary Education (DESE) is the Commonwealth's administrative entity responsible for implementing and administering policies adopted by the Legislature and the state Board, to meet their constitutional duty to educate all students to a high standard. To serve that role more effectively, DESE has been working to align and organize itself to deliver innovative and effective supports to local schools and districts that commonly don't have the expertise, administrative capacity, or opportunity to respond effectively to persistent achievement gaps among the students they serve.

While Massachusetts is a leader in K-12 education, great challenges and opportunities remain. The next stage in the fulfillment of Massachusetts' education reform agenda is exciting and promising work. The Commissioner and Department look forward to working with new and returning members of the Board of Elementary and Secondary Education, Governor-elect Baker, and new and returning legislative leaders who will bring their own experiences, insights, and expectations to this third decade of standards-based education reform.