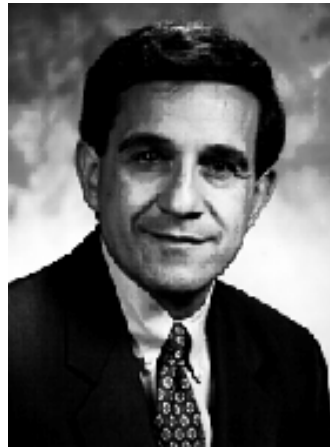


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Commissioner's Update

November 5, 1996

Dear Superintendents and Charter School Leaders,

It was good to see many superintendents last week at Keefe Tech, and I was pleased that we had such a lively and informative session with John Silber. In this mailing, I have enclosed seven documents for your review and dissemination:

1. An important informational memo on technology, with a schedule and summary of the statewide information management system. Also included is an education technology update for school leaders.
[No longer available]
2. A new \$1 million opportunity for funding for 5 to 7 new sites in the Massachusetts Family Network demonstration project. (Applications are due by December 11.)
[No longer available]
3. [A Dual Enrollment Program description and application](#) for the spring semester, 1997. (We are also sending this material directly to high school guidance counselors.)
4. [A memo regarding changes in Massachusetts GED policy.](#)
5. [A summary of matters related to special education appeals, 1995-1996.](#)
6. "[Board in Brief](#)," a summary of the October Board of Education meeting held at Blackstone Regional Vocational Technical High School.
7. A flyer announcing a new State House project to honor seven historic Massachusetts Women. (A copy of this flyer also is being sent to every public school principal.)
[No longer available]

As always, these documents are on our Internet site at <http://www.doe.mass.edu>. Best wishes as we approach the Thanksgiving and holiday seasons.

Sincerely,

Robert V. Antonucci
Commissioner of Education

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Dual Enrollment Program

Memorandum

To: Superintendents
From: Robert V. Antonucci, Commissioner of Education
Date: November 7, 1996

Enclosed is a [fact sheet summary](#) on the Massachusetts Dual Enrollment Program, an exciting program established by the [Education Reform Act of 1993](#) through which qualified high school students can enroll in courses at public colleges and universities at state expense.

At about the same time you receive this, high school guidance counselors will receive a mailing for the Dual Enrollment Program for the Spring 1997 semester. That mailing will include an application form and a [document describing the program](#). I have enclosed copies of these for your information. If you wish, please make copies and distribute to your high school principals for their information.

The Dual Enrollment Program was formerly administered by the Executive Office of Education and is now administered by the Department of Education. Qualified high school students who participate in the Dual Enrollment Program can earn both high school and college credit simultaneously. The Department of Education will reimburse Massachusetts public institutions of higher education an amount per credit for tuition and fees for participating students. I encourage you to promote this opportunity to qualified students who would benefit from college-level course work.

Instructions for Applying to the Dual Enrollment Program for the Spring 1997 Semester

Eligibility

To be eligible for the Dual Enrollment Program, a student must be a junior or senior and must have a GPA of 3.0 or better (on a scale of 0 to 4.0).

Only courses at the main campus of the higher education institution, and not courses at satellite sites nor distance learning courses, qualify for the Dual Enrollment Program. Developmental/remedial courses do not qualify. Courses that begin at 6 p.m. or later do not qualify, although the Commissioner of Education can, at his discretion, grant a waiver of this requirement for a unique circumstance. To request a waiver, you must attach a letter describing the circumstance that might warrant a waiver.

A student who is enrolled in a nonpublic high school is eligible only if the school is one that has been approved by the local school district. A student who is home educated is

eligible only if the student's educational program has been approved by the local school district.

All applications are subject to the approval of the institution of higher education at which the student wishes to enroll. Participation in the Dual Enrollment Program does not guarantee admission to the higher education institution.

Submission of Application Forms

Applications must be completed and submitted by a member of the high school staff only, generally the guidance counselor. Applications cannot be submitted by students, parents, or institutions of higher education. Students should contact the college or university for instructions on how to apply for courses at that institution.

A separate application form must be used for each student. Students enrolled in the Dual Enrollment Program for the Fall 1996 semester must reapply for the Spring 1997 semester.

All information requested on this application must be submitted for the application to be accepted. Applications will be accepted only if mailed in or hand delivered; applications submitted via fax will not be accepted due to the anticipated volume of applications.

Complete applications will be processed on a first-come, first-served basis, contingent upon the availability of funds. Applications received prior to November 18, 1996, will not be accepted in order to give all applicants advance notice given the first-come, first served policy. Applications must be postmarked by December 20, 1996.

A notification letter will be sent by January 10, 1997, to the person who completed the application, stating whether funds will be available for the applicant. Without such confirmation the college or university will not be paid by the Department of Education.

If you have questions about the Dual Enrollment Program, please call Carol Bray at 781-338-3000.

Please return the completed application to:

Massachusetts Department of Education
Accountability and Evaluation Services
350 Main Street
Malden, MA 02148

Fact Sheet on the Massachusetts Dual Enrollment Program

The Dual Enrollment Program was established by the [Education Reform Act of 1993](#). Qualified high school students can earn both high school and college credit through this program. The Commonwealth, through the Department of Education (DOE) and subject to appropriation, will reimburse Massachusetts public institutions of higher education an amount per credit for tuition and fees for participating students. Students participating in the Dual Enrollment Program simultaneously earn high school and

college credit.

Eligibility

Students must be in their junior or senior year of high school and must have a GPA of 3.0 or higher to be eligible for participation in the Dual Enrollment Program. Further, students must demonstrate the ability to benefit from college-level course work and should be recommended to take college-level course work by their high school principals, teachers or guidance counselors. Participation is subject to the approval of the higher education institution at which the student wishes to enroll; students must meet pertinent requirements at the respective public college or university. Prior to final acceptance into the Dual Enrollment Program, students and their parents/guardians, or another adult responsible in the student's educational decision-making process, are strongly encouraged to take part in an interview with appropriate high school and higher education personnel. All students are required to have written approval from their parents/guardians or another responsible adult in order to be accepted into the program. Students must earn a B or better in all college-level course work or be highly recommended for continuation by appropriate high school and higher education personnel in order to remain eligible for dual enrollment participation.

A student who is enrolled in a nonpublic high school is eligible only if the school has been approved by the local school district. A student who is home educated is eligible only if the student's educational program has been approved by the local school district.

Programs, Courses and Grades

Determination of appropriate college courses that will aid in the growth or progress of the student and that meet criteria for high school graduation is a local decision. Dual enrollment shall apply to both academic and occupational college-level courses that are not available at the high school. The Dual Enrollment Program is not an alternative high school and does not supplant regular or advanced placement courses offered at the high school. Dual enrollment shall not apply to developmental/remedial courses.

Participating students shall receive both high school credit toward graduation and college credit; the awarding of high school credit for nonpublic high school students shall be at the discretion of the nonpublic school. Student grades received from the higher education institution are to be incorporated into the high school transcript. At the discretion of the public and nonpublic high school, college-level course work may be treated at the honors level, i.e., a grade of B earned at the college level may be reflected as an A on the high school transcript. Enrollment under the Dual Enrollment Program does not guarantee admission to the higher education institution.

Course Limit: Students may enroll for individual classes or on a full-time basis. Based on information obtained for the 1996-97 school year, the Department of Education will study the issue of placing a limit on the number of courses a student may take in the 1997-98 school year if insufficient funds are available to pay for all courses requested by all applicants.

Tech-Prep and School-to-Work: Students participating in tech-prep or school-to-work programs are eligible for participation, provided that the higher education classes are not specifically created for, or enrollment limited to, the high school tech-prep or school-to-work students.

Day Division and Division of Continuing Education (DCE): Dual enrollment is applicable to both Day Division (state supported) and DCE (non-state supported)

courses at public higher education institutions. Courses that begin at 6 p.m. or later do not qualify due to concern for student safety, although the Commissioner of Education can, at his discretion, grant a waiver of this requirement for a unique circumstance. Courses that meet on weekends do qualify.

Summer and Intersession Programs: Courses offered in summer and intersession programs at higher education institutions are not eligible for the Dual Enrollment Program.

Site: Only courses at the main campus of the higher education institution, and not those at satellite sites (such as the high school), qualify for the Dual Enrollment Program. Distance learning courses, through technology or correspondence courses, are not eligible.

Funding

The Board of Higher Education has established a fair and equitable per credit cost for tuition and fees for students participating in the Dual Enrollment Program. Fees not included in the per credit cost amount, such as course specific laboratory fees, may be waived by the higher education institution at its discretion or will be the responsibility of the student. All students participating in the Dual Enrollment Program are responsible for their own transportation, textbooks and instructional materials.

The per credit costs for tuition and fees shall be paid to the public institution of higher education by the Department of Education from funds appropriated for the Dual Enrollment Program. The per credit costs for the Dual Enrollment Program established for the 1996-97 academic year are:

University of Massachusetts	\$150
State colleges	\$100
Community colleges	\$70

High schools must receive written confirmation from the Department of Education to ensure that funds are available for particular students to participate in the Dual Enrollment Program; without such confirmation the college or university will not be paid by the Department of Education. If funds are not available to cover all qualified applicants for dual enrollment, a high school may, but is not required to, pay the cost of dual enrollment to the institution of higher education if it would like to provide additional opportunities for dual enrollment. Additionally, a qualified applicant for dual enrollment may choose to pay the established dual enrollment costs if funds are not available from state appropriations or school resources.

Reporting and Evaluation

To be reimbursed by the Department of Education, the institution of higher education will be required to report, at the beginning of each semester, certain information regarding the students participating in the Dual Enrollment Program and the courses they are taking. At the close of each semester, the college or university must report grades received by participating students to the Department of Education. Also, an official college transcript for all dual enrollment students shall be sent by the higher education institution to the high school at the end of each semester.

High schools and higher education institutions will be required to complete a survey developed by the Department of Education at the end of each semester. The survey will

be used to evaluate the Dual Enrollment Program.

How to Apply

Applications for participation in the Dual Enrollment Program have been sent to all public high schools and locally approved private high schools. Applications must be completed and submitted by a member of the high school staff only, generally the guidance counselor. Applications cannot be submitted by students, parents, or institutions of higher education. Applications for the Spring 1997 semester must be received by the Department of Education no sooner than November 18 and postmarked no later than December 20, 1996. Complete applications will be processed on a first come, first-served basis. Students should contact the college or university for instructions on how to apply for courses at that institution.

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Changes in Massachusetts GED Policy

Memorandum

To: Superintendents of Schools and Other Interested Parties

From: Robert V. Antonucci, Commissioner of Education

Date: November 5, 1996

The Massachusetts Department of Education has received word from the American Council on Education that effective January 1, 1997, the minimum passing score for the GED test (General Educational Development) will be raised to 40 from the current 35 on each test and an average standard score of 45 will be required for the GED high school equivalency diploma.

Individuals who have successfully completed all testing on or before December 31, 1996, will only have to meet the current standard of a minimum of 35 and an average score of 45. Individuals who have not successfully completed the process by December 31, 1996, will need to meet the new, higher standards.

Also effective January 1, 1997, individuals must successfully complete the GED process within five years from the time they register. Individuals who register in 1997, will have until December 31, 2002 to successfully complete the process, or they must begin the process again. This means scores and fees will not be valid after the five year limit. There will be a phase in period for individuals who are already in the process of completing their GED. Individuals who registered in 1992, or earlier will have one year from January 1, 1997, to successfully complete the process. Individuals who registered in 1993, must successfully complete the process by December 31, 1998. Those who registered in 1994 face a December 31, 1999 deadline; 1995 registrants face a December 31, 2000, deadline; and 1996 registrants face a December 31, 2001 deadline.

Any questions regarding the above policy changes should be addressed to the Massachusetts Department of Education, GED Processing Unit, 781-338-3000.

[Commissioner's Update Archive](#)

Executive Summary of Special Education Appeals 1995-96 Year Data and Upcoming Initiatives

Memorandum

To: Superintendents and Other Interested Parties
From: Robert V. Antonucci, Commissioner of Education
Date: November 1, 1996

The Office of Special Education Appeals in the Department of Education is responsible for conducting impartial due process hearings and for providing mediation services when school districts and parents disagree on the provision of special education services. We have completed our analysis of Special Education Appeals 1995-96 data. This memorandum is intended to: 1) summarize the data and trends observed during the past year and 2) update you on ongoing Special Education Appeals initiatives.

I hope that this summary of Special Education Appeals information is helpful to you. We would appreciate your suggestions, comments, and questions which may be directed to Dan Ahearn of Special Education Appeals at the Department of Education. Thank you.

I. 1995-96 Special Education Appeals Data & Commentary

Current Issues

Special Education Appeals issued 36 Decisions and addressed four primary issues during the past school year. First, **independent evaluations** and the costs associated with the evaluations were raised and decided. In essence, Decisions held that the use of rate setting rates in the context of independent evaluations did not violate federal law. Issues relating to individual consideration, unique circumstances, and balance billing continue to be raised in hearing requests.

Second, **discipline** cases continued to arise as requests for emergency hearings. The majority of the discipline cases this year centered on regular education students who were suspended/expelled and then sought referrals for special education evaluations. The vast majority of these case also settled prior to hearing. Discipline cases involving already identified special education students decreased. It is anticipated that Congress will address discipline cases more comprehensively in the upcoming re-authorization of the federal special education statute.

Third, two **charter school** cases arose in which issues of appropriate educational

services and the procedural protection of the IDEA were raised in the charter school context. These cases held that the IDEA's provisions extend to Charter Schools.

Fourth, a number of cases dealt with public **school programming versus private school placements**. Of the 12 cases involving this issue, 7 decisions found in favor of the public school placement while 5 decisions found in favor of private school placements.

Finally, a number of other miscellaneous issues such as provision of special education services to private school students; section 504 plans versus IEPs; and sanctions for conduct in the hearing process also arose.

The Upcoming Trends

Based on the past few years as well as case activity to date, the following issues may arise in your district during the upcoming year. **Transitions between Early Intervention Programs and the local school district** is an area where requests for mediation and hearing are arising more frequently. It is not clear at this point why these cases are arising, but it appears that significant gaps in communication may be occurring between EI providers and school district personnel.

Cases involving **children with Pervasive Developmental Disorder and Autism** are also occurring more frequently. The tension between inclusion programs and outside placements arises in these cases. Finally, cases involving the **provision of special education services to private school students on-site at the private school** is an increasing area of dispute. This issue is a significant issue nationally as well as in Massachusetts.

This issue is currently in federal court in Massachusetts and a Decision should be issued within the next six months.

Overall Case Activity Data

The overall level of case activity continued to rise this past year. Special Education Appeals received 3877 rejected IEPs (3440 in 94/95) and 632 requests for hearings (580 in 94/95). During this past year, Special Education Appeals issued 36 Decisions. In these 36 Decisions, the school districts prevailed in 25 cases; parents prevailed in 8 cases, and both parties received some measure of relief in 3 cases.

In addition, Hearing Officers issued 19 substantive Rulings on Motions during the past year. These Rulings addressed issues such as dismissal of cases, "stay put," joinder of parties, continuances, reopening a hearing, and provision of interim services. Special Education Appeals also conducted numerous prehearing conferences and 9 Advisory Opinions. Finally, innumerable Orders were issued during the course of the year. These Orders related primarily to discovery, closure of cases, and scheduling.

II. Special Education Appeals Initiatives

Negotiation Skills Training

In an effort to resolve disputes locally, Special Education Appeals conducted a series of seminars last year which trained school districts and parent representatives in negotiation skills in the special education context. A second part of the seminar focused on the hearing process and the factors that Hearing Officers must consider when deciding a case. These seminars are continuing during this school year.

Advisory Opinion Process Pilot Program

In order to provide a simpler option for parties to resolve disputes without the need for a hearing, Special Education Appeals initiated a new option, the Advisory Opinion Process. In essence, this voluntary option allows parties to present their best case to a Hearing Officer within a 2 1/2 proceeding. The Hearing Officer then issues an advisory opinion on the case. Preliminary data indicates that this Pilot Program was successful in helping parties assess a case and avoid a hearing. The program will likely be refined and incorporated as a permanent option for parties.

Hearing Rule Revision

During the past year, the Hearing Rules were revised and re-written in a clearer format. The goal of the revision was to clarify the steps in the hearing process so that parties may understand fully the legal requirements associated with a hearing.

Parent Guide Revision

Special Education Appeals is also currently revising its Parents Guide. Within this revision, Special Education Appeals reiterates the advice to try and develop an agreement locally between the parents and the district.

Information Outreach Sessions

Special Education Appeals continues to schedule informational meetings for school district staff on a regular basis. These meetings are designed to update district staff on trends and issues. More important, school district staff are provided an opportunity to ask questions and provide input to Special Education Appeals.

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Board in Brief

Thursday, October 24, 1996

This is [Board in Brief](#), issued at the request of Commissioner Bob Antonucci, to bring you up to date on [Board of Education](#) developments of interest to the Department staff. The following is a report on the Board meeting held on Monday, October 21, 1996 at Blackstone Valley Regional Vocational Technical High School in Upton.

Massachusetts Educational Assessment Program

Commissioner Antonucci reported on and the Board discussed the results of the Spring 1996 administration of the Massachusetts Educational Assessment Program (MEAP), which tested students in grades 4, 8 and 10 in reading, mathematics, science and social studies. This is the final administration of the MEAP, since we have begun developing the comprehensive student assessment program called for in the [Education Reform Law](#). Student performance in all grades tested improved slightly or remained the same as in 1994, although over eight years it has increased more significantly. Performance in grade 4 science and grade 8 reading has improved in every MEAP administration since 1988. The most significant increase in scores since 1988 is in grade 8 reading. The percentage of students at proficiency Level 2 ("students with a firm grasp of factual knowledge") and above, has increased steadily from 1992 to 1996 at all grade levels in all academic disciplines. The percentage of students at proficiency Level 3 ("students who are beginning to think critically, solve problems, reason, and communicate effectively") and above, has increased significantly from 1994 to 1996 in reading at all three grade levels. The percentage of students at the top proficiency Level 4 ("students who exhibit an exemplary grasp of knowledge, thinking, reading and communication skills") declined from 1994 to 1996 in most disciplines except grade 4 science, where it remained the same.

Board Chairman John Silber and other members expressed disappointment over the [MEAP results](#). "Level 3 should be considered minimally adequate performance," Dr. Silber stated. "It's a scandal that only a quarter of our students are performing at Level 3 and above. If that's not a mandate for change, I don't know what is." Commissioner Antonucci concluded the discussion noting that while some school districts have made impressive gains in student achievement, the statewide results show the need to continue and accelerate our efforts to implement Education Reform in every district.

Curriculum Frameworks

The Board reviewed and discussed the revised draft curriculum framework in History and Social Sciences. Chairman Silber began by reading the minutes of the December

1995 meeting of the former Board of Education, in which the Board asked that the [first draft of the framework](#) be revised to clarify the learning standards and provide more content. Dr. Edwin Delattre commented that the revised draft makes few advances over the previous one; it emphasizes inquiry and process without providing adequate standards based on factual knowledge. Dr. Abigail Thernstrom agreed, stating the Board wants the frameworks to be clear, concise and specific. Students will be unprepared for critical thinking, she noted, unless they have a foundation of factual knowledge. Dr. Thernstrom recommended that the Board use the nationally-acclaimed History and Social Sciences framework from Virginia as the basis for developing Massachusetts standards that will be meaningful to teachers and parents and will provide the specificity that is needed for statewide assessment.

Other Board members agreed with these comments. Dr. Roberta Schaefer noted that the process- and skills-oriented approach of the current draft absolves the drafters of the harder but more critical task of choosing what is important for students to know. Student Board member Alexis Vagianos commented that students need a solid knowledge base before they can ask intelligent questions. She also recommended including examples of ways schools can encourage students to be more socially responsible. Mr. James Peyser remarked that anyone concerned about the delay in Board approval of the frameworks should recognize that the Board's goal is to publish clear, concise, measurable standards that will identify what students should know and be able to do at the assessment points, grades 4, 8 and 10. He added that the Virginia standards are a good starting point but they can and should be improved; for example, the history of slavery in the U.S. is hardly mentioned until grades 11 and 12.

Vice Chair Patricia Crutchfield agreed with the previous comments and asked Massachusetts Federation of Teachers President Kathy Kelly, who was in the audience, for her views. Ms. Kelly responded that the revised draft does not meet the American Federation of Teachers standard for clarity and measurability of curriculum frameworks. She offered to provide the Board with examples of good frameworks besides the one from Virginia. Following the discussion, the Board voted to authorize the Commissioner to develop concise, specific, measurable standards for History and Social Sciences, using the Virginia framework and others as a guide.

FY 98 State Budget for Education

Commissioner Antonucci gave the Board an initial overview of the budget planning process for FY 98. He pointed out that 98% of the Department's \$2.9 billion budget goes to cities, towns and regional school districts as foundation aid (94%) or as competitive grants for educational programs (4%). The proposed budget request for FY 98 is \$315 million over the FY 97 appropriation; the increase includes an additional \$240 million for foundation aid, \$38 million for [Education Reform initiatives](#), and \$37 million to address other legislative mandates, including school building assistance and special education residential school and institutional school programs. The Commissioner also recommended that the Board consider increasing by \$2.7 million the appropriation request for the Metco program, which has been level funded since FY 90.

Board members discussed various components of the budget, and requested additional information on the Metco program, Chapter 636 funding for desegregating school districts, the essential skills and restructuring grant program, alternative education and early childhood education. On early childhood education, Mr. Peyser and Dr. Thernstrom asked if any studies show cognitive gains for participants that last beyond grade 4. Chairman Silber responded, "Probably no issue is more important to the success of Education Reform than high-quality early childhood education." He cited the success of early childhood education programs in Chelsea and Pittsfield, among other

districts, and said he wished funding were available to provide programs for children starting at age 2. The Board will vote on its FY 98 budget request at the November meeting.

Legislative Initiatives

With one abstention by Mr. William Irwin, the Board voted to file legislation expanding [charter schools](#), increasing by 50 the number of charter schools that may be approved in the Commonwealth (the current statutory cap is 25), increasing the cap on statewide student enrollment in charter schools to 10% of total statewide public school enrollment (currently enrollment is limited to 3/4 of 1% of statewide enrollment, or about 6900 students), and modifying or eliminating the statutory limit on the number of charters in each municipality. The Board also agreed to file "placeholder" bills on school finance, special education and transitional bilingual education, so that the Board may, if it chooses, propose specific legislative recommendations after discussion of these topics later in the year.

Educator Preparation and Teacher Testing for Certification

The Board had an initial discussion about implementing the provision of the [Education Reform Law](#) that calls for it to establish a two-part test for teacher certification, one part in communication and literacy skills, and the other in subject matter knowledge for the particular certificate. The Commissioner recommended that the Board consider setting October 1, 1997 as the implementation date. The Board agreed to discuss this further and take action at the November meeting.

Regulatory Reform

The Board continued its regulatory reform initiative, voting to adopt amended and simplified [regulations](#) on Kindergartens and Regional School Districts, and to seek public comment on the proposed repeal of obsolete regulations on a now-defunct Tuition Assistance program. The Board tabled until November action on proposed amendments to the regulations on Private Occupational Schools.

Student Assessment

The Board reviewed a motion relating to various aspects of student assessment, including four principles presented by Dr. Thernstrom at the September meeting. Chairman Silber and Dr. Delattre took issue with one section of the proposed motion, which stated that the Board should continue to work with Advanced Systems as the testing contractor unless the Board agrees that the assessments the company is proposing do not match the Board's objectives. Dr. Thernstrom, Mr. Peyser and Dr. Schaefer said the intent of this recommendation was to show the Board is moving forward with Education Reform and is serious about continuing the development of the assessment program. Chairman Silber and Dr. Delattre responded that the Board needs to be satisfied with the trial questions that Advanced Systems develops for mathematics and science before making any further commitments to the company. Commissioner Antonucci pointed out that under the Department's contract with Advanced Systems the company has been directed to work only on mathematics and science assessments, and all parties understand that further work under the contract is subject to policy decisions to be made by the Board. After further discussion, the Board agreed to table the motion on assessment until the November meeting.

Other Business

The Board voted to continue membership in the [National Association of State Boards of Education](#), and asked the Commissioner to seek funding from the Governor to continue membership in the Education Commission of the States, since the membership assessment for that organization was formerly paid by the Executive Office of Education. The Board heard from three speakers from the public. Michael Chiusano of Beverly spoke in support of the recently enacted parental rights law, which requires public schools to give parents notice and the option to remove their children from classes that involve sexuality education. Kathy Kelly, president of the Massachusetts Federation of Teachers, spoke in opposition to the Board's vote to expand [charter schools](#). Herbert Levine, Deputy Superintendent in Wakefield, spoke in support of arts education. Chairman Silber reported on his recent visit to three school districts in western Massachusetts, in which school officials identified two major obstacles to Education Reform: lack of state financial support for regional school transportation, and the regulatory and financial burdens related to special education.

Next Meeting

The next regular meeting of the Board will be held on Monday, November 18, 1996, at the Massachusetts Department of Education office in Malden.

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