



David P. Driscoll  
Commissioner of Education

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## Commissioner's Update

July 13, 2007

Dear Superintendents, and Leaders of Charter Schools and Collaboratives:

In this Update I have two announcements and four items for your review.

### FY 2008 Competitive After-School and Out-of-School Time Quality Grant

The Department of Education is pleased to announce the release of the FY 2008 After-School and Out-of-School Time Quality Grant Request for Proposals (RFP). This competitive RFP can be viewed at <http://finance1.doe.mass.edu/Grants/grants08/rfp/530.html>. Applications are due to the Department by 4:30 p. m. on Wednesday, July 25, 2007.

### Spaces Still Available for the Summer 2007 Professional Development Institutes

There are still spaces available in the Professional Development Institutes. In particular, teachers may want to consider the following institutes:

Institute # In Brochure	Title
#1	Teaching Elementary Physical Science and Technology/Engineering through Guided Inquiry
#4	Alternative Energy
#10	A Multisensory Approach to Teaching Introductory Physics
#12	Patterns, Polygons, Proportionality, and Probability: Middle School Math Foundations for Special Populations
#15	Geometry & Measurement - Area, Perimeter and Transformations
#24	First Steps in Mathematics: Number
#30	Revitalizing Writing: Writing to Learn in the Upper Elementary Grades

For the full institute description, location, and registration information, see the brochure online at: <http://www.doe.mass.edu/frameworks/cinstitute/>.

Items Posted at [www.doe.mass.edu](http://www.doe.mass.edu):

1. [Update on Educator Preparation and Licensure Reform](#)
2. [Guidelines on the Disclosure of Education Information as Outlined by the Federal NCLB Law and the Massachusetts Public Records Law](#)
3. [MTEL Pass Rate Study Group](#)
4. [Matching Licenses](#)

Sincerely,

David P. Driscoll  
Commissioner of Education



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## Educator Services

### Update on Educator Preparation and Licensure Reform

**To:** Educator Preparation Program Coordinators and Deans, Superintendents, Principals, and Educator Licensure Candidates

**From:** David P. Driscoll, Commissioner of Education

**Date:** June 30, 2007

**Purpose:** To provide an update with regard to:

- proposals to reform and restructure educator preparation and licensure,
- the process and timeline for implementing new regulations, and
- the Department's continued support for current requirements.

#### Proposals to reform and restructure educator preparation and licensure:

Over a year ago, the Department initiated discussions regarding the need to transform the Commonwealth's educator preparation and licensure system. Our goal in engaging educators and policy leaders in these discussions was to gain the input and insight needed to create a system that is more streamlined and successful in supporting educator effectiveness. The discussion continues, and in April 2007 an update on progress was presented to the Board of Education.

Commissioner Driscoll has identified the following three conditions that will be essential to the success of the new system:

1. Adequate and strategically directed funding;
2. Significant levels of coordination in support of new teachers / educators;
3. The readiness of school districts and educator preparation institutions to assume new and expanded roles and responsibilities in partnership with each other and with the Department.

The new system needs to be both strategic and systemic. Its success will depend on new and interdependent roles for the state, for schools and districts, and for institutions of higher education.

#### The process and timeline for implementing new regulations:

As the Department continues shaping the details of a new system to prepare and license future educators, discussions and working sessions with professional organizations and other strategic partners will continue. Regulatory elements to enable key changes will be discussed, developed, and proposed. One area of consensus has already emerged: new approaches to preparation, licensure and support for new teachers/educators cannot succeed without adequate, and in some cases, significant new resources. For example, the research is clear that quality induction and mentoring are the single best predictor of increased retention and accelerated effectiveness of new teachers. These key components to complete preparation and support the initial years in the classroom are expensive, but ultimately very cost effective. Currently, no dedicated stream of funding supports these functions with the result that they are implemented very unevenly. The Department has, therefore, concluded that the new system can only be "rolled out" by launching pilot partnerships as funding becomes available. The new system will need to demonstrate its performance and cost effectiveness before we can expect adequate funding for statewide implementation.

#### The Department's continued support for current requirements:

In the meantime, the ongoing work of preparation programs and educator licensure candidates must not stand still. Programs that have state approval under the current regulations will need to continue to enroll educator licensure candidates. Candidates for the Initial and Professional licenses will need to continue with preparation activities. Until such time as new regulations have been approved, these activities will

continue to proceed with guidance from the current [Regulations for Educator Licensure and Preparation Program Approval, 603 CMR 7.00](#).

In this climate of discussion and change, the Department wishes to offer the following assurances to the public. First, changes in the licensure regulations will be phased in gradually over the course of several years. They will begin in pilot stages and then expand to more widespread implementation, as adequate funding is identified. Second, there will be a period of adjustment, to provide both programs and candidates the opportunity to plan ahead, and during which current routes to licensure will still be viable. Program providers and candidates will not be surprised or penalized because regulations have changed. Finally, the phased-in implementation period will provide candidates who work in good faith to meet current standards with a clear pathway to the license they are pursuing, whether or not they are caught mid-stream at the time of regulatory change.

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## Highly Qualified Teachers and Paraprofessionals

### Guidelines on the Disclosure of Educator Information as Outlined by the Federal NCLB Law and the Massachusetts Public Records Law

To: Superintendents, Charter School Leaders and Leaders of Collaboratives

From: David P. Driscoll Commissioner of Education

Date: June 19, 2007

The federal No Child Left Behind (NCLB) law requires districts to notify parents about their rights to request information related to the professional qualifications of their child's classroom teacher (<http://www.doe.mass.edu/nclb/hq/samples.html>). The federal law specifies that parents may request the following information:

- Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
- Whether the teacher is teaching under an emergency license or waiver through which the State qualifications or licensing criteria have been waived;
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field or discipline of the certification or degree; and
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

In addition to federal requirements, the Massachusetts public records law, M.G.L. c. 66, § 10 and M.G.L. c. 4, § 7 Cl. Twenty-sixth (<http://www.state.ma.us/sec/pre/prepdf/pubreclaw.pdf>), governs the disclosure of this information by school districts. Certain professional information relating to public employees and members of licensed professions, including public school teachers and administrators, is a public record that must be disclosed upon request.

For example, under Massachusetts law any person, whether or not he or she has a child in the school, is entitled to ask for and receive the list of staff members that the school district maintains under the Educator Licensure Regulations (603 CMR 7.00) as well as any other public record information about staff that the school district maintains. This public information includes staff names, certification/licensure status, and degree(s) earned, including the field of study and the institution that awarded the degree(s). In contrast, disclosure of additional personal information about district staff may be restricted under the public records law. Specifically, the public records law exempts from public disclosure employees':

- "personnel and medical files or information" and
- "any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy;" <sup>1</sup> and
- the home address and home telephone number of all public employees. <sup>2</sup>

***The Massachusetts public records law does not require the school district to create a document or record that does not already exist; it simply requires the district to provide, upon request, a copy of any public record that the district maintains that is responsive to a request for records or information.***

Below is a chart that outlines the types of information that may be requested and provided under Massachusetts public records laws and the No Child Left Behind law, as well as the information that should not be given out to the public, including parents, unless the staff member consents to release.

Staff Information the School/District <i>Is Required to Release</i> to Parents and the Public Upon Request	Staff Information the School/District <i>May Not Release</i> to Parents and the Public Unless the Staff Member Consents
Staff names, salary information, position/teaching assignments	Personnel files or information <sup>3</sup> (e.g., employment applications; performance evaluations; disciplinary documentation; promotion, demotion or termination information)
	Home addresses and home phone numbers of staff <sup>4</sup>
	Medical files or information (e.g., immunization records, physician reports, health status)
	Materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy (e.g., Social Security number, marital information, personal financial information including tax exemptions) <sup>5</sup>
	Criminal Offender Record Information (CORI)
Certification/Licensure status and areas of certification	Scores on the Massachusetts Tests for Educator Licensure (MTEL) and dates of tests taken
Education institutions attended and degrees earned including area(s) of study	Grades on transcripts or grade point average
Highly Qualified (HQ) status <sup>6</sup> , including how the teacher has achieved HQ status (i. e., passing the Massachusetts Tests for Educator Licensure; completing an appropriate major, academic coursework or graduate degree; or completing an individual professional development plan aligned with HOUSSSE standards)	

If you have additional questions about what you may disclose under NCLB and Massachusetts public records laws, please consult with your school's or your district's legal counsel.

<sup>1</sup> M.G.L. c. 4, § 7 Cl. Twenty-sixth (c), is known as the "privacy exemption" in the public records law.

<sup>2</sup> M.G.L. c. 4, § 7 Cl. Twenty-sixth (o), enacted in 2002. Formerly, and as described in prior guidance issued by the Department, this information could be made available to the public upon request. See *Pottle v. School Committee of Braintree*, 395 Mass. 861 (1985). However, the new public records exemption now exempts from disclosure home addresses and phone numbers of all public employees, unless the request for such information is made by a labor union, a nonprofit organization for retired public employees, or a criminal justice agency.

<sup>3</sup> "Personnel files or information" is any record that is "useful in making employment decisions regarding an employee." *Wakefield Teachers Ass'n v. School Committee of Wakefield*, 431 Mass. 792, 798 (2000).

<sup>4</sup> M.G.L. c. 4, § 7 Cl. Twenty-sixth (o).

<sup>5</sup> See *Attorney General v. Assistant Com'r of the Real Property Dept. of Boston*, 380 Mass. 623, 625 n.2 (citation omitted).

<sup>6</sup> Additional information about HQ requirements for Massachusetts teachers is available at <http://www.doe.mass.edu/nclb/hq/>.



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## Educator Services

**Tuesday, July 03, 2007**

### MTEL Pass Rate Study Group

The Board of Education's Educational Personnel Advisory Council (EPAC) invites school administrators, professionals involved in preparing new educators, newly licensed teachers, individuals taking the MTEL examinations, and other interested persons to apply to join the MTEL Pass Rate Study Group. This group, which will be convened by members of the EPAC but also include other interested individuals, will analyze the gap in MTEL pass rates for racial, ethnic and linguistic minority examinees compared to their White counterparts and develop strategies for how to close this gap. We hope to keep the membership small enough so that the work can move along expeditiously (e.g., an estimated 8-10 individuals), but also ensure that the group is broadly representative of the field - which may require a somewhat larger group. Our first meeting will be held at the Department of Education, 350 Main Street, Malden, MA on either 8/16/07 at 1:00 PM in Boardroom 3AB or on 8/21/07 at 10:00 AM in Boardroom 3BC.

Please apply by 7/20/07 and use the attached application to indicate your interest and availability.

Thank you for considering this invitation.

Please visit <http://www.doe.mass.edu/news/news.asp?id=3457> to view the release of DOE To Review Why Minority Teacher Candidates Are Struggling With MTEL.

Application

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## Educator Services

## Matching Licenses

To: Superintendents, Principals, and Personnel Administrators

From: David P. Driscoll, Commissioner of Education

Date: June 2007

In order to assist districts in determining which PreK-12 license may be the most appropriate for roles assigned to your personnel, the Department has developed a guidance document called "**Matching Licenses**"  . You may recall that in February a draft of this document was made available to you for comment.

As we prepare for the first statewide data collection of the Educator Personnel Information Management System (EPIMS) this October and as we work to ensure all of our educators meet the Highly Qualified standard, this guide should prove helpful. We intend to update this document periodically in order to keep up with future licensure changes and/or emerging employment trends. Please send any such recommendations to Nancy Perkins, Educator Licensure Office at [nperkins@doe.mass.edu](mailto:nperkins@doe.mass.edu).

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