*****Massachusetts Department of***

***Elementary and Secondary Education***

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| Jeffrey C. Riley  *Commissioner* |  |

# MEMORANDUM

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| **To:** | Members of the Board of Elementary and Secondary Education |
| **From:** | Jeffrey C. Riley, Commissioner |
| **Date:** | December 6, 2019 |
| **Subject:** | The Student Opportunity Act |

On November 26, 2019, Governor Baker signed into law the Student Opportunity Act (St. 2019, c.132; copy enclosed). This landmark legislation is based on the recommendations of the 2015 Foundation Budget Review Commission (FBRC). When fully implemented over the next seven years, it will provide a significant infusion of new funds to our public schools. It gives us the opportunity to make real progress in closing persistent achievement gaps and ensuring that all of our students have an opportunity to succeed.

The foundation budget is the key component in the state’s Chapter 70 school funding formula. First instituted in the 1993 education reform law, it represents the minimum amount of funding a district needs to provide an adequate education, taking into account the district’s size and the demographics of its students. The Foundation Budget Review Commission recommended significant increases in the foundation budget to reflect both rising costs and the need to provide additional support for our most disadvantaged students.

By design, much of the additional Chapter 70 funding will flow to Gateway Cities that educate a disproportionately large number of low income students and English learners. The act also authorizes additional funding for three other programs, ensuring that all districts will receive some financial benefit:

* The special education “circuit breaker” program is expanded to cover transportation as well as instructional costs.
* The historically-underfunded charter tuition reimbursement program will be fully funded by FY2023.
* Additional funding is provided for school building assistance grants.

To ensure that the new infusion of funds will be used in support of the act’s goals, each district is required to develop and submit for the Commissioner’s review a three-year plan, setting forth goals and measurable standards for student improvement and outlining the evidence-based practices the district will implement or expand to address persistent disparities in student achievement. Each district must submit its initial plan by April 1, 2020. We are in the process of developing templates and guidance for these plans, and I will provide more information at our December 17 meeting.

In other provisions, the act establishes the Twenty-First Century Education Program, authorizing the Department of Elementary and Secondary Education (Department) to support and share best practices for improving classroom learning. A companion trust fund will allow for multi-year grant awards. Funding for this program will need to come from future legislative appropriations and grants from funding partners.

The act creates a new data advisory commission, which I will chair, to advise on how we can further improve our use of data in educational policy-making at both the state and local levels. The commission will also advise on cross-agency data integration opportunities among the four agencies in our secretariat.

Finally, the act calls for financial studies relating to:

* municipal fiscal capacity, which determines how much of each district’s foundation budget is funded by local vs. state dollars;
* rural school districts with declining enrollments;
* recovery high schools; and
* school building assistance reimbursement rates.

Implementing this comprehensive legislation will require considerable effort by Department staff and educators in the field. I will provide the Board with periodic progress reports in the months ahead.

Attachment: Student Opportunity Act