*****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:** | January 17, 2020 |
| **Subject:** | Briefing for the January 28, 2020 Regular Meeting of the Board of Elementary and Secondary Education |

The next regular meeting of the Board of Elementary and Secondary Education (Board) will be onTuesday, January 28, 2020, at the Department of Elementary and Secondary Education's (DESE/Department) offices at 75 Pleasant Street in Malden. The meeting will begin at 9:00 a.m. (coffee will be available at 8:30 a.m.) and should adjourn by 1:00 p.m. If you need overnight accommodations or any additional information about the schedule, please call Helene Bettencourt at (781) 338-3120.

**OVERVIEW**

The Board was scheduled to hold a joint meeting with the Board of Higher Education, followed by our regular meeting, on December 17, 2019. We had to cancel those meetings due to an ice storm. Several items on this month’s agenda are carried over from December.

The business agenda for our meeting leads off with two matters relating to the Competency Determination (CD), the state high school graduation standard: preliminary results from a Brown University study, and a vote to amend our regulations to extend the interim CD passing standard for one additional year to the class of 2023. Following that, we will have a discussion and vote on evidence-based policy making, coordinating a common vision with the Board of Higher Education. I recommend that the Board vote to solicit public comment on a proposed amendment to the Educator Licensure Regulations, to create a path for piloting alternative assessments for licensure that will promote equitable access for qualified educators to earn an educator license. We will discuss the new Student Opportunity Act, which was signed into law on November 26, 2019, and provides great opportunities as well as significant new responsibilities. Other business items include votes on several charter school matters: the surrender of a charter, amendments to three charters, and probationary conditions relating to three charters. We will also have an update on the state budget, focusing on the Governor’s education budget proposal for FY2021.

**REGULAR MEETING**

**Comments from the Chair**

Chair Craven will announce or confirm members of the Board’s various committees.

**Comments from the Commissioner**

1. **Milken Award winner.** (This item is carried over from the cancelled December 2019 meeting.) On December 4, 2019, I joined Greg Gallagher from the Milken Family Foundation to surprise Margaret Hersey, an English teacher at Springfield Honors Academy, with a $25,000 Milken Educators Award. In addition to her work inside the classroom, Ms. Hersey is the academy’s teacher leader for curriculum and runs the academy’s Adventure Club. The academy is at the High School of Commerce, which is part of the Springfield Empowerment Zone.
2. **Update on IEP Improvement Project.** In April 2019, the Board received information on the IEP Improvement Project, one of our initiatives to strengthen the quality of special education in the Commonwealth. I want to update you on recent progress on the project.

* In November 2019, DESE posted the e-learning module [A Parents' Guide to Special Education in Massachusetts](http://www.doe.mass.edu/sped/videos/parents-guide/index.html). This online, interactive guide complements the [Parent's Guide to Special Education](https://fcsn.org/parents-guide). Both are designed to assist families, and the school districts and agencies that serve them, in understanding the special education process and the supports and services that students with disabilities need to succeed in school.
* DESE is currently reviewing vendor applications submitted in response to the Request for Responses that we posted for stakeholder engagement on the IEP Improvement Project. The selected vendor will develop and implement a plan for broad stakeholder engagement and feedback on various draft resources, starting with the draft document, *Is Special Education the Right Service? Referral, Evaluation & Eligibility Guide (ISERS)*. We expect to execute a contract for this work to begin by early February 2020.
* DESE recently sent the first draft of the *ISERS* guide to the Special Education Advisory Council, the MA School Psychologists Association and other external stakeholder organizations, and all special education directors. *ISERS* is geared primarily towards special education and general education professionals. It includes guidance on regulatory requirements, information on evidence-based practices, an evaluation planning checklist, and a special education eligibility determination flow chart. The 66-page draft is available upon request. DESE is using the [January 2020 Special Education Directors’ Regional Meetings](http://www.doe.mass.edu/news/news.aspx?id=25799) to orient school districts to the draft document and collect initial feedback. After the stakeholder engagement vendor is selected, the vendor will conduct a more extensive stakeholder engagement and feedback process on the *ISERS* guide and other resources, including multiple opportunities for iterative feedback from DESE advisory councils, practitioners and administrators, parents, advocates, professional organizations, state agencies, and students.

I will continue to update the Board on the IEP Improvement Project as the work proceeds.

1. **Grants to support programs for English learners.** DESE has awarded a total of $1.45 million for two state-funded competitive grants that will support districts in implementing the Language Opportunity for Our Kids (LOOK) Act. These funds will help districts plan and implement new bilingual education programs for their language learners; increase and develop the pool of bilingual educators; and support at-risk English learners in high school to lower dropout rates and increase graduation rates. Seven school districts received the grants: Amherst Public Schools, Boston Public Schools, Brockton Public Schools, Holyoke Public Schools, Lowell Public Schools, Lynn Public Schools, and Springfield Public Schools.
2. **Exploring innovative assessment ideas for science.** As part of our emphasis on more authentic, engaging, and deeper learning for all students, Massachusetts has submitted an application to the U.S. Department of Education for permission to pilot a new approach to the MCAS science assessments in grades 5 and 8, under the Innovative Assessments Demonstration Authority (IADA). If our application is approved, a small number of schools could begin piloting a new approach to assessment as soon as spring 2021 while the rest of the state continues to use the existing science MCAS tests. We expect to hear about approval by June 2020, and have already taken steps to begin developing the new assessment. We are still early in the design phase and the end result could take many forms, ranging from performance tasks inspired by project-based learning to interactive computer-simulation environments to assess student learning. I will update the Board as the work gets underway.
3. **Competency Determination Advisory Committee.** Following our discussion at the October 2019 meeting, I have formed an advisory committee that will discuss the Competency Determination (state high school graduation standard) for students following the transition period from the legacy MCAS tests to next-generation MCAS tests. The committee will hold its first meeting on February 3. I am pleased that Dr. Dana Mohler-Faria has accepted my invitation to chair the committee. Dr. Mohler-Faria was president of Bridgewater State University for 13 years. He served on the Board of Elementary and Secondary Education and previously was the Special Advisor for Education to Governor Deval Patrick. He will help guide the work of the committee, which includes more than a dozen representatives from K-12 and higher education. Marty West has agreed to serve as this Board’s representative on the committee.

The committee will be charged with recommending to me what level of achievement students will need to demonstrate on the next-generation high school MCAS tests in order to earn their CD and be eligible to graduate from high school. The committee will also review and recommend policies related to alternate pathways to the CD (e.g., retests and appeals) as well as the timeline and implementation of the new policies. The group’s discussions and ideas will inform my recommendations to the Board—which I will be bringing to you later this spring—regarding high school graduation requirements for students in the class of 2024 and beyond.

**Comments from the Secretary**

Secretary Peyser will brief the Board on current issues and activities.

**ITEMS FOR DISCUSSION AND ACTION**

1. **Competency Determination**
   1. **Brown University Study – Discussion**
   2. **Competency Determination Regulations (Extend Interim Passing Standard for Class of 2023) – Discussion and Vote**

(These items are carried over from the cancelled December 2019 meeting.) We will review two topics relating to the Competency Determination (CD), the state high school graduation standard. First, we will discuss preliminary results from a study that Brown University is conducting. Second, I recommend that the Board vote to adopt an amendment to the regulations that govern the CD, to extend the interim passing standard for one additional year to the class of 2023. We solicited public comment on the proposed amendment this fall and received no comments. Deputy Commissioner Jeff Wulfson, Associate Commissioner Michol Stapel, and Lucy Wall of our legal staff will join us for the discussion.

1. **Evidence-Based Policy Making – Discussion and Vote**

The enclosed memo provides information from the Department of Higher Education and Department of Elementary and Secondary Education about recent work in the area of evidence-based policy making and strategic data use. This topic had been on the agenda for the cancelled December 2019 joint board meeting. The memo includes a proposed motion for each board to vote on a common vision of evidence-based policy making. Because we are not able to reschedule the joint meeting anytime soon, each board will vote on the motion at one of its regular meetings. I recommend that the Board vote on the motion at our meeting on January 28.

1. **Proposed Amendment to Educator Licensure Regulations, 603 CMR 7.00 – Initial Discussion and Vote to Solicit Public Comment**

(This item is carried over from the cancelled December 2019 meeting.) I am presenting to the Board a proposed amendment to 603 CMR 7.00, the Educator Licensure Regulations, for initial discussion and a vote to solicit public comment. The proposed amendment would create opportunities to pilot and learn from alternative assessments for licensure that will promote equitable access for qualified educators to earn an educator license. With the Board’s approval, the Department will solicit comment on the proposed amendment, with the goal of bringing it back to the Board for a final vote in April 2020. Your materials provide detailed information. Senior Associate Commissioner Heather Peske and Meagan Comb, Director for Educator Effectiveness, will be at the meeting to respond to your questions.

1. **Student Opportunity Act: Update and Next Steps – Discussion**

(This item is carried over from the cancelled December 2019 meeting.) On November 26, 2019, Governor Baker signed into law the Student Opportunity Act. This landmark legislation is based on the recommendations of the 2015 Foundation Budget Review Commission. When fully implemented over the next seven years, it will provide a significant infusion of new funds to our public schools. The law 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. I look forward to discussing the new law and anticipated next steps with the Board.

1. **Charter Schools**

Senior Associate Commissioner Cliff Chuang and Alison Bagg, Director, will be at the meeting to answer your questions on all charter school matters.

* 1. **City on a Hill Charter Public Schools**
* **City on a Hill Charter Public School New Bedford:** **Surrender of Charter: – Discussion and Vote**
* **Update on City on a Hill Charter Public Schools: Dudley Square and Circuit Street – Discussion**

(This item is carried over from the cancelled December 2019 meeting.) On November 25, 2019, the board of trustees of City on a Hill Charter Public School New Bedford (CoaH NB) voted to surrender its charter, effective June 30, 2020. The school has been unable to attract enrollment sufficient to maintain financial viability. I recommend that the Board vote to accept the surrender of the charter granted to CoaH NB. Your materials include a memorandum providing a history of CoaH NB and next steps for CoaH NB’s closure, as well as an update related to the two City on a Hill Charter Public Schools located in Boston.

* 1. **Amendments of Charters for Boston Day and Evening Academy Charter School, Pioneer Charter School of Science II, and Veritas Preparatory Charter School – Discussion and Vote**

The Department received requests from three charter schools to change their maximum enrollment and grades served: Boston Day and Evening Academy Charter School (a Horace Mann charter school in Boston), Pioneer Charter School of Science II (a regional Commonwealth charter school located in Saugus), and Veritas Preparatory Charter School (a Commonwealth charter school in Springfield). For the reasons presented in the enclosed memo, I recommend that the Board approve the charter amendments.

* 1. **Reports on Probation: Boston Green Academy Horace Mann Charter School, Helen Y. Davis Leadership Academy Charter Public School, Paulo Freire Social Justice Charter School– Discussion and Vote**

Boston Green Academy Horace Mann Charter School (BGA), Helen Y. Davis Leadership Academy Charter Public School (HYD), and Paulo Freire Social Justice Charter School (PFSJCS) are operating under probation, and the Department is monitoring each school’s progress in meeting probationary conditions. The enclosed report includes background information and details along with my recommendation for a vote on each school.

1. **State Budget Update – Discussion**

The Governor will release his state budget proposal for FY2021 on January 22. We will discuss highlights of the proposed education budget at our meeting.

**OTHER ITEMS FOR INFORMATION**

1. **Legislative Report: Education-Related Laws Enacted in 191st Legislative Session**

This memorandum lists education-related state laws that were enacted in the last session.

1. **Board of Elementary and Secondary Education Annual Report for FY 2019**

The annual report covers the activities and initiatives of the Board and Department for FY2019. It highlights key agency activities as well as examples of work from districts. We will share the report with the Governor and the Legislature, all school district leaders and classroom teachers, and local media outlets that cover these districts.

1. **Report on Grants Approved by the Commissioner**

(This item is carried over from the cancelled December 2019 meeting and has been supplemented with additional grants approved more recently). I am presenting information on grants that I have approved since the last meeting, under the authority the Board has delegated to the Commissioner.

1. **State Education Budget Transmittal Letter from the Board of Elementary and Secondary Education**

(This item is carried over from the cancelled December 2019 meeting.) Enclosed is my memorandum to Secretary Peyser transmitting the Board’s FY2021 state education budget priorities, per the Board’s vote at our November 2019 meeting.

1. **Chronically Underperforming Schools Quarter 2 Reports**

(This item is carried over from the cancelled December 2019 meeting.) Enclosed is the second of four FY2020 quarterly progress updates to the Board on the four chronically underperforming schools. The School Empowerment Network provided the narrative for this update, based on classroom observations that group led over the past two months.

If you have questions about any agenda items, please call me. I look forward to seeing you at the meeting.