# Minutes of the Regular Meeting

# of the Massachusetts Board of Elementary and Secondary Education

# Tuesday, June 30, 2020

**9:03 a.m.– 1:05 p.m.**

**By Remote Participation Per Governor Baker's Emergency Order of March 12, 2020**

**Members of the Board of Elementary and Secondary Education Present:**

**Katherine Craven**,Chair,Brookline

**James Morton**, Vice-Chair, Boston

**Amanda** **Fernández**,Belmont

**Matthew Hills**, Newton

**Darlene Lombos,** Boston

**Michael Moriarty,** Holyoke

**James Peyser**,Secretary of Education

**Paymon Rouhanifard**, Brookline

**Mary Ann Stewart,** Lexington

**Matthew Tibbitts**, Student Advisory Council, Ludlow

**Martin West**, Newton

**Jeffrey C. Riley**,Commissioner of Elementary and Secondary Education

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Chair Craven convened the meeting of the Board of Elementary and Secondary Education (Board) at 9:03 a.m. Chair Craven reminded members that because this is a remote meeting, all votes will be done by roll call.

**Comments from Chair Craven**

Chair Craven welcomed new Board member Darlene Lombos to her first meeting. Ms. Lombos was appointed to the labor seat vacated by member Ed Doherty. Chair Craven thanked Matt Tibbitts for his service on the Board this year, noting this is his last meeting as the FY2020 elected student member. Board members introduced themselves.

**Public Comment**

* Ruby Reyes, Parent/Director, Boston Education Justice Alliance (BEJA), addressed the Board on Update on COVID-19 Action Steps to Support Schools, Students, and Families
* Laura Trendel, Parent, Northborough, addressed the Board on Update on COVID-19 Action Steps to Support Schools, Students, and Families
* Amanda LaFleur, Parent, Walpole, addressed the Board on Update on COVID-19 Action Steps to Support Schools, Students, and Families
* Monica Linden, Parent, Franklin, addressed the Board on Update on COVID-19 Action Steps to Support Schools, Students, and Families
* Gerry Mroz, Parent, Melrose, addressed the Board on Update on COVID-19 Action Steps to Support Schools, Students, and Families
* Andre Green, Parent/Somerville School Committee member, Ward 4, addressed the Board on the Initial Fall School Reopening Guidance
* Eric Schildge, Parent/8th Grade ELA teacher, Rupert A. Nock Middle School Newburyport, addressed the Board on the Initial Fall School Reopening Guidance
* Charles W. Haynes, Ed.D., CCC-SLP, Professor, MGH Institute of Health Professions, addressed the Board on the Early Literacy Initiative
* Tyrone Mowatt, former Chair of the Gifted and Talented Advisory Council, addressed the Board on educational opportunities for gifted and advanced students of color
* Laeticia Paul, Student, addressed the Board on educational opportunities for gifted and advanced students of color

Chair Craven thanked the speakers and commented that it is especially powerful to hear directly from students. Chair Craven said the Board is committed to educational equity and is united in working to close achievement gaps. She cited the ongoing work of the committee on educator diversification that Amanda Fernández chairs. Chair Craven said the Board’s retreat this fall will include participating in training on diversity, equity, and inclusion. Vice-Chair Morton, Ms. Stewart, and Ms. Fernández voiced support for the planned training, stating the Board needs to keep equity at the center of all its decisions.

**Comments from Commissioner Riley**

Commissioner Riley said his focus is on success for all students, so that Massachusetts education is not just “number one for some.” He said he is committed to closing achievement and opportunity gaps; this is the Department’s priority and there is much more we need to do. The Commissioner noted one key initiative is the work of the Board and Department around educator diversity, and he is also continuing to diversify the staff of the Department.

Commissioner Riley thanked Dr. Stephen Zrike, who is leaving after five years as the state-appointed receiver for the Holyoke Public Schools. He commended Dr. Zrike for everything he has done to stabilize and improve the district’s schools and operations. The Commissioner welcomed Dr**.** Alberto Vázquez Matos, whom he has appointed as the new receiver. Dr. Zrike and Dr. Vázquez Matos each addressed the Board briefly. Mr. Moriarty thanked Dr. Zrike for the energy and integrity he brought to his work as receiver and for the progress he made in the Holyoke Public Schools over the past five years.

**Comments from Secretary Peyser**

Secretary Peyser thanked Dr. Zrike for his service in Holyoke, citing his initiatives on early literacy and high school pathways, among others. The Secretary congratulated Dr. Vázquez Matos on his appointment.

Secretary Peyser said he concurs with the Chair’s and Commissioner’s comments about our mission being grounded in equity and inclusion. He said he has been reflecting on the long history of racism in this country and in doing so, he was drawn to Dr. Martin Luther King Jr.’s letter from a Birmingham jail. After reading an excerpt from Dr. King’s letter, Secretary Peyser said that notwithstanding the progress we made, the persistence of these issues 57 years after the letter was written compels all of us, especially on the Board, to redouble our efforts to heal our communities, schools, Commonwealth, and nation.

**Approval of Minutes**

**On a motion duly made and seconded, it was:**

**VOTED: that the Board of Elementary and Secondary Education approves the minutes of the May 26, 2020 Regular Meeting.**

The vote, by roll call, was 10-0-1. Ms. Lombos abstained.

**Update on COVID-19 Action Steps to Support Schools, Students, and Families**

1. **Initial Fall School Reopening Guidance – Discussion**

Chair Cravenstated that Dr. Lloyd Fisher, Vice-President/President-Elect of the Massachusetts Chapter of the American Academy of Pediatrics, and Dr. Sandra Nelson, an infectious diseases physician at Massachusetts General Hospital, will be presenting today. Commissioner Riley provided an overview of the Department’s actions since the Board last met. The Commissioner spoke about guidance the Department has issued, including guidelines on high school graduation, joint guidance with the Department of Transitional Assistance on P-EBT cards to address food insecurity, initial guidance on summer school, required safety supplies for reopening schools, and summer 2020 special education services. He also reviewed various state and federal grants that are being directed to school districts. Commissioner Riley extended his thanks to the Return-to-School Working Group, which helped shape the initial recommendations for reopening schools this fall.

Commissioner Riley reviewed the Initial Fall School Reopening Guidance that the Department issued on June 25. He stated that he expects to have the final guidance ready in July but felt it was imperative to get information out now to help districts begin to prepare. The Commissioner discussed the engagement of multiple stakeholders from the educational and medical communities. He said the Department worked closely with medical experts and the guidance is grounded in health and safety considerations for students and staff.

Commissioner Riley explained that each district and school needs to plan three possible reopening models: in-person learning with new safety requirements, a hybrid model, and remote learning. He added it is prudent to plan for all contingencies. Commissioner Riley discussed the key health and safety measures, which include masks/face coverings, physical distancing, handwashing/hand sanitizing, and having students and educators stay home when sick. Commissioner Riley said districts will submit their reopening plans in August. He reviewed the topics of forthcoming guidance.

Dr. Sandra Nelson and Dr. Lloyd Fisher offered their perspectives from the medical community and as parents. Both endorsed the Department’s school reopening guidance, explaining it is critical to get students back into school for in-person teaching and learning, with health and safety protocols in place. Commissioner Riley, Dr. Nelson, and Dr. Fischer responded to questions from Board members. Chair Craven thanked the presenters.

**b. Proposed Amendment to Student Learning Time Regulations, 603 CMR 27.00, Re: Health and Safety Standards During a Declared State of Emergency or Other Exigent Circumstances – Discussion and Vote to Adopt Emergency Regulations**

Deputy General Counsel Deb Steenland explained that the Commissioner is recommending that the Board amend the Student Learning Time regulations to provide a regulatory framework for the health and safety requirements in the school reopening guidance. Ms. Steenland highlighted key points of the regulatory amendments. Mr. Moriarty asked if there was any feedback from superintendents and educators about the higher standards for remote learning. He said he is concerned the regulation might constrain experimentation with various approaches to remote learning. Ms. Steenland responded that while the regulations set some parameters for remote learning, they provide flexibility for districts in designing and implementing their remote learning models. She added that the Department expects to get feedback from superintendents and other interested parties during the public comment period on the regulations.

**On a motion duly made and seconded, it was:**

**VOTED:** **that the Board of Elementary and Secondary Education, in accordance with G.L. c. 69, §§ 1B and 1G, hereby adopts the amendments to Student Learning Time regulations, 603 CMR 27.00, as presented by the Commissioner.**

**Further, in accordance with the Administrative Procedure Act, G.L. c. 30A, § 3, the Board finds that the immediate adoption of these regulations is necessary for the preservation of public welfare, and that observation of the requirements of prior notice and public comment would be contrary to the public interest. The Board directs the Commissioner to provide notice and an opportunity for public comment on the emergency regulations, in accordance with the requirements of G.L. c. 30A, § 3, within the next three months.**

The vote, by roll call, was 8-2-1. Mr. Moriarty and Ms. Stewart voted in opposition. Ms. Lombos abstained.

**Early Literacy Initiative**

Senior Associate Commissioner Heather Peske and Director of Literacy and Humanities Katherine Tarca gave a presentation on the Department’s early literacy initiative. Ms. Tarca provided an overview of the Department’s literacy strategic plan and focused on the evidence-based early literacy work that is underway. She cited reading achievement data showing only 56 percent of Massachusetts students met reading expectations on the 2019 grade 3 MCAS test; 38 percent of Black and Hispanic/Latino students and 22 percent of students with disabilities met expectations. Ms. Tarca said the data highlighted the need to strengthen early literacy instruction statewide.

Ms. Tarca said over the next several years the Department will issue guidance for early literacy programming coupled with implementation supports including resources, professional development, and grants. She noted the first step in this initiative is to issue guidance that serves three purposes: provide information about reading acquisition and instruction that is based in current evidence, describe evidence-based literacy practices that should be used in schools and taught in educator preparation programs, and compile quality instructional resources and useful references to support educators. Ms. Tarca said this guidance will be web-based on a new website the Department expects to launch in July 2020. The Department developed the guidance over nine months in concert with a wide range of Massachusetts-based stakeholders (including teachers, administrators, professional development providers, and educator preparation faculty) as well as national and international researchers in the area of literacy. In addition, Ms. Tarca said the Department is preparing more specialized guidance related to reading difficulties including dyslexia, and all these literacy resources will be coordinated with each other and mutually reinforcing. She explained that after releasing the guidance in July 2020, the Department will support schools and districts with implementation.

Board members expressed strong support for the early literacy initiative. Mr. Moriarty underscored the equity issues, stating that the decline in early literacy results for Black students and minimal progress for Hispanic/Latino students is a call to action that must be addressed with intentionality, resources, and support. Mr. West said there is consensus in the education research community about what students need in order to become proficient readers and we need to align classroom practices with that science. Ms. Peske and Ms. Tarca responded to questions from Board members about the role of educator preparation programs and MTEL testing, the connection to instructional materials and the Department’s CURATE initiative, district participation, and outreach to parents. Vice-Chair Morton encouraged the Department to be explicit about why grade 3 reading proficiency matters in terms of students’ life prospects. Secretary Peyser and Chair Craven thanked the Commissioner and Department staff for their leadership on this important topic.

**Update on FY 2021 State Education Budget**

Senior Associate Commissioner/CFO Bill Bell presented a brief update on the state and federal education budget. Mr. Bell said FY2020 closes tonight and the state revenue picture for FY2021 is still in question. He added that Governor Baker has signed into law an interim budget to continue state government operations for several months, and the Department will continue to fund programs at a maintenance level based on FY2020 levels. Mr. Bell noted the Department of Revenue has advised communities that initial Chapter 70 payments will be based on FY2020 levels except that charter school and school choice payments will be based on the June 2020 amounts. Mr. Bell reviewed the grant funds that are being made available to districts under the federal CARES Act, the state COVID-19 relief fund, and grants for technology to support remote learning. Chair Craven commented that broadband access might still be a problem in some areas. Mr. Moriarty suggested the Executive Office of Housing and Economic Development could help address some of these technology access issues.

**State Student Advisory Council End-of-Year Report for 2019-2020**

Mr. Tibbitts presented an overview of the work of the State Student Advisory Council (SSAC) this year. Mr. Tibbitts explained the geographic makeup of the council and commended the SSAC’s leadership team. He thanked Commissioner Riley for including students on various committees and advisory groups to the Department. Mr. Tibbitts discussed the actions and recommendations of the SSAC’s four working groups on Career and College Readiness, Legislative Advisory, Equity in Race and Economics, and Global Outreach. Mr. Tibbitts concluded by encouraging the Department to incorporate student voices as much as possible in policy decisions. He added that the ability to connect via Zoom might enable more students to add their voices to the discussions.

Mr. West said the work of the SSAC was very thoughtful this year, especially the recommendations from the Career and College Readiness working group. Members Stewart, Lombos, Moriarty, and Morton expressed their appreciation for the work Mr. Tibbitts has done on behalf of the Board and SSAC. Chair Craven added her thanks for an excellent presentation. Mr. Tibbitts noted that due to schools being closed, his successor has not been named yet, but virtual elections will be scheduled. Secretary Peyser thanked Mr. Tibbitts for his excellent service to the students of the Commonwealth and to the Board.

Chair Craven called for a break at 12:15 p.m. The Board reconvened at 12:25 p.m.

**Addressing Regulatory Timelines Due to COVID-19 State of Emergency, 603 CMR 56**

General Counsel Rhoda Schneider explained that at the March 2020 meeting, the Board voted to adopt a regulation authorizing the Commissioner, for good cause arising from the current state of emergency and the closure of schools, to suspend, extend, or waive any timeline or due date in the Board’s regulations to the extent permitted by state and federal law. She added that the Board adopted the regulation on an emergency basis, as provided by the Administrative Procedure Act. Ms. Schneider described how the Commissioner has used the regulation to address several regulatory deadlines that were problematic for students, educators, and school districts. She said the Department solicited public comment on the regulation and received no adverse comments. Ms. Schneider said the Commissioner is recommending that the Board vote to make the regulation permanent because the state of emergency is still in effect. She added that by its own terms, the regulation will become obsolete after the Governor ends the state of emergency.

**On a motion duly made and seconded, it was:**

**VOTED:** **that the Board of Elementary and Secondary Education, in accordance with G.L. c. 69, § 1B, and having solicited public comment in accordance with the Administrative Procedure Act, G.L. c. 30A, § 3, hereby adopts the Regulation Addressing Regulatory Timelines Due to COVID-19 State of Emergency, 603 CMR 56.00, as presented by the Commissioner.**

The vote, by roll call, was 10-0-1. Ms. Lombos abstained.

**Delegation of Authority to Commissioner to take Necessary Action between Board Meetings and to Approve Proposed Contracts with Education Management Organizations for Holyoke Community Charter School and SABIS International Charter School**

Cliff Chuang, Senior Associate Commissioner, explained that this motion is the standard one that the Board votes in June, authorizing the Commissioner to act on behalf of the Board on matters that require action before the Board meets again in September. He added that the motion is explicit regarding approval of management contracts for two charter schools, and the Board has previously delegated contract approval to the Commissioner in similar situations. Mr. Hills said he supports the motion and asked if the Commissioner anticipates any need to convene the Board over the summer for a remote meeting. Chair Craven said she and the Commissioner have discussed this. The Commissioner said under the motion he will consult with the Board Chair on any delegated actions over the summer, and they may convene the Board if significant matters need to be addressed.

**On a motion duly made and seconded, it was:**

**VOTED:** **that the Board of Elementary and Secondary Education authorizes the Commissioner, in accordance with General Laws c. 15, § 1F, paragraph 3, to act on behalf of the Board in approving any matters that are not otherwise covered by the Board's previous delegations of authority and that require Board action between June 30, 2020, and the next regular meeting of the Board in September 2020, provided that the Commissioner shall consult with the Chair in advance of any such action and shall report to the Board on any matters that have been so approved.**

**Further, that the Board of Elementary and Secondary Education authorizes the Commissioner, in accordance with General Laws c. 15, § 1F, paragraph 3, to act on behalf of the Board in approving the management contracts for Holyoke Community Charter School and SABIS International Charter School as required by General Laws c. 71, § 89 (k)(5), and 603 CMR 1.00. Such approval will follow a legal and technical review of the proposed contracts and a vote by the boards of trustees of these charter schools to approve such contracts and to submit a request to amend their charters accordingly. Any such approval by the Commissioner shall also operate to amend the charters granted to Holyoke Community Charter School and SABIS International Charter School to include these management contracts.**

The vote, by roll call, was 10-0-1. Ms. Lombos abstained.

**Modification of Academic Conditions for Charter Schools Operating in Probationary Status: City on a Hill Public Charter School and Paulo Freire Social Justice Charter School**

Senior Associate Commissioner Chuang stated that because MCAS testing was cancelled this spring, these actions are needed to modify the conditions on the charters of two charter schools that are on probationary status, to grant them an additional year to demonstrate significant and sustained academic improvement.

**On a motion duly made and seconded, it was:**

**VOTED**:  **that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby extends the academic condition and modifies the governance condition on the school’s charter as recommended by the Commissioner. The probationary conditions are as follows:**

**Condition 1: Until further notice, the school must submit to the Department of Elementary and Secondary Education (Department), at** [**charterschools@doe.mass.edu**](mailto:charterschools@doe.mass.edu) **or 75 Pleasant Street, Malden, MA 02148, board meeting agendas, materials, and minutes prior to each board meeting at the same time that these items are sent to the school’s board members. These monthly materials must include financial statements to be presented to the board. These monthly financial reports must reflect all considerations in revenue and expenditures, including lines of credit, debt obligations, and fundraising.**

**Condition 2: By March 31, 2020, the school must submit evidence to the Department that it has provided the school community with notice of the school’s renewal and that the school’s charter has been placed on probation with conditions that the school must meet. The school must inform parents/guardians, teachers, staff, board members, students, and other community members of the school’s current status.**

**Condition 3: By April 15, 2020, the school must establish an escrow account to pay for any potential closing, legal, and audit expenses associated with closure, should that occur.**

**Condition 4: Until further notice, the school will provide weekly updates to the Department of the total number of students in attendance, and the total number of students on the waitlist, by close of business on Friday of each week. The school must maintain student enrollment levels adequate to provide a strong academic program and financial and organizational viability, as determined by the Department.**

**Condition 5: By June 30, 2020 the school must submit to the Department for approval a comprehensive action plan for improving academic performance, school climate, staff culture, and faithfulness to its charter. The action plan must specify the evidence-based strategies the school will use to improve performance in mathematics, English language arts, and science for all student subgroups. The plan should also include strategies to provide a program that is faithful to the school’s mission and key design elements and to improve school climate, including student discipline practices and staff culture. The action plan must set clear and specific implementation benchmarks, with a clear timetable and deadlines for completion of key tasks, sufficient to allow the school's board of trustees and the Department to monitor implementation. The school must provide evidence that it has shared its action plan with the school’s community including, but not limited to, students, parents/guardians, and staff.**

**Condition 6: By September 30, 2020, the board of trustees must engage a consultant and participate in training about proper governance roles and responsibilities, including obligations related to the Open Meeting Law. The board must develop an action plan and schedule for adequate oversight of the school according to the Charter School Performance Criteria, Criterion 9: Governance.**

**Condition 7: By December 31, 2023, the school must demonstrate that it is an academic success by providing evidence that the school has exhibited significant and sustained academic improvement in mathematics, English language arts, and science on the statewide assessment.**

**Condition 8: Enrollment at the City on a Hill Charter Public School is limited to 350 students. When the Commissioner determines that the school has met the conditions imposed on its charter, including the conditions for academic success, enrollment may increase to a maximum of 400 students. Should the school fail to increase student enrollment in accordance with a growth plan approved by the Commissioner or report fewer than 350 students enrolled at the school on October 1, 2024, the Board of Elementary and Secondary Education may reduce the school’s maximum enrollment below 400 accordingly.**

**Failure of City on a Hill Charter Public School to meet the conditions placed on its charter may result in immediate suspension and revocation of the school’s charter. The Commissioner shall review and report to the Board on the success or lack of success of City on a Hill Charter Public School in meeting the terms of probation and its charter and, based upon his review, shall recommend such further action as he deems appropriate.**

**City on a Hill Charter Public School shall be operated in accordance with the provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other applicable state and federal laws and regulations and such additional conditions as the Commissioner or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the charter.**

**VOTED:** **that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby extends the academic condition on the school’s charter as recommended by the Commissioner. The probationary conditions are as follows:**

**Condition 1: Until further notice, Paulo Freire Social Justice Charter School must submit to the Department of Elementary and Secondary Education (Department), at** [**charterschools@doe.mass.edu**](mailto:charterschools@doe.mass.edu) **or 75 Pleasant St., Malden, MA, 02148, board and committee meeting agendas, materials, and minutes prior to each board meeting at the same time that these items are sent to the school’s board members. The documents must reflect adherence to the Open Meeting Law. Additionally, if board materials do not already include this information, the school must also submit monthly financial statements including, but not limited to, statement of revenues and expenses, a balance sheet, bank account statements, and a cash flow statement including actual and projected revenues and expenses.**

**Condition 2: Until further notice, the school must submit weekly enrollment updates to the Department.**

**Condition 3: The school must maintain the current escrow account to pay for any potential closing, legal, and audit expenses associated with closure, should that occur.**

**Condition 4: By December 31, 2021, the school demonstrate a significant and sustained reduction in its chronic absenteeism rate.**

**Condition 5: By December 31, 2022, the school must demonstrate that it is an academic success by providing evidence that the school has exhibited significant and sustained academic improvement in English language arts, mathematics, and science.**

**Failure of Paulo Freire Social Justice Charter School to meet the conditions placed on its charter may result in immediate suspension and revocation of the school’s charter. The Commissioner shall review and report to the Board on the success or lack of success of Paulo Freire Social Justice Charter School in meeting the terms of probation and its charter and, based upon his review, shall recommend such further action as he deems appropriate.**

**Paulo Freire Social Justice Charter School shall be operated in accordance with the provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other applicable state and federal laws and regulations and such additional conditions as the Commissioner or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the charter.**

The vote, by roll call, was 10-0-1. Ms. Lombos abstained.

**Schedule for Regular Board Meetings through June 2021**

**On a motion duly made and seconded, it was:**

**VOTED:** **that the Board of Elementary and Secondary Education approves the schedule of regular meetings through June 2021, as presented by the Commissioner.**

The vote, by roll call, was 11-0.

**Annual Performance Evaluation of Commissioner**

Chair Craven invited Vice-Chair Morton to present the committee’s report and recommendation on the Commissioner’s FY2020 performance evaluation. Vice-Chair Morton, who chaired the evaluation committee, thanked Chair Craven and Ms. Fernández for their participation on the committee and thanked other Board members and staff for their assistance. He briefly described the process, which included evaluating the Commissioner’s work in relation to the goals for the year, structured around the following four categories: Facilitate student growth and achievement (25%), Management and operations (25%), External relations and communication (30%), and Board support and effective interactions (20%). He added that committee members conducted interviews with Board members and a variety of internal and external stakeholders, and he has met with Commissioner Riley to share the committee’s conclusions.

Vice-Chair Morton discussed the committee’s assessment of the Commissioner’s performance in the four categories and provided highlights from each that formed the basis of the committee’s conclusion. The committee rated the Commissioner’s performance for FY2020 as *Very Good* overall, earning a 4.5 on a 5-point scale. Ms. Fernández said she appreciates the Department’s work under the Commissioner’s leadership. Chair Craven added that Commissioner Riley has done well, pivoting from his initial year of listening to a year of action.

Secretary Peyser said he agrees with the committee’s recommendation and the Commissioner has earned the words of praise. The Secretary said these are unusual times, and dealing with the pandemic was not in the job description, Secretary Peyser said Commissioner Riley’s ability to lead at a time of crisis has been extraordinary.

**On a motion duly made and seconded, it was:**

**VOTED:** **that the Board of Elementary and Secondary Education approves the Commissioner’s FY2020 performance rating of *Very Good,* as recommended by the Board’s committee. The Board commends the Commissioner for his active leadership, accessibility, engagement with stakeholders, and thoughtful decision-making, particularly during the COVID-19 crisis. The Board thanks the Commissioner for his exemplary service.**

The vote, by roll call, was 11-0.

**Executive Session to Discuss Litigation Strategy (PLESH v. DESE et al.)**

General Counsel Rhoda Schneider explained that a roll call vote would be taken, consistent with the Open Meeting Law, to discuss matters relating to litigation strategy. She stated that the Board would not reconvene in open session but rather would adjourn its meeting from the executive session. Ms. Schneider noted that after this roll call vote, the public portion of the meeting would conclude, and the livestream would be turned off.

**On a motion duly made and seconded, it was:**

**VOTED: that the Board go into executive session, in accordance with Mass. General Laws chapter 30A, section 21 (3). The purpose of the executive session is to discuss strategy with respect to pending litigation involving the Board and Department of Elementary and Secondary Education, PLESH v. Dept. of Elementary and Secondary Education, et al. Discussion of the pending case in open session would have a detrimental effect on the litigating position of the Board.**

The vote, by roll call, was 11-0.

Respectfully submitted,

Jeffrey C. Riley

Commissioner of Elementary and Secondary Education

and Secretary to the Board