**Minutes of the Regular Meeting**

**of the Massachusetts Board of Elementary and Secondary Education**

**Tuesday, January 25, 2022**

**Department of Elementary and Secondary Education**

**75 Pleasant Street, Malden, MA 02148**

**9:05 a.m. –11:00 a.m.**

**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

**Eleni Carris Livingston**, Wellesley, Student Member

**Darlene Lombos,** Boston

**Michael Moriarty,** Holyoke

**James Peyser**,Secretary of Education

**Paymon Rouhanifard**, Brookline

**Mary Ann Stewart,** Lexington

**Martin West**, Newton

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

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Chair Craven called the meeting to order at 9:05 a.m. and members introduced themselves. Chair Craven noted that today’s Board meeting, like all open meetings of the Board, is being recorded.

**Statements from the Public**

* **Suleika Sota** addressed the Board on Item 1, Update on COVID-19 Action Steps to Support Schools, Students, and Families
* **Lisa Graf** addressed the Board, via written comments read by Suleika Sota, on Item 1, Update on COVID-19 Action Steps to Support Schools, Students, and Families
* **Jakira Rogers,** Program Lead, Racial Equity and Access Program, Massachusetts Advocates for Children, addressed the Board on Item 1, Update on COVID-19 Action Steps to Support Schools, Students, and Families
* **Keyona Aviles** addressed the Board on Item 1, Update on COVID-19 Action Steps to Support Schools, Students, and Families
* **Gerry Mroz** addressed the Board on Item 2, High School Chemistry and Technology/Engineering Assessments and Item 4, Education Budget Update
* **Ricardo Rosa,** New Bedford parent, addressed the Board on the Innovators charter school proposal
* **James Roy** addressed the Board on the Innovators charter school proposal
* **Dan French,** Vocational Education Justice Coalition, addressed the Board on vocational school admissions
* **Anna Hadingham,** Youth Coordinator, La Colaborativa, addressed the Board on vocational school admissions
* **Lew Finfer,** Massachusetts Communities Action Network (MCAN), addressed the Board on vocational school admissions

**Approval of Minutes**

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

**VOTED: that the Board of Elementary and Secondary Education approve the minutes of the December 17, 2021 Regular Meeting.**

The vote was unanimous.

**Comments from the Chair**

Chair Craven noted this is the first Board meeting of 2022 and thanked the members for their due diligence on every issue: listening to every voice, including those who present during public comment, deliberating carefully, and taking their responsibilities seriously. She thanked members who attended the December hearing in New Bedford on the proposed charter school, during which they heard hours of comments. Chair Craven also thanked Governor Baker who tonight gives his last State of the State address as governor, adding that Massachusetts education has made great progress under his leadership. The Chair concluded that when the meeting adjourns today, she would like to do so in honor of the late Paul Andrews, who was superintendent in Woburn and also a long-time state leader through the Massachusetts Association of School Superintendents. She said Mr. Andrews devoted his life to serving students and building bridges among individuals and organizations across the Commonwealth to make public education better, and he will be missed.

Ms. Livingston suggested highlighting the U.S. Presidential Scholar program for students and schools that may be unaware of it, looking ahead to the next nomination period in fall 2022. Commissioner Riley said the Department would do so.

**Comments from the Secretary**

Secretary Peyser said he believes all Board members and all the people who come before the Board, as well as parents, students, educators, and administrators across the Commonwealth, bring to this work a spirit of trying to do what is right for students – even though this does not mean everyone agrees all the time. Secretary Peyser said he appreciates that Board members review the facts, resist emotions, make decisions in good faith, and stay focused on students’ best interests.

**Update on Action Steps to Support Schools, Students, and Families – Discussion**

Commissioner Riley said the Department continues to inform districts of new developments related to COVID-19 and to assist in keeping schools open safely for in-person learning. He noted that Massachusetts has one of the most robust testing programs in the country. The Commissioner highlighted some actions the Department has taken since the Board’s December meeting, including providing home tests for school staff members to use before returning to school after the winter break, extending the mask mandate through February 28th, and rolling out new testing options for districts. Commissioner Riley thanked the Administration for securing a large supply of rapid antigen tests. He said as of today over 300 school districts have signed up for the new testing option.

Russell Johnston, deputy commissioner, and Lauren Woo, director of strategic school transformation, provided a brief update on the testing program. Mr. Johnston said they continue to monitor data, visit schools, listen to feedback, review advances in testing, and continually update the program in service of keeping students and staff safely in school. He added that the data continue to show little transmission of the virus in schools. Mr. Johnston said the majority of districts have chosen the new testing option, and informational materials for families are available in 12 languages.

Mr. Johnston and Ms. Woo responded to questions from members. In response to a question from Ms. Stewart, Mr. Johnston said about 2000 public and nonpublic schools, out of about 2300, are participating in the testing program, including a high proportion of urban and high-need districts and schools. He noted that students and schools have greater access to testing, which mitigates transmission in schools. He said the Department is tracking the supply of tests and the National Guard has been a great partner in distribution.

Commissioner Riley said the Department will report at a future meeting on students’ academic progress and findings on their social/emotional/mental wellbeing. Mr. Moriarty commended all the efforts at the state and local level to keep schools open safely for in-person learning.

Ms. Lombos asked about student attendance and truancy. Mr. Johnston said while each district adopts its own attendance policy, the Department has published guidance on best practices for working with students and families to encourage student attendance, particularly during the pandemic, and has identified resources that are available besides the Department of Children and Families and the courts. Commissioner Riley said the Department would forward the guidance to Board members. Mr. Moriarty said attendance is a thorny issue that school districts have to manage, and it may merit further study.

Ms. Livingston said some students have commented about the stresses of continuing their learning while they are in quarantine or isolation. She asked what could be done to assist these students. Commissioner Riley said one factor may be the local teacher contract, noting that in some districts students at home are able to livestream classes while in others, teachers may decline to livestream their classes. Chair Craven said this sounds like a local collective bargaining matter between the teachers’ union and the school committee. Ms. Lombos said she would like to follow up on what the collective bargaining agreements actually say on this issue. Ms. Livingston commented that the hybrid/livestream model can be hard for teachers and students, and other options would be helpful.

Commissioner Riley said he plans to update the Board on the status of the Boston Public Schools Memorandum of Understanding at a future meeting. He also stated that the Department has received admissions policies from all districts with Chapter 74-approved career vocational technical education programs and will be reviewing the admissions and waitlist data this spring to assess progress and determine where intervention might be needed. The Commissioner said he will update the Board after the review.

**High School Chemistry and Technology/Engineering Assessments – Continuing Discussion and Vote**

Commissioner Riley said this is a continuation of the discussion regarding phasing out the Chemistry and Technology/Engineering MCAS tests as of spring 2024. He noted that very few students take these tests and there is a significant cost involved in developing new tests in these two areas. Commissioner Riley introduced Michol Stapel, associate commissioner, and Lucy Wall, legal counsel, to answer questions from Board members.

Mr. Rouhanifard said he will vote in favor of the proposal and understands the rationale for it, but he is concerned that the decision might send an unintended message that these subjects are not valued. He said he hopes this vote prompts a broader dialogue about high school science. Secretary Peyser said he echoes Mr. Rouhanifard’s comments and while he reluctantly supports the Commissioner’s recommendation, he sees the need for various strategies to strengthen technology/engineering as well as computer science in schools across the Commonwealth. Mr. Moriarty said he expects the motion to pass, and he will vote no because he shares the concerns that have been expressed.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with**

**M.G.L. c. 69, §§ 1B and 1I, and the Regulations on MCAS and the Competency**

**Determination, 603 CMR 30.00, hereby adopts the Commissioner’s**

**recommendations on MCAS high school Science and Technology/Engineering**

**tests as set forth in the Commissioner’s January 14, 2022 memorandum.**

**Specifically, MCAS high school Science and Technology/Engineering tests will**

**continue to be offered in the subjects of Biology, Introductory Physics,**

**Chemistry, and Technology/Engineering in spring 2022 and spring 2023, and the**

**tests will be offered only in the subjects of Biology and Introductory Physics**

**beginning in spring 2024.**

The vote was 10-1-0. Mr. Moriarty voted in opposition.

**Charter Schools: Amendment Requests of Abby Kelley Foster Charter Public School (Charter Region) and of Community Day Charter Public School–Prospect, Community Day Charter Public School–Gateway, and Community Day Charter Public School–R. Kingman Webster (Consolidation) – Discussion and Vote**

Commissioner Riley said the Department has received seven requests in FY22 from charter schools seeking to amend the terms of their charters and he is recommending approval of two amendment requests this month: the request of Abby Kelley Foster Charter Public School in Worcester to amend its charter region and the request of the three Community Day Charter Public Schools in Lawrence to consolidate. He noted that the Board materials provide details on each request.

**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 amends the**

**charter granted to the following school, as presented by the Commissioner:**

**Abby Kelley Foster Charter Public School (add Wachusett Regional School**

**District to charter region, remove Holden)**

**Location: Worcester**

**Districts in Region: Auburn, Leicester, Millbury, Oxford, Shrewsbury,**

**Sutton, Wachusett Regional, West Boylston, and Worcester**

**Maximum Enrollment: 1426, with a limit of 40 from Wachusett Regional School District**

**Grades Served: K-12**

**Effective: FY2023**

**Abby Kelley Foster 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 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 consolidates the charters of Community Day Charter Public School–Prospect, Community Day Charter Public School–Gateway, and Community Day Charter Public School– R. Kingman Webster into one charter for Community Day Charter Public School as presented by the Commissioner:**

**Community Day Charter Public School (consolidation)**

**Location: Lawrence**

**Maximum Enrollment: 1,200**

**Grades Served: PK-8**

**Effective: FY2023**

**Community Day 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 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 votes were unanimous.

**Education Budget Update – Discussion**

Bill Bell, Senior Associate Commissioner/CFO, said while Governor Baker’s FY23 state budget proposal will be released tomorrow, the Department is continuing to work through the FY22 budget. Mr. Bell referenced the enrollment reserve and said DESE will recommend a methodology to the Secretary and Governor, ultimately to be considered by the Legislature. He briefly discussed the state COVID relief supplemental budget enacted in late December, which includes $100 million for HVAC improvements in schools, funding for students with disabilities who turned 22 and aged out of special education during the pandemic, educator diversity, and other initiatives. Mr. Bell said the Department continues to manage close to $3 billion in federal funding and districts are deciding how they will use approximately $1.6 billion in ESSER I, II, and III funds.

Secretary Peyser noted that the state ARPA legislation includes $100 million for vocational-technical schools on top of existing funding.

Mr. Moriarty said he is pleased that funding was appropriated for students with disabilities who aged out of special education entitlements during the pandemic, and he looks forward to a future report about how the funds are used. Mr. Bell noted that funding for some programs will be available through FY2027. Chair Craven said with so much happening on the budget front, she has asked Mr. Hills to schedule a BESE Budget Committee meeting before the Board’s next regular meeting.

Chair Craven asked that as the Board adjourns the meeting, the Board honor the memory of Paul Joseph Andrews of Woburn.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at**

 **11:00 a.m., subject to the call of the Chair.**

The vote was unanimous.

Respectfully submitted,

Jeffrey C. Riley

Commissioner of Elementary and Secondary Education

and Secretary to the Board