*****Massachusetts Department of***

***Elementary and Secondary Education***

### 75 Pleasant Street, Malden, Massachusetts 02148-4906 Telephone: (781) 338-3000 TTY: N.E.T. Relay 1-800-439-2370

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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:** | August 10, 2022 |
| **Subject:** | Briefing for the August 15, 2022 Special Meeting of the Board of Elementary and Secondary Education |

The Board of Elementary and Secondary Education will hold a special meeting on **Monday, August 15, 2022**, at the Department of Elementary and Secondary Education in Malden. The meeting will start at **12:00 noon** and should adjourn by **4:00 p.m.** The Board will meet in person, following the Commonwealth’s current health and safety guidelines, and the meeting will be live-streamed and recorded. Helene Bettencourt and Courtney Sullivan will assist with all arrangements; please email or call them if you have any questions.

**OVERVIEW**

The Board will discuss and vote on two regulatory amendments: a final vote on amendments to the competency determination regulations, and an initial vote to solicit public comment on a proposed technical amendment to the regulations on notification of bullying. Other items for discussion and vote are changes to the accountability system to align with regulatory amendments that the Board adopted in June, and delegations of authority to the Commissioner to act on certain matters during the hiatus until the next regular meeting. The Board will also get an update on the federal and state education budget.

**REGULAR MEETING**

**Comments from the Chair**

Chair Craven will report on current issues and activities and welcome three new Board members: Tricia Canavan, Farzana Mohamed, and Eric Plankey, who is the 2022-2023 student member of the Board, to their first meeting. We acknowledge with great appreciation former members James Morton, Amanda Fernandez, and Eleni Carris Livingston, whose terms expired on June 30.

**Comments from the Commissioner**

I will report on current issues and activities.

**Comments from the Secretary**

Secretary Peyser will report on current issues and activities.

**Statements from the Public**

**ITEMS FOR DISCUSSION AND ACTION**

1. **Amendment to Competency Determination Regulations, 603 CMR 30.00: Establishment of New CD Standards for the Classes of 2026–2029 and Possible Amendment Proposed by Member West to Establish New CD Standards for the Classes of 2030 and Beyond – Discussion and Vote**

I recommend that the Board vote to adopt amendments to the Regulations on MCAS and the Competency Determination (603 CMR 30.00) to establish a new passing standard for the Competency Determination (CD) for the classes of 2026 through 2029 for English language arts (ELA), mathematics, and science and technology/engineering. The Board voted in April to solicit public comment on the proposed changes to the regulations. After careful consideration of the comments submitted, I recommend that the Board adopt the amendments as presented. Details are in the enclosed materials. Rob Curtin, Chief Officer for Data, Assessment, and Accountability, Associate Commissioner Michol Stapel, and Lucy Wall of our legal staff will join us for the discussion.

Board member Martin West plans to offer an amendment to my proposal that would set CD standards now for the class of 2030 and beyond. Member West’s memorandum is enclosed with your materials. It sets forth his rationale for the amendment and includes his proposed changes to the draft regulation.

1. **Proposed Amendment to Regulations on Notification of Bullying or Retaliation, 603 CMR 49.00 (Technical Update per Statute) – Initial Discussion and Vote to Solicit Public Comment**

I recommend that the Board vote to solicit public comment on a proposed technical amendment to the regulations on notification of bullying or retaliation. The proposed amendment conforms the regulatory definition of bullying to the statutory definition in Mass. General Laws chapter 71, section 37O and makes non-substantive changes in formatting and numbering. With the Board’s approval, the Department will invite public comment on the proposed technical amendment. We plan to bring it back to the Board in October for final action.

1. **District and School Accountability System for 2022: Changes to Align with Regulatory Amendments – Discussion and Vote**

I recommend that the Board vote to approve changes to the district and school accountability system. The modifications incorporate the changes allowed by our approved addendum to the ESEA Consolidated State Plan, which grants temporary flexibility around certain federal accountability reporting requirements for the 2021-2022 school year. The modifications also align with the amendment to state accountability regulationsthat the Board approved in June.

Rob Curtin will be at the meeting to respond to questions.

1. **Delegation of Authority to Commissioner to Approve Contracts Proposed by Four Charter Schools – Discussion and Vote**

I recommend that the Board vote to authorize the Commissioner to approve contracts that four charter schools have proposed with educational management organizations, upon satisfactory completion of my review. In similar situations involving other charter schools, the Board has delegated the contract approval to the Commissioner. The enclosed memorandum provides details.

1. **Education Budget Update – Discussion**

Senior Associate Commissioner/CFO Bill Bell will brief the Board on the latest information we have about federal and state funding for K-12 education in the Commonwealth.

If you have questions about any agenda items, please call me. I look forward to meeting with you on August 15.