**Minutes of the Regular Meeting**

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

**Department of Elementary and Secondary Education**

**75 Pleasant Street, Malden MA**

**September 20, 2022, 9:20 a.m. – 11:00 a.m.**

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

**Katherine Craven**,Chair,Brookline

**Matthew Hills**, Vice-Chair, Newton

**Tricia Canavan,** South Hadley

**Farzana Mohamed,** Newton

**Michael Moriarty,** Holyoke

**James Peyser,** Secretary of Education**,** Milton

**Eric Plankey,** Westford, Student Member

**Paymon Rouhanifard,** Brookline

**Mary Ann Stewart,** Lexington

**Martin West,** Newton

**Member of the Board of Elementary and Secondary Education Absent:**

**Darlene Lombos,** Boston

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

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Chair Craven called the meeting to order at 9:20 a.m., and members introduced themselves. Today’s Board meeting, like all open meetings of the Board, is being livestreamed and recorded.

**Comments from the Secretary**

Secretary Peyser noted this month is the 50th anniversary of Chapter 766 of the Acts of 1972, the Massachusetts special education law. He observed that this landmark legislation has had a positive impact on millions of young people in Massachusetts and nationwide, because our law was a model for the federal special education law that was enacted several years later. Secretary Peyser announced that Massachusetts STEM Week will be held October 17–21, 2022, showcasing exciting work around the Commonwealth and elevating the visibility of programs and partnerships that are crucial to strengthening education in the STEM fields and creating career pathways to broaden opportunities for students and strengthen the economy.

**Comments from the Chair**

Chair Craven said the 50th anniversary of Chapter 766 is especially meaningful to her as the mother and sister of persons who have Down syndrome. She said the special education law has been vitally important to her family and countless others, and it resulted from dedicated parents and family members across the Commonwealth working to make it happen. Chair Craven added that the Board plays an important role in adopting regulations that carry out the legislation. She noted that the focus on dyslexia and early literacy on today’s agenda has also been championed by parents, and acknowledged that BESE member Mike Moriarty has been a huge champion of this initiative. Chair Craven said she is honored to be chairing the Board and working to amplify the legislation on special education and dyslexia.

**Election of Board Vice-Chair**

Chair Craven said this is the annual meeting of the Board, as provided in the by-laws, and the first item on the agenda is the election of the Vice-Chair. Before the discussion, Mr. Moriarty asked to acknowledge David Bartley of Holyoke, who was Speaker of the House in 1972 and was instrumental in the passage of Chapter 766. Mr. Moriarty said Mr. Bartley has often commented that was one of the proudest accomplishments.

Mr. Moriarty nominated Mr. Hills for the position of Vice-Chair. Mr. West seconded. There were no other nominations.

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

**VOTED:**  **that the Board of Elementary and Secondary Education elect Matthew Hills**

**to serve as Vice-Chair of the Board, in accordance with Article I of the By-Laws.**

The vote was unanimous.

Mr. Hills thanked the Board. Chair Craven announced membership of the Board’s committees, noting she wants to retain current committee members who wish to continue serving, fill vacancies due to turnover, and engage newly appointed members. Chair Craven named Mr. Rouhanifard to chair the Educator Diversification Committee and added Ms. Canavan to the committee. She asked Ms. Mohamed to chair the Budget Committee and Mr. Plankey to join. Chair Craven said she has talked with Commissioner Riley about convening a Special Committee on Pandemic Recovery and Literacy to keep the Board’s focus on these issues. Noting Mr. Moriarty’s dedication to this topic, she asked him to chair the special committee and asked Ms. Lombos, Mr. Rouhanifard, and Mr. West to join the committee.

**Comments from the Commissioner**

Commissioner Riley said schools are reporting a quiet opening for the new school year although there are still staffing challenges. He said school and district leaders appreciate the Board’s action on educator licensure flexibilities and he expects some of those flexibilities will need to continue. The Commissioner said the Department has advised districts to be prepared with COVID-19 tests, masks, and other materials in case of a surge over the winter.

Commissioner Riley said MCAS data will be published in the coming weeks and the Department will use it to analyze strengths and weaknesses and calibrate guidance to districts. He said pandemic recovery in schools is a three-to-five-year process. The Commissioner noted the pandemic affected students both in academics and in mental health, and the topic of students’ mental health and wellbeing is on the agenda today. He added that he will update the Board on Boston at future meetings and will bring in superintendents from the receivership districts later in the year. Mr. Moriarty said the Board appreciates hearing directly from the receivership districts.

Mr. Rouhanifard concurred with the Commissioner’s statement about a three-to-five-year recovery process for schools and students, adding that we need to bring together the academic and social emotional learning/mental health components. Mr. Rouhanifard said one approach supports students by providing high dosage tutoring and building positive one-on-one relationships with adults. He suggested this would be an excellent discussion topic for the Board. Commissioner Riley said he will return to the Board for further discussion of these issues.

**Public Comment**

* **Lisa Jeanne Graf** addressed the Board on the August Special Meeting agenda item, Proposed Technical Amendment to Regulations on Notification of Bullying or Retaliation

**Supporting Students' Mental Health and Wellness**

Commissioner Riley introduced Chris Pond, DESE Behavioral and Mental Health Specialist,

Kristen McKinnon, DESE Student and Family Support Assistant Director, Cliff Chuang, Senior Associate Commissioner, Holliston Public Schools Director of Social Emotional Learning and Equity Jariel Vergne, and Chelsea Public Schools District Administrator-Social Work Department Brenda Peña to discuss initiatives that are underway to address students’ mental health and wellness.

Ms. McKinnon began the presentation with an overview of DESE’s work with schools, districts, and educators to support students and meet their needs. She said the Department provides grants, technical assistance, and professional development, leveraging state and federal funding to build long-term multi-tiered systems that connect academics and social and emotional and mental health. Ms. McKinnon added that DESE works with partners including the Department of Public Health and Department of Mental Health as well as advisory councils, state commissions, and boards that are focused on this work. She noted the State Student Advisory Council has been actively engaged and the Board heard from students in the spring about their projects. Ms. McKinnon said the Parent and Community Advisory Council and Special Education Advisory Council are helping DESE strengthen support for parents and families in this work.

Ms. Pond discussed one grant program (Supporting Students’ SEL, Behavioral & Mental Health, and Wellness through MTSS) that aims to develop comprehensive, integrated multi-tiered systems for student, family, and educator social-emotional and mental health supports and build sustainable infrastructure to coordinate school and community-based services. The Board heard from Brenda Peña of the Chelsea Public Schools and Jariel Vergne of the Holliston Public Schools about promising practices and challenges they have experienced in their districts. The presenters responded to questions from Board members about funding for clinical services, partnerships with community organizations and providers, and the importance of building relationships with students and their families. Mr. West suggested the Department use the lessons and successes of these programs to advocate for sustained funding to support the work. Mr. Chuang said the Department is planning an evaluation. Chair Craven thanked the presenters.

**Amendment to Special Education Regulations on School District Administration and Personnel, 603 CMR 28.03(1), on Early Literacy Screening**

Commissioner Riley said he is recommending that the Board vote to adopt the core aspects of the draft amendment on early literacy screening that went out for public comment in June, with modifications based on comments the Department received. He introduced Deputy Commissioner Russell Johnston and Katherine Tarca, Director, Literacy and Humanities.

Mr. Johnston reviewed key DESE initiatives relating to early literacy, which include grants and professional development, the Massachusetts Dyslexia Guidelines, approved literacy screening assessments, and the Mass Literacy Guide. Mr. Johnston said for several years DESE has offered recommendations to districts regarding early literacy screening best practices, and the Mass Literacy Guide emphasizes the importance of screening students to identify unique needs and potential reading difficulties early. Mr. Johnston said the Mass Literacy Guide includes a section on early literacy screening describing specific research-based tools and approaches for effective screening. He explained that since 2020 DESE has offered grants and statewide professional development networks to engage educators with this information and help them implement these practices.

Ms. Tarca explained that DESE's practice of reviewing and approving screening assessments comes out of an expert panel recommendation. She noted that in 2012, the Legislature passed An Act Relative to Third Grade Reading Proficiency, which called for creation of an Early Literacy Expert Panel. Ms. Tarca said one of the panel’s main recommendations was that literacy screening using valid and reliable assessments should be more prevalent statewide. She said based on that, DESE began reviewing early literacy screening assessments and published an approved list in 2018. She added that after the Massachusetts Dyslexia Guidelines came out in 2020, DESE adjusted the approval criteria, which are now more extensive and rigorous.

Ms. Tarca explained that based on this process, DESE has approved seven screening assessments and while the Department does not collect data on screener use, information from assessment publishers indicates that about 300 districts in Massachusetts already use at least one of these approved assessments in at least some settings. She said the approved screening tools all assess a range of early reading skills and can flag possible concerns for different types of reading difficulties. Ms. Tarca said while these are not exclusively dyslexia screeners, the top three assessments, which are those fully approved, meet every specification of the Massachusetts Dyslexia Guidelines and function as a dyslexia screener. She noted the new regulation would take effect on July 1, 2023, require screening of all students in grades K-3 at least twice a year using an approved screening instrument, provide for parental notification, and promote actions within the general education program to meet students’ needs. Mr. Johnston and Ms. Tarca responded to questions from Board members.

Mr. Moriarty said the revised regulation is stronger than the June draft version and reflects thoughtful review of the comments the Department received. He noted the reference to the Department’s dyslexia and literacy guidelines and the expectation that for students significantly below relevant benchmarks, the school shall determine which actions within the general education program will meet the student’s needs, including evidence-based reading instruction and ongoing monitoring of progress. Mr. Moriarty distributed a memorandum with links to some materials he has gathered regarding best practices in evidence-based early literacy. (The memorandum is attached to these minutes.) Mr. Moriarty commended the work DESE is doing in this area, adding that the Department is moving beyond its reputation as a regulatory organization to being genuinely collaborative and forward thinking in providing high quality technical assistance.

Secretary Peyser thanked the Commissioner and DESE team for improving the draft regulation. He noted that universal early literacy screening does not preclude referring a student for a special education evaluation for dyslexia or other disabilities that may require special education, and that the net effect of early screening and effective reading instruction should be better for all students without increasing special education numbers. Ms. Stewart said communication with parents is critical and she appreciates that the regulation addresses it.

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

**VOTED:** **that the Board of Elementary and Secondary Education, in accordance with G.L. chapter 69, § 1B and chapter 71B, §§ 2 and 3, and having solicited public comment in accordance with the Administrative Procedure Act, G.L. chapter 30A, § 3, hereby adopts the Early Literacy Screening regulation, 603 CMR 28.03(1)(f), as presented by the Commissioner.**

The vote was unanimous.

**Amendment to Certificate of Mastery/Seal of Biliteracy Regulations, 603 CMR 31.00**

Commissioner Riley said he is asking the Board to vote on proposed amendments to the

Certificate of Mastery and State Seal of Biliteracy Regulations, 603 CMR 31.00. He noted that

in April, the Board voted to solicit public comment on the proposed changes to the

regulations. Commissioner Riley said the Department has reviewed the comments submitted and conducted a further internal review of the regulations, and he is now recommending additional amendments to streamline the regulations, align them with the updated Competency Determination standard, and provide greater clarity.

Acting Associate Commissioner Erin Hashimoto-Martell and Alexia Cribbs, Management Analyst III, presented an overview of the purpose of the Koplik Certificate of Mastery and summarized the current criteria and proposed updates.

**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, §§ 1D and 1Q, and having solicited comment in accordance with the Administrative Procedure Act, G.L. c. 30A, § 3, hereby adopts the amendments to the Massachusetts Certificate of Mastery and State Seal of Biliteracy Regulations, 603 CMR 31.00, as presented by the Commissioner. The proposed amendments concern the standards for the Massachusetts Certificate of Mastery and State Seal of Biliteracy for students in the classes of 2026 and beyond.**

The vote was unanimous.

**Education Budget Update**

Bill Bell, Senior Associate Commissioner/CFO, presented a brief overview of the state budget cycle, highlighted supplemental funding that has been appropriated, and gave an update on claims for federal ESSER funding. He noted the Board will start discussing its FY24 education budget priorities next month and he will be working with the budget committee to prepare recommendations to the Board, so as to inform the new administration early in 2023. Mr. Bell responded to questions from members. He pointed out that while federal funding is substantial, it is far less than the state and local funds allocated to public education in Massachusetts. Commissioner Riley added that the Department will continue to promote evidence-based practices so local education officials can make effective use of grant funds.

**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 June 28, 2022 Regular Meeting and the June 30, 2022 and August 15, 2022 Special Meetings.**

The vote was unanimous.

**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

Attachment: Memorandum on early literacy distributed by Member Michael Moriarty

**ATTACHMENT TO BESE MEETING MINUTES: MEMORANDUM DISTRIBUTED TO BESE**

**BY MEMBER MICHAEL MORIARTY, SEPTEMBER 20, 2022**

**MEMO**

From: Michael Moriarty
To: Board of Elementary & Secondary Education for distribution at 9/20/22 meeting

Date: September 20, 2022

At the BESE June 28th meeting, Vice Chair Morton had asked me if I could offer any research regarding best practices relative to evidence based early literacy. I prepared the following curated list of materials I have found helpful, which I am happy to share with the full board. I printed a copy of a blog published just this month by AIR’s Region 1 Comprehensive Center Network, reporting a recent study that offers some insight. [[1]](#footnote-2)

I also reproduced two items that illustrate the call to action a wide array of shareholders are asking of us. I strongly believe today’s vote on an Early Literacy Screening Regulation answers a limited but important element of that call. [[2]](#footnote-3)

Below are eleven resources I have found helpful:

* APM Reports Reading Podcasts: <https://features.apmreports.org/reading/>
* AFT’s American Educator magazine collected a good list of links that can deepen anyone’s knowledge of emerging best practices:

<https://www.aft.org/ae/summer2020/aeliteracy>

* In terms of resourcing, this is a timely overview:

[https://www.nctq.org/publications/Leveraging-American-Rescue-Plan-Funds-to-Advance-Literacy:-A-Step--by--Step-Guide-for-States-and-Early-Reading-Advocates](https://www.nctq.org/publications/Leveraging-American-Rescue-Plan-Funds-to-Advance-Literacy%3A-A-Step--by--Step-Guide-for-States-and-Early-Reading-Advocates)

* A slightly out of date overview of state actions (in particular, Connecticut, who passed a Right to Read bill after this was published)

<https://ccsso.org/sites/default/files/2019-08/CCSSO%20CEELO%20third%20grade%20reading.pdf>

* A New York regulation, comparable & cited in the CCSSO report above:  <http://www.nysed.gov/common/nysed/files/programs/bilingual-ed/cr_part_117.pdf>
* Outgoing Mississippi Superintendent Dr. Carey Wright has received a lot of attention for the outcomes in her state.  This interview gets into the details:

<https://www.educationnext.org/howd-you-do-it-mississippis-superintendent-of-education-explains-states-learning-gains/>

* <https://hechingerreport.org/states-urgent-push-to-overhaul-reading-instruction/>
* National Reading Panel:

<https://www.nichd.nih.gov/sites/default/files/publications/pubs/nrp/Documents/report.pdf>

* MA Literacy Plan: <https://www.doe.mass.edu/instruction/literacy-plan.docx>
* Mass Literacy Website: <https://www.doe.mass.edu/massliteracy/>
* Mass Dyslexia Guidelines <https://www.doe.mass.edu/sped/dyslexia-guidelines.pdf>
1. https://region1cc.org/blog/instructional-strategies-build-k-3-literacy-skills-massachusetts [↑](#footnote-ref-2)
2. The two documents were accessed as follows: <https://www.aft.org/education/engaging-curriculum/elements-effective-reading-program>; P. 13 of 18, <https://masseduequity.org/wp-content/uploads/sites/5/2022/09/Website-MEEP-REPORT-9.9.22.pdf> [↑](#footnote-ref-3)