**Minutes of the Regular Meeting**

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

**Department of Elementary and Secondary Education (DESE)**

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

**June 27, 2023, 9:08 a.m.–12:50 p.m.**

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

**Katherine Craven**,Chair,Brookline

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

**Ericka Fisher,** Worcester

**Darlene Lombos,** Boston

**Farzana Mohamed,** Newton

**Michael Moriarty,** Holyoke

**Eric Plankey,** Westford, Student Member

**Mary Ann Stewart,** Lexington

**Patrick Tutwiler**, Secretary of Education, Andover

**Martin West,** Newton (participated via Zoom)

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

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

**Paymon Rouhanifard,** Brookline

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Chair Craven called the meeting to order at 9:08 a.m., and members introduced themselves. Chair Craven noted that Ms. Lombos will be late and Dr. West is attending remotely. She announced that today’s Board of Elementary and Secondary Education (Board) meeting, like all open meetings of the Board, is being [livestreamed and recorded](https://livestream.com/accounts/22459134).

**Comments from the Chair**

Chair Craven welcomed Dr. Ericka Fisher of Worcester, who was recently appointed to the Board by Governor Healey. Dr. Fisher replaces Tricia Canavan, whose term on the Board was coterminous with Governor Baker. Chair Craven thanked Ms. Canavan for her service and said the Board will thank her more formally at a later date. Chair Craven also noted this is Eric Plankey’s last meeting as the student member on the Board. She welcomed Ela Hopple Gardiner from Wellesley, the newly elected student member for 2023-2024.

**Public Comment**

1. **Jaclyn Friedman,** Founder & Executive Director, EducateUS and Chair of the MA Healthy Youth Coalition, addressed the Board on Item 1: Draft Updated Comprehensive Health and Physical Education Framework
2. **Megara Bell,** Partners in Sex Education, addressed the Board on Item 1: Draft Updated Comprehensive Health and Physical Education Framework
3. **Jennifer Hart,** Vice President, Planned Parenthood League of Massachusetts, addressed the Board on Item 1: Draft Updated Comprehensive Health and Physical Education Framework
4. **Leigh Carroll,** M.Ed., Manager of Youth Education, Planned Parenthood League of Massachusetts, addressed the Board on Item 1: Draft Updated Comprehensive Health and Physical Education Framework
5. **Katie Aubin** addressed the Board on Item 1: Draft Updated Comprehensive Health and Physical Education Framework
6. **Michael King,** Director of Community Affairs, MA Family Institute,addressed the Board on Item 1: Draft Updated Comprehensive Health and Physical Education Framework
7. **Kahris White-McLaughlin** addressed the Board on Item 7: Annual Performance Evaluation of the Commissioner
8. **Gerry Mroz** addressed the Board on Item 7: Annual Performance Evaluation of the Commissioner

**Comments from the Chair (cont’d.)**

Chair Craven paid tribute to former House Speaker and longtime Holyoke Community College president David Bartley, architect of the landmark Massachusetts special education law, who passed away in June. Chair Craven invited Mr. Moriarty to speak. Mr. Moriarty provided a brief update on the upcoming meeting of the Special Committee on Pandemic Recovery and Literacy, and commented on the life, work, and legacy of former House Speaker Bartley.

**Comments from the Secretary**

Secretary Tutwiler expressed his congratulations and thanks to students, families, and educators on a successful end to the school year. He offered best wishes to Mr. Plankey and expressed appreciation to former Board member Tricia Canavan for her service. Secretary Tutwiler welcomed incoming student member Ela Gardiner and newly appointed member Dr. Ericka Fisher from the College of the Holy Cross and the Worcester community. Secretary Tutwiler said the Administration is awaiting the Supreme Court’s decision on race-based admissions in higher education, and Massachusetts will always be welcoming and inclusive of students of color and students historically underrepresented in higher education.

**Comments from the Commissioner**

Commissioner Riley welcomed Dr. Fisher and thanked Ms. Canavan for her work on the Board. The Commissioner thanked Mr. Plankey for his contributions and accomplishments and welcomed Ela Gardiner. Commissioner Riley also thanked the students, families, and educators of Massachusetts for their hard work this school year. He commended Tufts University for stepping up when a school in Somerville was deemed structurally unsafe and providing one of their buildings so the Somerville students could finish out their school year. The Commissioner said that is the kind of community we are all striving to achieve.

Commissioner Riley provided an update on the Boston Public Schools (BPS), noting that the Department of Elementary and Secondary Education (DESE) remains concerned about the district’s lack of progress towards some of their key goals and targets outlined in the BPS Systemic Improvement Plan. The Commissioner said there are some bright spots relating to school transportation and the data domain. Commissioner Riley said DESE wanted to give the new superintendent time to get her feet under her but they were blindsided by the announcement of a high school plan that seemed half-baked and apparently was a surprise to parents, teachers, and some school committee members as well as to DESE. The Commissioner said while the plan may have merit, it is hard to support without more information about the financial implications, transportation, timeline, and other details. Commissioner Riley said he will provide monthly updates on BPS to the Board starting in the fall, leading up to a comprehensive report.

Chair Craven asked about the additional $10 million in state funds for the City of Boston that the Legislature and Governor Baker allocated. Commissioner Riley said the state and DESE have upheld our part of the agreement. He asked Deputy Commissioner Russell Johnston to comment. Deputy Commissioner Johnston said BPS used the grant funds for reviews that needed to be completed, such as special education, transportation, and school safety reviews, as well as some key staff positions. Vice-Chair Hills asked that the Board dedicate time at a future meeting to discuss the district’s progress.

**Approval of the Minutes of the** **May 23, 2023 Regular Meeting**

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

**VOTED: that the Board of Elementary and Secondary Education approve the minutes of** **the May 23, 2023 Regular Meeting.**

The vote, by roll call, was unanimous.

**Draft Updated Comprehensive Health and Physical Education Framework**

Commissioner Riley said he recommends that the Board vote to invite public comment on the draft updated framework. He added that after reviewing the comments and making further revisions as needed, he anticipates bringing the final revised standards back to the Board for a vote in late summer or fall. Commissioner Riley introduced Associate Commissioner Rachelle Engler Bennett, Assistant Director of Student and Family Support Kristen McKinnon, Associate Commissioner Erin Hashimoto-Martell, and Norton Superintendent John Baeta who presented an overview of the revised framework and answered questions from the Board.

The panelists noted that the now-named Comprehensive Health and Physical Education framework (CHPE framework) would replace the Health framework that was adopted in 1999, almost 25 years ago. They reviewed the framework review process, priorities, and anticipated next steps. They explained that the CHPE framework outlines expectations for what students should know and be able to do and includes material, such as the vision and guiding principles, designed to support effective instruction. They noted the framework encourages schools to implement educational programming and strategies that enhance students’ mental, emotional, and physical health, and recognizes the critical role of school climate and culture on student outcomes. They concluded by stating the framework provides guidance and resources rather than describing all that can or should be taught; schools and districts have discretion to determine how to implement the framework and the learning standards at the local level.

Ms. Stewart commented that the updated framework would be helpful for educators and families. She suggested adding more on the role of social media in relation to students’ health and wellbeing. Mr. Moriarty said the update is timely and suggested putting the English Language Arts framework on the review cycle. Vice-Chair Hills expressed thanks to all the people who have been involved in producing the draft CHPE framework. Chair Craven noted the framework is not curriculum, adding that while the Board sets standards and creates frameworks, curriculum is determined at the local level, and parents and others should be engaged in that process.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with Mass. General Laws Chapter 69, Sections 1D and 1E, authorizes the Commissioner to solicit public comment on the draft updated Massachusetts Comprehensive Health and Physical Education Framework.**

The vote, by roll call, was unanimous.

Chair Craven called for a break at 10:30 a.m. The meeting resumed at 10:45 a.m.

**Student Data Trend Analysis**

Chair Craven and Dr. West introduced Dr. Thomas Kane, faculty director of Harvard University’s Center for Education Policy Research. Dr. West noted Dr. Kane has conducted research on a wide range of topics including school accountability systems and teacher recruitment and retention. Dr. Kane gave a presentation analyzing student assessment trends, titled Two Steps Forward, One Step Back: Resuming Progress in Massachusetts Education Reform**.** He said there has been a lot of progress, especially between 1990-2013, and it is more significant than the current narrative recognizes. Dr. Kane offered observations on recent trends in achievement both nationally and in Massachusetts, adding that progress stalled overall about 10 years ago and losses during the pandemic increased inequality. Dr. Kane said the challenges in Massachusetts include addressing pandemic-related achievement losses. He said he is optimistic we can make further progress, for example by using various levers to promote effective educational practices.

Ms. Lombos joined the meeting at 11:20 a.m. Dr. Kane responded to questions from Board members. Chair Craven thanked Dr. Kane for his presentation.

**Proposed Technical Amendment to Student Discipline Regulations, 603 CMR 53.05**

Commissioner Riley said with the Board’s approval, DESE will solicit public comment on the proposed technical amendment to the Student Discipline Regulations, in accordance with the Administrative Procedure Act. He explained that the proposed amendment would conform the language in the regulation to the updated statutory language. The Commissioner said after reviewing the comments and making any adjustments as needed, he expects to bring the proposed amendment back to the Board for final action in September 2023.

**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 c.71, § 37H ¾, hereby authorizes the Commissioner to proceed in accordance with the Administrative Procedure Act, G.L. chapter 30A, § 3, to solicit public comment on the proposed technical amendment to the Student Discipline Regulations, 603 CMR 53.00, as presented by the Commissioner. The proposed amendment would conform the regulatory language in 603 CMR 53.05, Alternatives to Suspension under M.G.L. c. 71, § 37H¾, to the updated statutory language in M.G.L. c. 71, § 37H¾(b), as amended by Acts of 2022, c. 177, § 29.**

The vote, by roll call, was unanimous.

**Amendments to Regulations for Educator Licensure and Preparation Program Approval, 603 CMR 7.00**

Commissioner Riley stated that in April, the Board voted to solicit public comment on proposed amendments to the Educator Licensure Regulations; today he is recommending that the Board adopt the amendments with several modifications, primarily based on the public comments that DESE received. He introduced Deputy Commissioner Russell Johnston, Jamie Camacho, Director of the Office of Special Education Planning and Policy, Brian Devine, Director of Educator Licensure, and Liz Losee, Director of Educator Effectiveness Policy. Deputy Commissioner Johnston presented an overview of the changes.

**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 c. 71, § 38G, and having solicited public comment in accordance with the Administrative Procedure Act, M.G.L. c. 30A, § 3, hereby adopts the amendments to the Regulations on Educator Licensure and Preparation Program Approval, 603 CMR 7.00, as presented by the Commissioner.**

**The proposed amendments allow Initial and Professional license holders to obtain a Provisional license in certain special education fields and in English as a second language, create two new special education licenses at the PreK-2 level, allow an additional method for candidates to satisfy a licensure requirement, and create a new Provisional license for school nurses.**

The vote, by roll call, was 9-0-1. Dr. Fisher abstained from the discussion and vote, in light of her position chairing the education department at the College of the Holy Cross.

**Education Budget Update**

Senior Associate Commissioner/CFO Bill Bell updated the Board on the state budget process, noting the legislative conference committee is actively working to produce a final FY2024 recommended budget for Governor Healey’s review. He also provided an overview of federal ESSER fund spending and other federal education fund projections.

**State Student Advisory Council End-of-Year Report for 2022-2023**

Commissioner Riley said Mr. Plankey has served with distinction on the State Student Advisory Council (SSAC) and as the elected student representative on the Board. Mr. Plankey thanked the Commissioner and Board members and said it has been an honor to serve with them over the past year. He noted this was the first year the SSAC met in person since the pandemic, and they met in Worcester for better accessibility for students from western Massachusetts. Mr. Plankey said the SSAC work groups focused on three topics: student representation, financial literacy, and health and wellness, and this work resulted in a guidebook, sample curricula, presentations, and recommendations to the Board. He also reviewed activities of the five regional advisory working groups. Mr. Plankey encouraged the Board and DESE to continue engaging with students as partners through future summits and connections between and among student groups and DESE. He concluded by introducing Ela Gardiner, rising senior at Wellesley High School and 2023-2024 Board member. Chair Craven thanked Mr. Plankey on behalf of the Board.

**Annual Performance Evaluation of the Commissioner**

Vice-Chair Hills, Chair of the Performance Evaluation Committee, briefed the Board on the work of the committee, which included Chair Craven, Ms. Canavan, Mr. Moriarty, and Dr. West. Vice-Chair Hills said the committee met and based on feedback from all members, agreed on themes to emphasize in the memorandum that he has distributed. He said his two takeaways are that members saw a lot of excellent work and significant accomplishments as outlined in the memorandum, and moving forward, they would like to see a roadmap with goals tied to key outcomes, to continue and accelerate progress. Vice-Chair Hills said the process for developing the goals should be determined by the Commissioner and Chair Craven. He offered an example of a collaborative process that the Commissioner and Board could engage in for the new school year. Vice-Chair Hills said there is broad support, respect, and appreciation for the Commissioner as leader of DESE and Commissioner Riley is the right leader to move education forward.

Board members commented affirmatively. Ms. Lombos suggested a Board retreat could be a helpful step. Chair Craven said it is being scheduled.

Commissioner Riley thanked Board members for their kind words and thanked his team at DESE. He said education reform has worked, and as the data indicate, we need to move forward now from education reform to an educational renaissance. The Commissioner said he is excited that the Board is ready to entertain these discussions. Chair Craven commented that education reform brought together many stakeholders and showed it takes work and many hands to implement necessary changes. She said the Board looks forward to the work ahead with Commissioner Riley at the helm.

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

**VOTED: that the Board of Elementary and Secondary Education approves the Commissioner’s performance evaluation for 2022-23, as recommended by the Board’s committee. The Board commends Commissioner Riley and his team for significant accomplishments over the past year and looks forward to working collaboratively with the Commissioner to lead us through the aftermath of the pandemic and beyond.**

The vote, by roll call, was 9-0-1. Dr. Fisher abstained.

**Schedule for Regular Board Meetings through June 2024**

Chair Craven asked if members had any issues with the proposed Board meeting schedule for 2023-2024. With none being heard,

**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 2024, as presented by the Commissioner.**

The vote, by roll call, was unanimous.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 12:50 p.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