*****Massachusetts Department of***

***Elementary and Secondary Education***

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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:**  | June 23, 2023  |
| **Subject:** | Briefing for the June 27, 2023 Regular Meeting of the Board of Elementary and Secondary Education |

The Board of Elementary and Secondary Education will hold its **regular meeting** on **Tuesday, June 27, 2023**, at the Department of Elementary and Secondary Education in Malden. The meeting will start at **9:00 a.m.** and should adjourn by **1:00 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**

Our business agenda leads off with a presentation and initial discussion on the draft updated Comprehensive Health and Physical Education Framework. I recommend that the Board vote to invite public comment on the draft framework. Then we will hear from Dr. Thomas Kane, Professor of Education and Economics and Faculty Director of the Center for Education Policy Research at Harvard University, on his analysis of student data trends. The Board will discuss and vote on two regulations: an initial discussion and vote to invite public comment on a proposed technical amendment to one section of the regulations on student discipline, and discussion and vote on final amendments to the regulations on educator licensure. We will have an update on education budget matters. Eric Plankey will present the State Student Advisory Council’s 2022-23 end-of-year report. The Board’s Committee on the Commissioner’s Performance Evaluation, chaired by Vice-Chair Matt Hills, will present its report and recommendation to the Board for a vote. The Board will also vote on the summer delegation of authority and the schedule of regular meetings through June 2024.

**REGULAR MEETING**

**Statements from the Public**

**Comments from the Chair**

**Comments from the Secretary**

**Comments from the Commissioner**

Chair Craven, Secretary Tutwiler, and I will update the Board on current issues and activities.

**Routine Business: Approval of the Minutes of the May 23, 2023 Regular Meeting**

The Board will vote on approval of the minutes.

**ITEMS FOR DISCUSSION AND ACTION**

1. **Draft Updated Comprehensive Health and Physical Education Framework – Initial Discussion and Vote to Solicit Public Comment**

I am pleased to present to the Board the draft updated Comprehensive Health and Physical Education Framework for initial discussion. The draft is enclosed, along with a memorandum summarizing the review process and the proposed revisions to the current framework, which dates back to 1999. I recommend that the Board vote to invite public comment on the draft framework. After reviewing the comments and making further revisions as needed, I anticipate bringing the final revised standards back to the Board for a vote on adoption later this summer or fall. At our meeting on June 27, Associate Commissioner Rachelle Engler Bennett, Assistant Director of Student and Family Support Kristen McKinnon, Associate Commissioner Erin Hashimoto-Martell, a school district leader, and other members of the project team will present an overview of the revised framework and respond to questions from the Board.

1. **Student Data Trend Analysis – Presentation and Discussion**

At the June 27, 2023 meeting of the Board of Elementary and Secondary Education, Dr. Thomas

Kane, Professor of Education and Economics and Faculty Director of the Center for Education

Policy Research at Harvard University, will present highlights of his recent findings related to

progress in student achievement over time.

1. **Proposed Technical Amendment to Student Discipline Regulations, 603 CMR 53.05 – Initial Discussion and Vote to Solicit Public Comment**

I recommend that the Board vote to invite public comment on a proposed technical amendment to the regulations on student discipline. The proposed amendment would conform the language in 603 CMR 53.05, Alternatives to Suspension under M.G.L. c. 71, s. 37H-3/4, to the updated statutory language. With the Board’s approval, the Department will invite public comment on the proposed technical amendment and then bring it back to the Board in September for final action. Associate Commissioner Rachelle Engler Bennett and Legal Counsel Josh Varon will be at the meeting on June 27 to answer your questions.

1. **Amendments to Educator Licensure Regulations, 603 CMR 7.00 – Discussion and Vote**

In April, the Board voted to solicit public comment on proposed amendments to the Educator Licensure Regulations, 603 CMR 7.00. The proposals are designed to enable more educators to enter fields in which school districts report major staffing challenges, while maintaining key qualifications for educators seeking these licenses. Your materials include a memorandum outlining the changes and a summary of the comments and the Department’s responses. All comments are available upon request. I am recommending that the Board vote on June 27 to adopt the amendments with several modifications, primarily based on the public comments that the Department received. Deputy Commissioner Russell Johnston, Jamie Camacho, Director of the Office of Special Education Planning and Policy, Brian Devine, Director of Educator Licensure, Liz Losee, Director of Educator Effectiveness Policy, and Lucy Wall of our legal staff will join us for the discussion.

1. **Education Budget Update – Discussion**

The House and Senate have released their state spending recommendations for the upcoming fiscal year; the next step in the budget process is the conference committee. At our June 27 meeting, Senior Associate Commissioner/Chief Financial Officer Bill Bell will update the Board on the education budget outlook for FY24.

1. **State Student Advisory Council End-of-Year Report for 2022-2023 – Discussion**

Eric Plankey has served with distinction as the elected chair of the State Student Advisory Council and as a member of this Board. He will present the SSAC’s 2022-2023 end-of-year report.

1. **Annual Performance Evaluation of the Commissioner – Discussion and Vote**

Board Vice-Chair Matt Hills, on behalf of the Board’s Committee on the Commissioner’s Performance Evaluation, will present the committee’s report and recommend a motion on the Commissioner’s evaluation.

1. **Delegation of Authority to Commissioner to Take Necessary Action between**

**Board Meetings – Discussion and Vote**

Because we have a hiatus of almost three months until the next regular meeting of the Board, I recommend that the Board vote to authorize the Commissioner to act on your behalf in approving any matters that are not otherwise covered by the Board’s previous delegations of authority and that require action before the next regular meeting in September 2023. In previous years, the Board has voted to delegate such authority to the Commissioner. By the terms of the suggested motion, I will consult with the Board Chair and notify members in advance of any such action and report to the Board on any matters that have been so approved.

1. **Schedule for Regular Board Meetings through June 2024 – Vote**

Enclosed is the list of proposed Board meeting dates for the upcoming school year. The Board will vote on the schedule at the June 27 meeting.

**OTHER ITEMS FOR INFORMATION**

1. **Chronically Underperforming Schools: Quarter 4 Reports**

Enclosed are the FY2023 End-of-Year Reports on the chronically underperforming schools:

John P. Holland Elementary School (UP Academy Holland) and Paul A. Dever Elementary School (Dever) in Boston, and John Avery Parker Elementary School (Parker) in New Bedford.

1. **Annual Report on Non-Operating School Districts Approved by Commissioner**

By statute, towns that do not operate their own public schools (generally because the town is small and is not a member of a regional school district) must request and receive approval annually from the Board to tuition their students to public schools in other towns. In June 2009, the Board voted to delegate this approval authority to the Commissioner. Enclosed is a memorandum reporting on the approvals I have granted.

If you have questions about any agenda items, please call me. I look forward to meeting with you on June 27.