*****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:**  | September 12, 2023 *Amended September 14, 2023 to add item 7*  |
| **Subject:** | Briefing for the September 19, 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, September 19, 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, 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 the Board’s annual election of the vice-chair. The Board will discuss and vote on the updated Comprehensive Health and Physical Education Framework.

We will provide a historical overview of MCAS and the Competency Determination, and I will present a summary of results from the spring 2023 administration of the MCAS tests and this year’s accountability results for schools and districts. We will provide an update on the education budget for FY24. Chair Craven will present a recommendation on salary adjustment, following up on the Commissioner’s evaluation.

**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. Please note that the Board’s retreat/special meeting has been scheduled for November 1, 2023.

**Routine Business: Approval of the Minutes of the June 27, 2023 Regular Meeting**

The Board will vote on approval of the minutes.

**ITEMS FOR DISCUSSION AND ACTION**

1. **Election of Board Vice-Chair – Discussion and Vote**

Under the Board’s by-laws, the September meeting is the annual meeting of the Board, at which the Board elects its vice-chair. Chair Craven will call for nominations from members and then conduct the election. The vice-chair presides over meetings when the chair is not available. Details on the process are enclosed.

1. **Updated Comprehensive Health and Physical Education Framework – Discussion and Vote**

I am pleased to present the updated Comprehensive Health and Physical Education (CHPE) Framework. The enclosed memorandum summarizes the revisions made to the draft CHPE Framework based on comments received during the public comment period that the Board initiated on June 27. The revised 2023 CHPE Framework would replace the current framework, which dates back to 1999. Along with the memorandum, your materials include a summary of the public comments received (approximately 5,400) and the Department’s responses, as well as the revised draft framework showing the changes that have been made. I recommend that the Board vote to approve the revised 2023 CHPE Framework. At the meeting on September 19, Associate Commissioner Rachelle Engler Bennett, Assistant Director of Student and Family Support Kristen McKinnon, and Associate Commissioner Erin Hashimoto-Martell will present an overview of the revised framework and respond to your questions.

**3. Historical Overview of MCAS and the Competency Determination – Discussion**

Rob Curtin, Chief Officer for Data, Assessment, and Accountability, and I will present a historical overview of the MCAS, including how the assessment has evolved since its origination in the 1993 Massachusetts Education Reform Act and how it has aided in understanding the achievement of students. Board Vice-Chair Matt Hills will present on MCAS in relation to the Competency Determination.

1. **2023 State Assessment and Accountability Results – Discussion**

Rob Curtin and I will present a summary of results from the spring 2023 administration of the MCAS tests in English language arts, mathematics, and science and technology/engineering, as well as this year’s accountability results for schools and districts. The Department will be releasing the assessment and accountability results to the public on September 19.

1. **Education Budget Update – Discussion**

Senior Associate Commissioner/Chief Financial Officer Bill Bell will update the Board on the education budget for FY24. The enclosed memorandum summarizes the education-related provisions of the FY24 state budget (General Appropriations Act), which the Governor signed into law on August 9. Also enclosed is our budget tracking spreadsheet, showing details for all Department appropriations.

1. **Follow-up on Commissioner’s Evaluation – Discussion and Vote**

Following up on the Board’s June 27 vote on the Commissioner’s evaluation, Chair Craven is presenting a recommendation on salary adjustment for the Board’s consideration and vote, as outlined in the enclosed memorandum.

1. **Technical Amendment to Student Discipline Regulations, 603 CMR 53.05 – Discussion and Vote**

In June, the Board voted to solicit public comment on a proposed technical amendment to the Student Discipline Regulations, 603 CMR 53.05, to conform the regulatory language to the updated statutory language. Based on the public comment, the Department has made three minor changes to the proposed technical amendment. Your materials include a memorandum and a summary of the public comment and the Department’s responses. All comments are available upon request. I recommend that the Board vote to adopt the technical amendment as presented. Associate Commissioner Rachelle Engler Bennett and Legal Counsel Josh Varon will be at the Board meeting to answer your questions.

**OTHER ITEMS FOR INFORMATION**

**8. Report on Grants Approved by the Commissioner**

Enclosed is information on grants I have approved since the June meeting under the authority the Board has delegated to the Commissioner.

**9. Commonwealth of Massachusetts Virtual Schools Activities for 2023–2024**

Between now and June 2024, the Board may take several votes related to its statutory role as an authorizer of Commonwealth of Massachusetts virtual schools. This informational memorandum summarizes the statutory framework for virtual schools and the Board's responsibilities.

1. **Charter School Authorizing Activities for 2023–2024**

Between now and June 2024, the Board will take several votes related to its statutory role as a charter school authorizer. The enclosed memorandum summarizes the statutory framework for charter schools and the Board's responsibilities as the state's sole charter school authorizer and provides a schedule of charter items for the year.

1. **Notification of Commissioner Approval of Loans Beyond Charter Duration**

Under the charter school statute, a charter school may incur temporary debt in anticipation of receipt of funds. The charter school must receive Board approval if it wishes to agree to a term of repayment that exceeds the duration of the school’s charter. In 2008, the Board voted to delegate to the Commissioner the authority to approve such requests. The enclosed memorandum informs the Board of approvals granted to six charter schools within the past twelve months. These approvals impose no liability on the Commonwealth, the Board, or the Department, nor do they reflect either the accountability status or the potential outcome regarding charter renewal for these charter schools.

If you have questions about any agenda items, please call me. I look forward to meeting with you on September 19.