# Minutes of the Regular Meeting

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

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

**135 Santilli Highway, Everett, MA 02149
Tuesday, February 27, 2024, 9:10 a.m. – 12:20 p.m.**

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

**Katherine Craven**,Chair,Brookline

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

**Ericka Fisher,** Worcester

**Ela Gardiner,** Wellesley, Student Member

**Farzana Mohamed,** Newton (participated remotely)

**Michael Moriarty,** Holyoke

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

**Dálida Rocha,** Worcester

**Paymon Rouhanifard**, Brookline (participated remotely)

**Martin West,** Newton

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

**Mary Ann Stewart,** Lexington

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

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Chair Craven called the meeting to order at 9:10 a.m., and members introduced themselves. She noted that Member Mohamed and Member Rouhanifard are participating remotely and all votes would be taken by roll call. Chair Craven announced that today’s Board of Elementary and Secondary Education (Board/BESE) meeting, like all regular meetings of the Board, is being [livestreamed and recorded](https://livestream.com/accounts/22459134).

**Statements from the Public**

* **Keri Rodrigues,** National Parents Union, addressed the Board on Brockton High School
* **Sana Fadel,** Newton, addressed the Board on anti-Palestinian racism in schools and rejecting the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism
* **Faiza Khan,** Brookline, addressed the Board on broadening perspectives on antisemitism and Islamophobia and rejecting the IHRA definition of antisemitism
* **Nora Lester Murad,** Newton, addressed the Board on bullying in schools and rejecting the IHRA definition of antisemitism
* **Max Page,** president, Massachusetts Teachers Association, addressed the Board on the FY 25 state education budget
* **Sonya Pratt,** executive director, City on a Hill Charter School, addressed the Board regarding City on a Hill Charter School
* **Sybille Delice and Presley Simelus,** students at Prospect Hill Academy, addressed the Board regarding Prospect Hill Academy’s charter amendment request
* **Matthew Crowley,** superintendent of Woburn Public Schools, addressed the Board on the Charter School agenda items
* **Tim Nicolette,** executive director, Massachusetts Charter Public School Association,addressed the Board on the Charter School agenda items
* **Emma Urena,** student at Community Charter School of Cambridge, addressed the Board on the Charter School agenda items
* **Kendra Foley,** Watertown School Committee chair, addressed the Board on the Prospect Hill Academy Charter School agenda item

**Comments from the Chair**

Chair Craven noted this is Commissioner Riley’s last Board meeting as he will be stepping down from the commissionership on March 15, 2024. She commended Commissioner Riley for his leadership during a time of historic change, including the challenges of the pandemic. Chair Craven said Commissioner Riley always prioritized children and was able to get students safely back to school during unprecedented times. She noted his leadership in promoting high-quality instructional materials, educator diversification, state standards, school nutrition, early college, and evidence-based reading instruction. Chair Craven offered thanks on behalf of the Board and presented Commissioner Riley with a recognition plaque.

**Comments from the Secretary**

Secretary Tutwiler commended the talented educators of the Commonwealth and lauded Beth Kontos, Tom Scott, and Daniel Warwick who are being honored at today’s meeting. The Secretary said he has learned from them and they have made lasting contributions to education.

The Secretary acknowledged Commissioner Riley’s “students first” leadership, which he said he has admired over the past ten years, from his innovative work in Lawrence to the innovative work he has led at DESE. Secretary Tutwiler said Commissioner Riley has a clear and passionate focus on creating pathways for all students to realize their dreams, particularly those whose voice and experience have been marginalized. The Secretary said as superintendent of schools in Lynn, he deeply appreciated Commissioner Riley’s leadership during the pandemic. Secretary Tutwiler said Commissioner Riley has put the Commonwealth on a path for more equitable outcomes and the Commonwealth owes Jeff Riley a great debt of gratitude.

**Comments from the Commissioner**

Commissioner Riley announced that the Attorney General’s office in partnership with DESE, the MA Interscholastic Athletic Assn., the MA Assn. of School Superintendents, and the MA School Administrators Assn. will offer eight free regional trainings through this spring for district and athletic leaders as part of the next phase of the initiative to prevent and address hate in school sports. He noted this initiative was started by then-Attorney General and now-Governor Maura Healey and is being carried forward by Attorney General Andrea Campbell.

Regarding FASFA, the Commissioner said there have been numerous glitches with the new federal FASFA system for students, families, and schools. He said DESE is working with the Dept. of Higher Education and other partners to provide help. Commissioner Riley added it is worth it for families to complete the FASFA, especially now in Massachusetts where there is more financial aid than ever, especially for low-income students seeking further education.

In regard to Brockton, the Commissioner said in September 2023 the district announced a significant deficit in its budget. Mayor Sullivan appointed Dr. Jim Cobbs as Acting Superintendent and DESE began providing additional support to the district. Commissioner Riley said DESE retained a third-party vendor, Open Architects, to provide operational and fiscal management support. In January 2024 the Department also arranged for and is funding a safety and operations audit of Brockton High School and the results of that audit will be forthcoming.

Chair Craven called for a motion and vote to approve meeting minutes.

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

**VOTED:**  **that the Board of Elementary and Secondary Education approve the minutes of the January 23, 2024 Regular Meeting.**

The vote, by roll call, was unanimous.

**School Counselor of the Year**

Commissioner Riley introduced Colin Moge of West Springfield High School, who was selected as the 2024 School Counselor of the Year by the Massachusetts School Counselor Association (MASCA). He was joined by Bob Bardwell, Executive Director of MASCA, and Nyal Fuentes from DESE’s Office of College, Career, and Technical Education. Mr. Fuentes thanked all school counselors across the Commonwealth who support our students.

Bob Bardwell thanked Secretary Tutwiler, Commissioner Riley, and the Board. He said the 2600 school counselors in Massachusetts address many issues including students’ mental health and wellness, chronic absenteeism, bullying, and planning for life after high school, and there is significant demand for counseling services. He introduced Colin Moge, the 2024 School Counselor of the Year. He said Mr. Moge goes above and beyond for each and every student, creating a positive ripple effect throughout West Springfield High School and fostering healthier students and strong critical thinkers.

Colin Moge extended his sincere gratitude to the Board, Bob Bardwell and MASCA, his colleagues, friends, and students. He described his personal experiences, both positive and negative, that led him to realize he could channel his experience and energy as a force for good for students. He spoke about a partnership program that provides students and families in West Springfield with essential items for everyday use, and the Renaissance Program, which recognizes students’ academic excellence, good attendance, and behavior, and promotes service learning. Mr. Moge discussed the need for more counselors and how they address challenges to help build strong pathways for students. He thanked MASCA and the Board for the opportunity to share his story.

Board members offered appreciation and congratulations to Mr. Moge. He and Mr. Bardwell responded to questions from members. The Board and Commissioner paused for a photo with Mr. Moge. Chair Craven thanked Mr. Moge and Mr. Bardwell for their presentation.

**Lifetime Achievement Awards**

Commissioner Riley introduced the three honorees.

**Beth Kontos**, President of the American Federation of Teachers–Massachusetts, was first elected to the position in 2018, after serving as a Vice President from 2014-2018. She became a history teacher in 2004, and after a year at Lynn Classical High School spent 14 years at Salem High School where she taught US History, Street Law, and American Government and co-taught ELA and History to recent immigrant students. She has a bachelor’s degree in history and Spanish and a master’s in history from Salem State University. Commissioner Riley said Ms. Kontos has been a tremendous resource and support in the schools of Massachusetts, thanked her for her service, and presented her with a plaque.

Ms. Kontos said she is honored to receive this recognition and feels fortunate to have had such an enriching career. She said being a teacher is an honor and spoke of the joy of watching her students along with her own children grow into amazing adults. She said in her retirement she will continue advocating for fair compensation, benefits, and FMLA for educators, and fair funding for schools to enhance learning environments for students. She wished Commissioner Riley the best in his next phase. The Board and Commissioner paused for a photo opportunity.

**Tom Scott,** outgoing Executive Director of the Massachusetts Association of School Superintendents, has served at MASS since 2003 and been an educator for over 50 years. He served in the Concord Public Schools and the Concord Carlisle Regional School District for 29 years as a teacher, guidance counselor, principal, and superintendent between 1969-1998. He was Executive Director of the EDCO Collaborative from 1998-2003, overseeing educational services for 24 districts. Commissioner Riley said Mr. Scott has done amazing work on behalf of the students and superintendents of the Commonwealth, thanked him for his service, and presented him with a plaque.

Mr. Scott thanked everyone for the honor and said he wanted to recognize Commissioner Riley for honoring four educators today, as the Commissioner is a man with great humility who always puts others in front to be recognized. He said Commissioner Riley brought us through the most challenging time during the pandemic and made himself available 24/7, adding that no other state provided that level of accessibility, and he thanked the Commissioner. Mr. Scott said we now need to work collectively to define education for the future, adding he has participated in drafting a bill that calls for a commission to study pre- and post-pandemic issues and where we go from here. He concluded by stating that turnover of superintendents and other school and district staff and leadership is significant and needs continued attention. He thanked the Board for their work and for this recognition. The Board and Commissioner paused for a photo opportunity.

**Daniel Warwick**, Superintendent of Springfield Public Schools, has a career spanning almost 48 years, the last 12 as superintendent. He earned regional and national distinction as a teacher of general education and special education, as principal of a school that won the National Blue Ribbon award under his leadership, and as a superintendent who leads with a collaborative and data driven approach. Most recently, the MA Assn. of School Superintendents (MASS) honored him with its 2023 Presidents Award in recognition of his leadership style, strategic use of state and local resources, and the record-setting improvements in the district’s graduation and dropout rates under his leadership. Commissioner Riley said Supt. Warwick has done outstanding work, thanked him for his service, and presented him with a plaque.

Supt. Warwick said he appreciated receiving this recognition. He recognized Commissioner Riley for his outstanding work in Boston, Lawrence, and across the Commonwealth in the most challenging of times. He also acknowledged his colleague Tom Scott of MASS and Board Chair Katherine Craven and her prior role at the MSBA supporting great improvements in school buildings. He said being an educator is a noble endeavor and credited the staff in Springfield for the great strides the district has made. He said he will always be a cheerleader for Springfield Public Schools. The Board and Commissioner paused for a photo opportunity.

Chair Craven thanked and congratulated the honorees for their leadership in education.

**Charter Schools: Voluntary Return of Charter for City on a Hill Charter Public School and Amendment Request Regarding Grade Span**

Commissioner Riley said he is recommending that the Board vote on two matters relating to the decision by City on a Hill Charter Public School to close as of July 1, 2025. The school’s enrollment has declined over the past four years and it has not made progress on probationary conditions that require the school to demonstrate improvement in academic achievement. City on a Hill plans to operate for the rest of the current school year, and next school year will only serve grades 11 and 12 for those students who wish to complete a junior or senior year at the school. Deputy Commissioner Regina Robinson and Alison Bagg, Alyssa Hopkins, and Brenton Stewart from DESE’s Office of Charter Schools and School Redesign were present to answer questions.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89; General Laws chapter 30A, section 13; and 603 CMR 1.00, hereby accepts the voluntary return of the charter granted to the City on a Hill Charter Public School effective July 1, 2025.**

**The Board of Trustees of City on a Hill Charter Public School shall comply with all procedures and timelines established by the Commissioner to effectuate the return of the school’s charter, transfer of students into other schools, and an orderly closure of the City on a Hill Charter Public School.**

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, in accordance with**

**General Laws chapter 71, section 89, and 603 CMR 1.00, hereby amends the**

**charter granted to the following school, as presented by the Commissioner:**

**City on a Hill Charter Public School (grades served changed**

**from 9-12 to 11-12)**

**Location: Boston**

**Districts in Region: NA**

**Maximum Enrollment: 350**

**Grades Served: 11-12**

**Effective: FY2025**

**City on a Hill Charter Public School shall be operated in accordance with the**

**provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other**

**applicable state and federal laws and regulations and such conditions as the**

**Commissioner or the Board of Elementary and Secondary Education may from**

**time to time establish, all of which shall be deemed conditions of the charter. City**

**on a Hill Charter Public School shall remain on probation and subject to the terms**

**and conditions previously imposed.**

The vote, by roll call, was unanimous.

**Charter Schools: Amendments to Grade Span (Boston Green Academy Horace Mann Charter School), Charter Region (Community Charter School of Cambridge and Prospect Hill Academy Charter School), and Consolidation of Charters (Hampden Charter School of Science East and Hampden Charter School of Science West; and UP Academy Charter School of Boston and UP Academy Charter School of Dorchester) – Discussion and Vote**

Commissioner Riley presented, for Board approval, amendment requests submitted by three charter schools and two networks of charter schools. Alison Bagg, Director of DESE’s Office of Charter Schools and School Redesign, responded to questions from members. Following the discussion, the Board took a vote covering all five of the recommended amendment requests, as follows.

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

**VOTED: to approve the amendments to grade span (Boston Green Academy Horace Mann Charter School), charter region (Community Charter School of Cambridge and Prospect Hill Charter School), and consolidation of charters (Hampden Charter School of Science East and Hampden Charter School of Science West; and UP Academy Charter School of Boston and UP Academy Charter School of Dorchester), as recommended by the Commissioner.**

The vote, by roll call, was 9 in favor (Craven, Fisher, Gardiner, Hills, Mohamed, Moriarty, Rouhanifard, Tutwiler, and West) and 1 opposed (Rocha).

***The text of each charter amendment so voted is as follows.***

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby amends the charter granted to the following school, as presented by the Commissioner:**

**Boston Green Academy Horace Mann Charter School**

**(grades served changed from 6-12 to 7-12)**

**Location: Boston**

**Maximum Enrollment: 595**

**Grades Served:  7-12**

**Effective:  FY2025**

**Boston Green Academy Horace Mann Charter School shall be operated in accordance with the provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other applicable state and federal laws and regulations and such conditions as the Commissioner or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the charter.**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby amends the charter granted to the following school, as presented by the Commissioner:**

**Community Charter School of Cambridge**

**(regional school with Cambridge, Chelsea, Everett, and Revere in region)**

**Location: Cambridge**

**Districts in Region: Cambridge, Chelsea, Everett, and Revere**

**Maximum Enrollment: 420**

**Grades Served:  6-12**

**Effective:  FY2025**

**Community Charter School of Cambridge shall be operated in accordance with the provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other applicable state and federal laws and regulations and such conditions as the Commissioner or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the charter.**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby amends the charter granted to the following school, as presented by the Commissioner:**

**Prospect Hill Academy Charter School**

**(add Revere, Waltham, Watertown, and Woburn to region)**

**Location: Cambridge, Somerville**

**Districts in Region: Cambridge, Somerville, Revere, Waltham, Watertown, and Woburn**

**Maximum Enrollment: 1,200**

**Grades Served:  PK-12**

**Effective:  FY2025**

**Prospect Hill Academy Charter School shall be operated in accordance with the provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other applicable state and federal laws and regulations and such conditions as the Commissioner or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the charter.**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby consolidates the charters of Hampden Charter School of Science East and Hampden Charter School of Science West, as presented by the Commissioner:**

**Hampden Charter School of Science (consolidation)**

**Location: Chicopee and West Springfield**

**Districts in Region: Agawam, Chicopee, Holyoke, Ludlow, Springfield, Westfield, and West Springfield**

**Maximum Enrollment: 1,148**

**Grades Served:  6-12**

**Effective:  FY2025**

**Hampden Charter School of Science shall be operated in accordance with the provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other applicable state and federal laws and regulations and such conditions as the Commissioner or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the charter.**

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby consolidates the charters of UP Academy Charter School of Boston and UP Academy Charter School of Dorchester, as presented by the Commissioner:**

**UP Academy Charter School of Dorchester (consolidation)**

**Location: Boston**

**Maximum Enrollment: 750**

**Grades Served:  PK-8**

**Effective:  FY2025**

**UP Academy Charter School of Dorchester shall be operated in accordance with the provisions of General Laws chapter 71, section 89; 603 CMR 1.00; and all other applicable state and federal laws and regulations and such conditions as the Commissioner or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the charter.**

**Education Budget Update: Governor’s FY 25 House 2 Budget Proposal**

Senior Associate Commissioner/CFO Bill Bell updated the Board on the education budget. He noted that Governor Healey released her FY25 budget proposal last month and the Secretary and Commissioner participated in the Ways and Means Committee hearing in Greenfield on March 1. Mr. Bell said the administration continues its strong support for K-12 education, including increases for Chapter 70 as called for by the Student Opportunity Act. He said a highlight of the FY25 education budget proposal is the new multi-year Literacy Launch initiative. Mr. Bell also gave a brief update on federal ESSER funds and responded to questions from members.

**Transition and Appointment of Acting Commissioner**

Commissioner Riley said it has been a privilege to serve as Commissioner and work with the Board over the past six years and he is proud of what DESE has accomplished in collaboration with our partners, including universal school meals, a focus on early literacy, post-pandemic recovery for our students, the educator diversity initiative, the IEP improvement project, expansion of early college and career technical education pathways, and adoption of the updated Comprehensive Health and Physical Education framework, which is needed now more than ever. Commissioner Riley thanked stakeholders who have engaged with state education policy, including several individuals who regularly attend Board meetings.

Board members offered their appreciation to Commissioner Riley. Member Moriarty said he will always be grateful to the Commissioner for creating the Mass Literacy initiative, which jump-started vital work to strengthen early literacy in the Commonwealth. Member Gardiner, on behalf of the students of the Commonwealth, thanked the Commissioner for leading the way through the pandemic, getting students back in school, and promoting critical thinking and civic engagement. Vice-Chair Hills commented that of Jeff Riley’s many accomplishments, what stands out for him was his relentless push in 2020-2021 to get students and educators back into school. Chair Craven commended Jeff Riley’s work in the Lawrence Public Schools and the personal commitment he has brought to his career in education. Member Mohamed thanked Commissioner Riley for the passion he brings for students.

Commissioner Riley said he would be stepping down as of March 15, 2024 and recommended that Deputy Commissioner Russell Johnston, who is a “warrior” at DESE, a good friend, and a man of great integrity, should serve as Acting Commissioner.

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

**VOTED:**  **that the** **Board of Elementary and Secondary Education recommends the appointment of Russell Johnston as Acting Commissioner at an annual salary rate of $246,636 and requests that the Secretary of Education approve said appointment, effective March 16, 2024, pursuant to General Laws c. 15, § 1F.**

The vote, by roll call, was unanimous.

Russell Johnston thanked Commissioner Riley, the Board, and DESE staff. He said he will carry forward his deep commitment to the students of Massachusetts that we have the privilege to serve.

**Executive Session**

Chair Craven said as is stated in the posted agenda, this meeting includes an executive session to discuss strategy with respect to litigation. She recommended that the Board vote to go into executive session, in accordance with Mass. General Laws chapter 30A, section 21(a), paragraph 3. Chair Craven explained that the purpose of the executive session is to discuss strategy with respect to litigation in pending matters involving the Board, as discussion of these matters in open session may have a detrimental effect on the litigating position of the Board.

Chair Craven said as is stated in the meeting notice, the pending matters for the executive session are Open Meeting Law complaints filed on or about January 23, 25, 30, and February 18 and 20, 2024, for review per 940 CMR 29.05(5). Chair Craven called for a motion and said a roll call vote would be taken, as the law requires.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with G.L. chapter 30A, section 21(a), will enter into executive session to discuss strategy with respect to litigation in pending matters involving the Board – Open Meeting Law complaints filed on or about January 23, 25, 30, and February 18 and 20, 2024 – consistent with G.L. chapter 30A, section 21(a), paragraph 3, as discussion of these matters in open session may have a detrimental effect on the litigating position of the Board.**

The vote, by roll call, vote was unanimous.

Chair Craven said a majority of Board members having voted in the affirmative, the Board would now go into executive session to discuss strategy with respect to litigation in pending matters. She stated that the Board would not return to open session following the executive session. At 11:40 a.m., the livestream concluded, and Board members moved to the designated room for the executive session.

Mr. Rouhanifard left the meeting at 11:40 a.m.

**Executive Session**

In the executive session, which started at 11:50 a.m., General Counsel Rhoda Schneider introduced Deputy General Counsel Deborah Steenland, who briefed the Board on the pending litigation matters listed in the meeting notice, reviewed the allegations in the complaints in accord with 940 CMR 29.05(5), and responded to questions from members. The Board discussed and agreed upon a response.

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

**VOTED: that the Board of Elementary and Secondary Education authorizes its legal counsel to respond to the Open Meeting Law complaints on behalf of the Board.**

The vote, by roll call, was unanimous.

There being no further business, Chair Craven thanked legal counsel for the briefing and thanked Board members for attending the meeting. She asked for a motion to adjourn the meeting.

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

**VOTED: that the Board of Elementary and Secondary Education adjourns the meeting at 12:20 p.m., subject to the call of the Chair.**

The vote, by roll call, was unanimous.

Respectfully submitted,

Russell D. Johnston

Acting Commissioner of Elementary and Secondary Education

and Secretary to the Board