MEMORANDUM

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| **To:** | Members of the Board of Elementary and Secondary Education |
| **From:** | Patrick Tutwiler, Interim Commissioner |
| **Date:** | May 13, 2025 |
| **Subject:** | Competency Determination: Amendments to Regulations on MCAS and Competency Determination, 603 CMR 30.00 (Addressing Changes in Statute), for Final Adoption |

In February 2025, the Board of Elementary and Secondary Education (Board) voted to solicit public comments on proposed amendments to the Regulations on MCAS and Competency Determination (603 CMR 30.00). The Department of Elementary and Secondary Education (Department) invited public comment on the proposed regulatory changes from February 26 through April 4, 2025. As discussed below, based upon the comments received, I am recommending two additional changes to the regulations. Enclosed with this memorandum are the amended regulations, 603 CMR 30.00, for final adoption.

**Background**

The February 25, 2025 proposed amendments to the regulations address changes in the competency determination statute and are designed to focus on student learning and promote academic equity for all students. Key provisions in the proposed amendments that went out for public comment include the following:

1. Align the regulations to the new statutory language.

Under the current regulations, a student earns the competency determination by achieving a qualifying score on MCAS assessments. In the amended regulations, these obsolete provisions are deleted.

1. Define terms to provide clarity.

The new law introduces terms such as “showing mastery” and “satisfactorily completing coursework.” The amended regulations define these terms and others for clarity and consistency.

1. Specify minimum requirements to earn the competency determination.

The amended regulations incorporate the requirement in the new law that students show mastery of a common core of skills, competencies and knowledge in certain areas **and** also satisfactorily complete coursework in certain areas. Additionally, the amended regulations specify how students meet the requirement to satisfactorily complete coursework, as follows:

For English language arts, the student must: (i) satisfactorily complete coursework in the equivalent of two years of high school English language arts courses.

For mathematics, the student must: (i) satisfactorily complete coursework in Algebra I and Geometry courses; or (ii) satisfactorily complete coursework in Integrated Math I and Integrated Math II courses.

For science, the student must: (i) satisfactorily complete coursework in one year of Biology; or (ii) satisfactorily complete coursework in one year of Physics; or (iii) satisfactorily complete coursework in one year of Chemistry; or (iv) satisfactorily complete coursework in one year of a Technology or Engineering course.

1. Add “an additional area determined by the Board”

The new law authorizes the Board to add areas to the competency determination, including history/social science and world languages. The amended regulations add United States history to the areas included in the competency determination, beginning with the graduating class of 2027.

1. Offer options to address students’ needs

Some students who enroll in high school may not have a traditional transcript of their prior courses and grades. For example, some students may have been previously homeschooled or may have arrived from another state or country. The amended regulations provide that in these limited circumstances, where a district is unable to document a student’s prior coursework, the student may earn the competency determination by attaining a qualifying score of at least “Meeting Expectations” or “Exceeding Expectations” achievement levels on the relevant high school MCAS assessment. The student may also earn the competency determination by meeting the standard for a substituted equivalent that the district certifies satisfies the same academic standards. The amended regulations also include a provision that allows the Commissioner to waive a provision of the regulations for good cause, upon a written request from a district.

1. Provide oversight

The amended regulations specify that districts must adopt a competency determination policy, which must be approved by the district’s governing body. Additionally, districts must post the policies on their websites and submit the policies, as well as their local graduation requirements, to the Department. Districts are required to certify to the Department that they have complied with these provisions. The amended regulations also specify that the Department will audit the quality of districts’ competency determination policies.

**Summary of Public Comment**

During the public comment period, the Department received a total of 26 comments via email and 146 comments through a dedicated public comment survey tool.

Among the 146 comments submitted through the survey tool, 26 came from individuals representing their school, district, or organization, while 120 were submitted by individuals on their own behalf. A summary of the public comment and the Department’s responses is enclosed.

**Response to Public Comment**

Based on the public comment received, I am recommending two additional changes to the regulations proposed at the February 25, 2025 Board meeting.

First, the proposed regulation, 603 CMR 30.03, stated that students must satisfactorily complete coursework in certain courses in one year. To address the concern that some courses may cover the required material over a longer period, we have clarified that students must satisfactorily complete coursework in “the equivalent of one year” of the required course.

Second, we received comment noting that the regulations currently include a section (30.07) on the rights of students with disabilities and requesting that we add a similar provision relating to English learners. To address that concern, we have added parallel language to section 30.07 for English learners.

In addition to requesting public comment on the proposed changes to the regulations, we also invited public comment on the following question:

In addition to the pathway proposed in the amendments to the regulations, the Department of Elementary and Secondary Education is seeking public comment on the question of whether to include a second, alternate pathway for earning the competency determination. The second pathway would be an additional route available to all students. It would be based on earning a qualifying score on the relevant high school MCAS assessment, which high school students are required to take.

We are not recommending any further changes to the regulations based on the response to this question because a broad and comprehensive use of MCAS as a pathway to earning the competency determination is less consistent with the intent of the new statutory language than the approach in the proposed regulations.

At the May 20, 2025 Board meeting, Rob Curtin, Chief Officer for Data, Assessment, and Accountability, will present a summary of the public comment as well as the additional proposed changes to the regulations.

Attached are four documents: the February 19, 2025 memorandum from Acting Commissioner Johnston outlining the proposed revisions to 603 CMR 30.00; a summary of public comment received and the Department’s response; the proposed final regulations; and a motion to adopt the regulations. All comments, with personal data redacted as required, are available upon request.

Attachments:

* February 19, 2025 memorandum
* Summary of Public Comment
* Proposed Final Regulations
* Motion 603 CMR 30.00