Minutes of the Regular Meeting

**of the Massachusetts Board of Education**

**February 26, 2008**

**9:10 a.m. – 1:10 p.m.**

**Lilla G. Frederick Pilot Middle School**

**270 Columbia Road**

**Dorchester, MA**

Members of the Board of Education Present:

**Paul Reville**, Chairman, Worcester

**Ann J. Reale**, Vice Chair, Commissioner of Early Education and Care, Boston

**Christopher R. Anderson**, Westford

**Harneen Chernow**, Jamaica Plain

**Thomas E. Fortmann**, Lexington

**Ruth Kaplan**, Brookline

**Clantha McCurdy** (for Patricia Plummer, Chancellor of Higher Education)

**Sandra L. Stotsky**, Brookline

**Zachary Tsetsos**, Chair, Student Advisory Council, Oxford

**Jeffrey Nellhaus**, Acting Commissioner of Education, Secretary to the Board

Chairman Paul Reville called the meeting to order at 9:10 a.m.

**Comments from the Chairman**

Chairman Paul Reville introduced Boston Superintendent Carol Johnson and Frederick Middle School Principal Debra Socia. Principal Socia welcomed Board members to Frederick Middle School, a five-year old school with 650 children in grades 6-8. Principal Socia described the school’s 1-1 laptop program that provides every student with a Mac Book for use throughout the entire school day. Principal Socia said that technology had changed teaching and learning in the school.

Dr. Johnson thanked the Board for visiting Frederick Middle School. She noted that on a recent Saturday morning visit to the school, she observed parents learning how to use the technology. Dr. Johnson outlined the agenda she has set for the Boston Public Schools, centered on three issues: (1) the core business of supporting the academic achievement of students and closing existing achievement gaps; (2) broadening the definition of excellence to encompass exemplary practice; and (3) focusing on non-academic areas, such as leadership and the social, emotional, and mental health development of children. The superintendent said that equity and excellence must be tied together, schools should engage families in their children’s education, and she is working to make the district more efficient operationally.

Chairman Reville said the Board was pleased to be at the Frederick Middle School, and that he was impressed with the laptop program. He noted that the way Dr. Johnson articulated the district’s agenda is wholly consistent with what the Board envisions. Dr. Johnson said she is energized by the opportunity to extend learning time, and she believes that arts and music should be part of a core curriculum. Board member Ruth Kaplan requested that the Board have the opportunity to engage in a dialogue with Dr. Johnson in the future. The chairman agreed that there would be both formal and informal ways to accomplish that.

The chairman announced that an agreement with Commissioner-Elect Mitchell Chester had been reached and would be voted on today. Dr. Chester will start on May 19th. Chairman Reville said the Board and the Department were blessed to have Jeff Nellhaus serving as Acting Commissioner, and that the Acting Commissioner and Dr. Chester have a good working relationship.

The chairman directed Board members to his testimony on governance changes, which was included in the Information section of the Board packet. He said the reorganization legislation would not affect the role, power, and authority of the Board, which will have four new members: three appointees plus the secretary of education, for a total of 11 members. The chairman said that he and the Board regret losing the participation of Chancellor of Early Education and Care Ann Reale and Board of Higher Education Chair Patricia Plummer, and he thanked them for their service on the Board.

Chairman Reville said changes to the Board would result in a larger and more responsive Board, the sharing of budgetary authority with the executive branch, and a role for the new secretary of education in the approval or veto of future appointment of a commissioner. He emphasized that the Commissioner would still work directly for this Board. The chairman said that the set of changes, if led properly, would lead to closer collaboration and a more coherent system for preK-16 and beyond.

The chairman also directed the Board to a copy of the executive summary of *Tough Choices or Tough Times*, included in the Board packet this month. Massachusetts was singled out in the report, and the report’s author, the National Center on Education and the Economy (NCEE), is likely to continue to get Massachusetts involved in its work in the future.

**Comments from the Acting Commissioner**

Acting Commissioner Nellhaus said he is looking forward to Dr. Chester coming on board. The acting commissioner said that he and Board of Higher Education Chancellor Patricia Plummer have been working with stakeholder groups to build the College and Career Portal. The portal will assist students and families in applying to college and for financial aid online. The Acting Commissioner said that the Massachusetts Educational Financing Authority (MEFA) will develop and house the portal, which is expected to be up and running next fall.

The Acting Commissioner provided updates on the Department’s continuing work with six Commonwealth Priority Schools, his budget testimony to the Senate and House Ways and Means Committees, and the initiative to review and update the Mathematics Curriculum Framework.

**Comments from the Public**

* Basan Nembirkow, superintendent of schools in Brockton, addressed the Board on the proposed International Charter School of Southeastern Massachusetts.
* Joyce Plotkin, president of the Massachusetts Technology Leadership Council, and Isa Zimmerman, senior fellow for the PK-16 STEM Initiative in the Office of the President of the University of Massachusetts, addressed the Board on the Massachusetts Technology Literacy Standards.
* Marc Kenen, executive director of the Massachusetts Charter Public School Association, addressed the Board on charter schools.
* Aminah Pilgrim and Faelton Perkins addressed the Board on the proposed International Charter School of Southeastern Massachusetts.
* Stanley Pollack, executive director of the Center for Teen Empowerment, Sabil Covil, and Natasha Rodriguez addressed the Board on MCAS.
* Kathy Skinner of the Massachusetts Teachers Association addressed the Board on the Massachusetts Teaching, Learning and Leading Survey (MassTeLLS).
* Susan Freedman, president of *Teachers*21, and Jon Saphier, founder and chairman emeritus of *Teachers*21, addressed the Board on proposed legislation, “An Act Relative to Educator Excellence.”

**Approval of the Minutes**

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

**VOTED: that the Board of Education approve the minutes of the January 22, 2008 regular meeting and the January 17, 2008 special meeting.**

The vote was unanimous.

**Commissioner’s Salary**

The Board voted to set the salary for Commissioner of Education Mitchell Chester at an annual rate of $206,000, effective May 19, 2008, and to endorse the terms and conditions set forth in the chairman’s draft letter to Dr. Chester.

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

VOTED: that the Board of Education, in accordance with Mass. Gen. Laws c. 15, § 1F, set the salary for Mitchell Dan Chester as Commissioner of Education at an annual rate of $206,000, effective May 19, 2008, and endorse the terms and conditions as set forth in the Chairman’s draft letter to Dr. Chester.

The vote was unanimous.

**Randolph**

Acting Commissioner Nellhaus described the leadership review process that the Department arranged in response to the Board’s vote to declare the Randolph School District to be an under-performing school district at its November 27, 2007 regular meeting. A team of three educational consultants reviewed data and documents and conducted interviews with school, municipal, and community stakeholders. The acting commissioner said the main conclusion of the District Leadership Evaluation Report was that the school department, school committee, and municipal leaders in Randolph must work together in a respectful manner to bring the entire community together.

The acting commissioner recommended that the Board defer action on the question of chronic underperformance for 120 days to allow district leaders, School Committee members and the Board of Selectmen to prepare a focused Turnaround Plan to guide next steps. The plan must have the demonstrated support of all the parties and must be submitted to the Department no later than May 30, 2008. The acting commissioner will appoint a District Support Team of 3-5 individuals to assist the parties in their efforts to define priority actions to be taken over the next 24 months and to assist in the community-wide, consensus-building effort. At the June 2008 Board meeting, representatives from Randolph will present the Turnaround Plan. If the Plan is viable and indicates unified commitment of the community, the Board may approve it. If not, the Board may decide to place the Randolph School District in receivership.

Associate Commissioner Lynda Foisy thanked Matt George and the two other members of the District Leadership Evaluation team for their work in Randolph, and for producing a clear and thoughtful report.

Board member Harneen Chernow said the report was very good, well written, and succinct. She asked whether the parties that were interviewed in Randolph had seen the report and weighed in on it. Associate Commissioner Foisy said that the Superintendent had reviewed the report for accuracy.

Given the report’s conclusions, Board member Christopher Anderson asked whether in 90 days’ time a hostile climate could change. Associate Commissioner Juliane Dow said that the District Support Team would be appointed to support the work of the community by facilitating constructive conversations.

Board member Thomas Fortmann said it was a good, concise report that captures what is going on in the community. Dr. Fortmann noted that Randolph officials have not been working together, and wondered whether something stronger was more appropriate, such as mediation or specific recommendations on short-term priorities. Dr. Fortmann also expressed a concern about the policy conflicts on the school committee, and noted that he was not clear how receivership would help because it affects only the school committee and superintendent. Chairman Reville said that the recommendations here were very specific, and he agreed that the Board should be very cautious about receivership.

Board member Zachary Tsetsos asked about the time span of Randolph’s plan if approved by the Board. Associate Commissioner Dow said the Department would expect the plan to include both immediate and a longer term actions.

Board member Ann Reale said that other organizations in Randolph, such as community groups and non-profits, could serve as conveners and allies.

Board member Kaplan said the report was clear and helpful, and suggests that mediation may be needed.

Randolph School Committee Chairman Larry Azar addressed the Board and said that nothing in the report is new to them. Mr. Azar said he believes the report skirts the issue of funding, and the district needs resources to implement the plan. Board of Selectmen Chairman Paul Connors said that his board is in support of the report and fully supports the override.

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

**VOTED: that the Board of Education, having declared the Randolph School District to be an underperforming school district in accordance with G.L. chapter 69, § 1K and 603 CMR 2.04, and having reviewed the report of the district leadership review team and the recommendation of the Commissioner, hereby endorse and direct the following actions:**

* **The Board will defer action on the question of chronic underperformance and state receivership for the district for a period of 120 days in order to allow district leaders, School Committee members and the Board of Selectmen to prepare a focused Turnaround Plan to guide next steps. This plan must have the demonstrated support of all the parties and must be submitted to the Department no later than May 30, 2008.**
* **The Commissioner shall appoint a District Support Team to:** 
  + **assist the parties noted above in their efforts to define priority actions to be taken during the next 24 months, and**
  + **assist in the community-wide, consensus-building effort that must be launched in order to create the conditions for positive change and collaboration.**

**The District Support Team shall consist of 3-5 individuals who have sufficient knowledge of the current situation in Randolph and who have expertise in district leadership, management practices and building collaboration.**

* **The Department shall convene the Randolph District Support Team to set out the objectives of the assignment, share pertinent information and consider the need to recruit other supporting parties whose contributions may be desirable in this effort. Those supporting parties may include a higher education partner, professional association representatives, parent organization advisers and others.**
* **Representatives from Randolph shall present the Turnaround Plan to the Board at its June 24, 2008 meeting. If the Board determines that the Plan is viable and there is evidence of a unified commitment in the community, the Board may approve the Plan at that time. If consensus among key stakeholder groups has not been reached, the Board will consider a decision to place the Randolph Public School District in receivership.**

The vote was 8-0-1. Ruth Kaplan abstained.

**Proposed Technical Amendments to Regulations on Underperforming Schools and Districts**

Chairman Reville said the proposed technical amendments to the regulations on underperforming schools and districts would bring the language in line with current practice, by incorporating the term “Priority 1 school” as equivalent to “chronically underperforming school.” The chairman said the amendments would create a sense of urgency without the negative connotation of the current language.

Acting Commissioner Nellhaus said the Department drafted the proposed amendments in response to the Board’s direction. If the Board votes today, the Department would put the amendments out for public comment, receive comment until the beginning of May, and then bring the amendments back to the Board for a final vote at its regular meeting in May.

Board member Fortmann said we may not be making full use of the tools that are currently available. He suggested that the Board table the matter in order to address substantive questions that require more discussion.

Board member Kaplan said she saw no urgent need to have the technical amendments voted on now. Acting Commissioner Nellhaus said the Department was responding to the Board’s request. Chairman Reville said the amendments were meant to do something constructive about the labeling.

Board member Chernow said that while the Board has been critical of the labels, there are bigger issues, including how to rethink the accountability system and role of the Board, the levels of underperformance, the resources the Board provides, and how interventions work. Board member Fortmann agreed that the Board should not continue with harmful labels, but that it should do more than just change the labels.

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

**MOVED: that the Board of Education, in accordance with G.L. c. 69, §§ 1B and 1J, hereby authorize the Commissioner to proceed in accordance with the Administrative Procedure Act, G.L. c.30A, § 3, to solicit public comment on the proposed amendments to the Regulations on Under-Performing Schools and School Districts, 603 CMR 2.00, as presented by the Commissioner.**

The motion failed 4:5. Vice-Chair Reale, Christopher Anderson, Tom Fortmann, Clantha McCurdy, and Sandra Stotsky opposed the motion.

**Educator Effectiveness**

Acting Commissioner Nellhaus said the purpose of this agenda item was to reengage the Board in considering the state’s role in educator effectiveness. He introduced Associate Commissioner Robert Bickerton, who noted that at the Board’s April 24, 2007 meeting, there was a discussion on the draft *Elements of a New System of Educator Effectiveness in Massachusetts*, which was included again in today’s Board packet.

Associate Commissioner Bickerton, Licensure Director Brian Devine, and Acting Director of Educator Preparation & Quality Elizabeth Losee presented a PowerPoint, “The Path to the Classroom: Statewide initiatives to improve educator effectiveness.”

They highlighted four current statewide initiatives: (1) the Governor’s Readiness Project subcommittee on recruiting and retaining educators; (2) the proposed legislation sponsored by the Teachers 21 Coalition; (3) the Massachusetts Teaching, Learning and Leading Survey (MassTeLLS); and (4) the Board’s Educational Personnel Advisory Council, which is examining several aspects of the current system.

Chairman Reville said that today’s session offered a preliminary framing of some key issues. Board member Stotsky suggested that the Board and Department pay careful attention to the upcoming National Mathematics Panel report and its subcommittee on educator preparation. Board member Kaplan said it would be helpful for the commissioner to put together questions to frame the next discussion, and that the voices of students should be included. Ms. Kaplan also noted a recent National Association of State Boards of Education report that said that ELL training should be part of preparation for every teacher. She said she would add special education to that recommendation.

Board member Chernow said that a larger conversation on educator effectiveness would be helpful, after the results of the MassTeLLS survey are reported. Board member Fortmann agreed that a more in-depth discussion was warranted.

**Massachusetts Technology Literacy Standards**

Acting Commissioner Nellhaus said that the Massachusetts technology literacy standards were adopted in 2001 and he is recommending that the Board endorse the updated standards. The acting commissioner noted the testimony of Joyce Plotkin and Isa Zimmerman during the Board’s public comment period.

Board member Sandra Stotsky said she would appreciate seeing a copy of the document being revised as well as a strike-through version to see what has changed. Dr. Stotsky suggested that the Board defer a vote until it had a better understanding of the two documents.

Instructional Technology Director Connie Louie addressed the Board on changes made in the updated standards. Board member Reale commended the acting commissioner and the committee that worked on the updated standards for a thoughtful process. Board member Stotsky commented that the Department should consider recent research reports on technology in relation to teaching and learning as well as teacher preparation and support for effective use of technology.

Based on the discussion, Chairman Reville tabled the motion until the March 25, 2008 regular meeting.

**Charter Schools**

Acting Commissioner Nellhaus said that last August the Department received prospectuses from 10 groups interested in applying for a new charter. The acting commissioner said that five of those groups were invited to submit final proposals. The acting commissioner recommended that four groups be granted a new charter.

*Silver Hill Horace Mann Charter School*

Board member Chernow said this was a strong proposal, with support from the community. Board member Kaplan said she attended the public hearing on this school and saw tremendous community support. Ms. Kaplan asked when the memorandum of understanding is expected. Associate Commissioner Jeff Wulfson said that before the school would open, it would outline the services the school would receive from the district and those services it would provide on its own.

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

**VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, and subject to the conditions set forth below, hereby grants a charter to the following schools as recommended by the Commissioner:**

***Horace Mann Charter:***

##### **Silver Hill Horace Mann Charter School**

**Location: Haverhill**

**Number of students: 580**

**Grade levels: K-5**

**Opening year: 2008**

**The 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 may from time to time establish, all of which shall be deemed conditions of the charter.**

The vote was unanimous.

*Dorchester Collegiate Academy Charter School*

Board member Chernow said the focus of this school on dropouts was compelling in Boston and other districts. Ms. Chernow asked how a charter school balances the goal of its charter with an open lottery for prospective students. Associate Commissioner Wulfson said he talked with the founding group and they understand the requirements of the admission process. He noted that the school would use outreach and recruitment to try to achieve its mission.

Board member Kaplan said she also attended this school’s hearing, and that the school’s goals are very important. Ms. Kaplan asked how the school would attract a mix of students. Charter School Director Mary Street said that charter schools in general attract a wide range, and that the school would market itself across the city. Ms. Kaplan said the goal of the school – all students going to college – may not be the goal for everybody. Associate Commissioner Wulfson said that the skills required for college are what the workplace requires, and the school would prepare students to have options. Board member Christopher Anderson said this is why charter schools provide choice, because parents have some idea of what they want for their children. Board member Clantha McCurdy said every child should believe that college is available, should they desire, and that schools should prepare them for that experience.

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

**VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, and subject to the conditions set forth below, hereby grants a charter to the following schools as recommended by the Commissioner:**

***Commonwealth Charter:***

***Dorchester Collegiate Academy Charter School***

**Location: Boston**

**Number of students: 240**

**Grade levels: 4-12**

**Opening year: 2009**

**The 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 may from time to time establish, all of which shall be deemed conditions of the charter.**

The vote was 8:0:1. Harneen Chernow abstained.

*Hampden Charter School of Science*

Board member Chernow said that her opposition to this proposed school was based on the fiscal situations in many districts as well as issues around quality and equity.

Board member Fortmann said the funding was a simple matter of accounting, since both costs and revenues go down when students leave district schools for charter schools. Dr. Fortmann noted that Massachusetts has a generous charter school reimbursement policy that is intended to mitigate the cost to sending districts. Chairman Reville said that particularly in districts that are financially strapped, the marginal savings do not outweigh the loss of funding.

Board member Stotsky noted the school’s focus on science, and said this is the kind of innovation she would support. Board member Kaplan said the Springfield School Committee had commented they were prepared to work with the founding group to incorporate their ideas into the district’s High School of Math and Science.

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

**VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, and subject to the conditions set forth below, hereby grants a charter to the following schools as recommended by the Commissioner:**

***Commonwealth Charter:***

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

**Location: within region, municipality**

**to be specified through**

**charter amendment**

**Districts in region: Chicopee, Ludlow, Springfield, and West Springfield**

**Number of students: 350**

**Grade levels: 6-12**

**Opening year: 2009**

**The 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 may from time to time establish, all of which shall be deemed conditions of the charter.**

The vote was 6:2:1. Harneen Chernow and Ruth Kaplan voted in opposition. Clantha McCurdy abstained.

*International Charter School of Southeastern Massachusetts*

Chairman Reville said he had reservations about this proposal, including: (1) the nature of the management company’s (SABIS’s) work and why it was no longer affiliated with two of four charter schools in Massachusetts; (2) trademark and copyright restrictions on its curriculum and how that conflicted with the spirit of the law and its call to share innovative practices; and (3) the Coordinated Program Review for the SABIS-run charter school in Springfield, which revealed serious concerns about special education and noted that the school’s demographics were significantly different than Springfield’s demographics.

Associate Commissioner Wulfson said that affiliation of a charter board with an educational management organization (EMO) was provided for in the charter school law, though fewer companies are involved today than earlier. He said this was part of the maturation process, and reflects the cost of hiring a management company. Associate Commissioner Wulfson said that at some point the schools find that they can save money by standing on their own. He noted that the Board votes separately on a school’s EMO contract, and that the Board has twice renewed the charter for the Springfield SABIS school. Charter Schools Director Street said the Springfield charter school is up for a mid-cycle review in April 2008, and the school has done part of what was required although there are still some outstanding issues.

Board member Kaplan asked Department staff if they could explain the reasons for the termination of the SABIS management contracts by the charter schools’ boards of trustees in Somerville and Foxboro. She expressed a concern that it would be important to understand those circumstances in order to make an informed decision about approving the current SABIS proposal. Department staff responded that they did not have the information for presentation at the meeting.

Chairman Reville noted that the Springfield SABIS school has twice the enrollment at grade 8 as at grade 10. He suggested that the Department could build a knowledge base on schools and EMOs that have a track record. Board member Fortmann commented that many schools use copyrighted materials, and that fact should not impede innovative practice. He added that some charter schools may have fewer students classified in special education because the schools are addressing the students’ needs in regular classes.

Board member Chernow asked about the for-profit nature of the management company. Associate Commissioner Wulfson said the school would pay SABIS a management fee and the Board would see how much the company is to be paid when the charter school presents the proposed management contract to the Board for approval.

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

**MOVED: that the Board of Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, and subject to the conditions set forth below, hereby grants a charter to the following schools as recommended by the Commissioner:**

***Commonwealth Charter:***

***International Charter School of Southeastern Massachusetts (Regional)***

**Location: Brockton**

**Districts in region: Abington, Avon, Bridgewater-Raynham, Brockton, East Bridgewater, Easton, Holbrook, Middleborough, Randolph, Stoughton, West Bridgewater, Weymouth, and Whitman-Hanson**

**Number of students: 1,300**

**Grade levels: K-12**

**Opening year: 2008**

**The 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 may from time to time establish, all of which shall be deemed conditions of the charter.**

The motion failed 2:7. Chairman Reville, Vice-Chair Reale, Christopher Anderson, Harneen Chernow, Ruth Kaplan, Clantha McCurdy, and Zachary Tsetsos voted in opposition.

*Charter Renewal for New Leadership Charter School*

The acting commissioner recommended that the Board renew with conditions the charter for New Leadership Charter School in Springfield. The renewal is for a five-year period, with conditions to be met in 2008, 2009, and 2010.

Board member Kaplan asked what happens if benchmarks are not met along the way. Associate Commissioner Wulfson said that in past cases, the Board has waited until the final deadline, but that the Department could report periodically to the Board on the school’s progress.

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

**VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby grant a renewal of a public school charter to the following school for the five-year period from July 1, 2008 through June 30, 2013, as recommended by the Commissioner:**

**Commonwealth Charter School:**

**New Leadership Charter School**

**Location: Springfield**

**Number of students: 500**

**Grade levels: 6 through 12**

**This renewal is explicitly conditioned upon the conditions that follow. Failure to meet conditions may result in the Board placing New Leadership Charter School on probation, revoking its charter, or imposing additional conditions on its charter.**

1. **No later than March 31, 2008, New Leadership Charter School shall submit all of the following items to the Charter School Office at the Department:**
   * **A charter school Accountability Plan, including goals and annual benchmarks regarding academic success, organizational viability, and faithfulness to charter. The Accountability Plan must be aligned to the school’s current District Plan for School Intervention and School Improvement Plan, and must include as goals that the school will annually achieve Adequate Yearly Progress in the aggregate and for all statistically significant subgroups in English language arts and mathematics.**
   * **All relevant amendments to its charter, as determined through work with the Charter School Office, in accordance with 603 CMR 1.11.**
   * **The bylaws of the board of trustees.**

**The School shall work with the Charter School Office to receive approval of these items by the Department no later than June 30, 2008.**

1. **No later than June 30, 2008, New Leadership Charter School shall submit all required documentation and must provide evidence that it has taken corrective actions required by the Department's Program Quality Assurance Unit based upon the most recent Coordinated Program Review of the School.**
2. **By December 2009, New Leadership Charter School shall demonstrate that it is an academic success by:**
   * **providing evidence to the Department of Education that the school has met or is making substantial progress toward meeting all benchmarks in its 2008-2013 Accountability Plan; and**
   * **making Adequate Yearly Progress in the aggregate and for all statistically significant subgroups in English language arts and mathematics in 2008 and 2009.**
3. **By January 2010, New Leadership Charter School shall demonstrate significant improvement in its financial condition in both FY08 and FY09 as evidenced by:**
   * **unqualified audit opinions with no material weakness findings;**
   * **annual surpluses as determined by audited income statements;**
   * **current assets exceeding current liabilities as determined by audited balance sheets; and**
   * **positive unrestricted net assets balances.**
4. **By December 2009, New Leadership Charter School shall provide evidence, written and as documented through the site visit process, of consistent implementation of the leadership component of its mission, integrated across the school and school community.**
5. **By September 30, 2008, the New Leadership Charter School Board of Trustees shall have received approval from the Commissioner for the minimum number of members required in the approved bylaws of the school through the identification and recruitment of additional members who bring appropriate educational and financial expertise to the school. Requests for approval must be submitted to the Department no later than September 1, 2008.**
6. **By January 2010, New Leadership Charter School and the Springfield Public Schools shall complete all activities necessary to permit a relocation of the school to an adequate, programmatically accessible facility no later than September 2010. These activities include, but are not limited to, the School conducting all necessary property acquisition, fundraising, and negotiations.**

**New Leadership Charter School shall be operated in accordance with the provisions of General Laws chapter 71, section 89, and 603 CMR 1.00 and all other applicable state and federal laws and regulations and such additional conditions as the Commissioner may from time to time establish, all of which shall be deemed conditions of the charter.**

The vote was unanimous.

*Approval of Charter Amendments*

The acting commissioner recommended that the Board approve charter amendments for Innovation Academy Charter School in Chelmsford and Boston Preparatory Charter Public School in Boston. The amendment for Innovation Academy Charter School would allow the school to become a regional school and to move the location of the facility from Chelmsford to Tyngsborough. The amendment for Boston Preparatory Charter Public School would allow the school to fully expand its grade span to include grade 12.

Board member Kaplan said she was concerned that the Innovation Academy amendment was significant enough to warrant a hearing. Associate Commissioner Wulfson said the regulations do not require a public hearing; they require the Department to give local school superintendents notice of the proposal and the opportunity to comment. Associate Commissioner Wulfson said that superintendents were notified and given the opportunity to provide feedback, and they have done so.

Chairman Reville suggested that in the future, the Department should consider holding a local hearing on proposed charter amendments that are significant.

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

**VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89 and 603 CMR 1.00, hereby amends the charter granted to Innovation Academy Charter School (region and location of facility) as presented by the Acting Commissioner.**

The vote was 5:3:1. Harneen Chernow, Ruth Kaplan, and Clantha McCurdy voted in opposition. Zachary Tsetsos abstained.

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

**VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89 and 603 CMR 1.00, hereby amends the charter granted to Boston Preparatory Charter Public School (adding grade 12) as presented by the Acting Commissioner.**

The vote was unanimous.

**Grants**

The Board approved federal grants totaling $270,000 under the following program: Technology for Data Driven Decisions.

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

**VOTED: that the Board of Education approve the grants as presented by the Acting Commissioner.**

The vote was unanimous.

Board member Stotsky asked whether the Department as part of its recruitment of a mathematics standards committee would do a field survey to obtain input from school and district staff about the mathematics standards. Acting Commissioner Nellhaus said that the Department would conduct a survey.

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

**VOTED: that the Board of Education adjourn the meeting at 1:10 p.m., subject to the call of the chairman.**

The vote was unanimous.

Respectfully submitted,

Jeffrey Nellhaus

Acting Commissioner of Education

and Secretary to the Board