Minutes of the Regular Meeting

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

**May 19, 2009**

**8:45 a.m. – 1:05 p.m.**

**Brookline High School**

**115 Greenough Street**

**Brookline, MA**

Members of the Board of Elementary and Secondary Education Present:

**Maura Banta**, Chair, Melrose

**Harneen Chernow**, Vice Chair, Jamaica Plain

**Gerald Chertavian**, Cambridge

**Andrew “AJ” Fajnzylber**, Chair, Student Advisory Council, Brookline

**Thomas E. Fortmann**, Lexington

**Beverly Holmes**, Springfield

**Jeff Howard**, Reading

**Ruth Kaplan**, Brookline

**Dana Mohler-Faria**, Bridgewater

**Paul Reville**, Secretary of Education, Worcester

**Sandra L. Stotsky**, Brookline

**Mitchell D. Chester**, Commissioner of Elementary and Secondary Education, Secretary to the Board

Chair Maura Banta called the meeting to order at 8:45 a.m.

**Comments from the Chair**

Chair Maura Banta said the Board was pleased to be at Brookline High School in honor of Andrew “AJ” Fajnzylber, a senior at the high school who in June will conclude his elected term as chair of the State Student Advisory Council and as a member of the Board. Superintendent William Lupini and Brookline High School Principal Robert Weintraub welcomed the Board and congratulated Mr. Fajnzylber for his year of service and for his commitment and energy. Commissioner Chester said Mr. Fajnzylber was always prepared for meetings and represented the students of the Commonwealth well. Chair Banta read a citation from State Sen. Cynthia Creem and presented a citation from the Board. Vice Chair Harneen Chernow, Secretary Paul Reville, and Board member Ruth Kaplan also presented remarks in recognition of Mr. Fajnzylber's service and contributions over the past year. Mr. Fajnzylber thanked his Board colleagues, and said that he owes much to the Brookline Public Schools, a system that has done it right in terms of 21st century schools, readiness, using alternative education, and promoting a positive school culture.

Chair Banta said there is much interest in the Board's work on 21st century skills and on closing the proficiency gap. The chair said she recently attended the Stand for Children event and the charter school granting ceremony. The chair announced that she has appointed Board members Chernow, Kaplan, Beverly Holmes, and Tom Fortmann to the Commissioner's Evaluation Committee, which will report back to the full Board in June. Chair Banta said the Board will hold a special meeting the evening prior to the June 23 Board meeting, focused on the Department's accountability system redesign.

The chair asked Board member Jeff Howard to provide an update on the work of the Proficiency Gap Committee. Dr. Howard said the group's third meeting was productive and the group wants to identify the best ideas that can be executed and supported at the state level.

**Comments from the Commissioner**

Commissioner Chester said it was a pleasure to attend a State House ceremony to recognize the Massachusetts Milken Award winner, the five teachers who received the Asperger's Association of New England's Award for Excellence in Teaching Students with Asperger's Syndrome, and the five finalists for the Presidential Awards for Excellence in Mathematics and Science Teaching. The commissioner said he expects to submit a report to the U.S. Department of Education soon in response to a directive to change the current organizational structure of the Bureau of Special Education Appeals (BSEA) to bring it into full compliance with federal law. The commissioner said the Department filed several reports with the Legislature recently consistent with statutory obligations; the reports are posted at: <http://www.doe.mass.edu/research/reports/category.aspx?section=legislative>. Commissioner Chester said the Legislature and the Joint Committee on Education would hold a hearing in Gloucester sometime in June to focus on the process by which the Board and the Department awarded a charter to Gloucester Community Arts Charter School.

**Comments from the Secretary**

Secretary Reville noted that May 19, 2009 was Commissioner Chester's one-year anniversary. The secretary said it is readily apparent that the Board made the right choice. Secretary Reville commended Commissioner Chester for his thoughtfulness, sense of principle, commitment to children, and commitment to making the state's education system the best in the country.

Secretary Reville said the state continues to encounter serious fiscal problems, and this has had serious implications for the use of federal stabilization funds. The secretary said Governor Patrick is proceeding with his education agenda, and will shortly introduce a number of legislative bills, likely addressing higher education relief, regionalization, Readiness Schools, and a “smart cap lifting” for charter schools.

Secretary Reville introduced J.D. LaRock from his office, who made a presentation on the Executive Office of Education's Readiness School Initiative. Mr. LaRock said that Readiness Schools would have flexibility and autonomy around curriculum, budget, staffing, school schedule and calendar, and school district policies. He said as part of a performance contract, the goal of a Readiness School would be to improve student achievement, ensure 21st century skills acquisition, build a college-preparatory culture, foster student health and wellness, promote faculty-student-community engagement, and nurture a positive school culture.

Mr. LaRock described three types of Readiness Schools: Advantage, Alliance, and Acceleration. Mr. LaRock said Advantage Schools are the normative model involving the conversion of existing publics or creation of new publics. Alliance Schools would center on collaborations with external partners. Acceleration Schools would improve schools that are persistently underperforming and match them with external partners that can foster rapid improvement. Mr. LaRock said the goal is to have the first cohort of Readiness Schools operational by the fall of 2010.

Board member Beverly Holmes said she appreciated the overview from the EOE. Vice Chair Harneen Chernow said this proposal is a great start and the Board could have a lot of discussion on this topic. Vice Chair Chernow said it was not clear what the Board's role would be in relation to Readiness Schools. Secretary Reville said Readiness Schools could be a topic on a future Board agenda. Mr. Fajnzylber said there has to be a good amount of community input. Dr. Howard asked whether all persistently underperforming schools would be Readiness Acceleration Schools. Mr. LaRock said no; there would be a two-step process.

Board member Sandra Stotsky asked where student choice fits into the proposal, what measures will be used to evaluate the performance of these schools over time, and whether Readiness teachers will come from outside of the school district. Secretary Reville said the theory of action is that Readiness Schools will be vested in and supported by the community-at-large. The secretary said the issue of choice must be determined by the school committee.

**Comments from the Public**

* Kathleen Skinner, Massachusetts Teachers Association, addressed the Board on educator licensure testing.
* Steve Hemman, executive director of the Massachusetts Association of Regional Schools, addressed the Board on the regional school regulations.
* Gary Kaplan, JFYNetWorks, addressed the Board on JFYNet's computerized education program.
* Nancy Buell, past president of the Association of Teachers of Mathematics of Massachusetts, addressed the Board on the MTEL Mathematics subtest.
* Kara Mitchell, board member of the Massachusetts Association of Teachers of Speakers of Other Languages (MATSOL), addressed the Board on English language learners.
* David Grogan, a teacher, addressed the Board on the licensure application process.

Board member Dana Mohler-Faria arrived at 10:20 a.m.

# Approval of the Minutes

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

**VOTED: that the Board of Elementary and Secondary Education approve the minutes of the April 28, 2009 regular meeting.**

The vote was unanimous.

**Update on State Education Budget and Federal Stimulus Funding for Education**

Commissioner Chester said the state is not yet out of the woods in terms of FY09 with recent news of almost $1 billion in reduced spending. The commissioner said the Governor has proposed using a combination of rainy day funds and federal stabilization funds to offset a reduction in Chapter 70 funds. Commissioner Chester said the consequences of this required action include that the expected funding cliff will occur a year from now at the end of FY10, rather than in FY11. The commissioner said the Department has continued to encourage districts to make strategic use of their stimulus funds to increase their capacity moving forward. The commissioner provided an overview of the Senate Ways & Means budget proposal and implications for the Department's budget. Secretary Reville said the Governor will revise his budget proposal for information purposes, given the additional $1.5 billion decline since House 1 was submitted.

Dr. Stotsky asked about the budget for Readiness Schools, and what funds would be used. Secretary Reville said there would be relatively few additional costs associated with Readiness Schools, because they would be largely cost neutral. The secretary said the major costs would be incentives to providers, and there could be some money for expanded learning time in these schools. The secretary said we could look outside of government for funding, including private sector fundraising, and look at some competitive grant opportunities. Secretary Reville also said there might be some planning grant monies from left over from targeted assistance grants.

Board member Ruth Kaplan said the Board should consider making a statement to encourage the Administration to look at additional sources of funding. Dr. Mohler-Faria said the reduction in resources raises concerns about the proficiency gap and whether the gap would increase. Dr. Howard asked about the process for the Board advocating for some form of revenue enhancement. Board member Gerald Chertavian said this goes beyond education, and that these cuts will have an impact on people’s lives and communities.

Chair Banta said she will draft a letter and send it to the Governor, Senate President Murray, and Speaker DeLeo stating that the Board is concerned about the impact of the fiscal crisis on the lives of children, and is supportive of efforts to look at additional revenue sources.

**Charter School Review and Renewal Process**

Commissioner Chester said the Department has started to think about three options to continue to involve the Board in charter school decisions but reduce the amount of time spent. The first option would establish a committee of the Board to review the commissioner's recommendations and engage in detailed discussions. This option would require the full Board to give significant weight to the committee's decisions. Under the second option, the Board would delegate some decisions to the commissioner while retaining others. Decisions on renewals without conditions and amendments other than those involving grade span, enrollment, or district would be delegated to the commissioner. The Board would continue to award new charters and make decisions on renewals with conditions, probations, non-renewals, and more substantial amendments. Option three would involve a recommendation to the Legislature to create a separate charter authorizing body. The commissioner said he does not favor option #3.

Ms. Kaplan asked about the possibility of rotating the membership under option #1. She also asked whether options #1 and #2 could be combined. Ms. Kaplan asked about the role of a Board member in going to a community forum, given that Board members want to hear that public comment. Board member Tom Fortmann said he was ambivalent about having a committee that would increase time for a subset of Board members. Dr. Fortmann said a single meeting idea is an excellent one. Dr. Mohler-Faria said he is strongly supportive of delegating authority, which would not be the same as relinquishing authority. Dr. Howard said he prefers option #2, and said the commissioner could give brief recommendations to the Board. Dr. Howard said he would like the Board to discuss three exemplary charter schools each year. Mr. Fajnzylber said option #3 could be less cost efficient, and that he prefers option #2. Dr. Stotsky asked how many charter schools would be handled by the first bullet under option #2, to which Associate Commissioner Jeff Wulfson replied that two-thirds of schools are straightforward renewals without conditions.

Vice Chair Chernow said the challenge is that the Board functions as the supervising public body for charter schools. She said that reducing access to the public board is complicated. Commissioner Chester suggested that the Board could consider these issues further at the planning retreat in August.

**Educator Preparation and Licensure**

***Mathematics Subtest for Elementary and Special Education Teachers***

Chair Banta said that the scores from the new MTEL Mathematics subtest can't be tallied until the commissioner sets a cut score. Commissioner Chester said that it was not a surprise to hear that many teacher candidates lack a strong math background. The commissioner said that a standard setting committee was put together to advise the Department on a standard. The commissioner said the recommendation is the right standard. The challenge is that only 27 percent of the 680 examinees met the standard. The commissioner said K-12 and higher education have a joint responsibility in this area.

Commissioner Chester recommended that the Board establish a three-year transition phase (until June 30, 2012) for implementing the Mathematics subtest portion of the General Curriculum test for educator licensure. During the transition phase, candidates who score between 227-239 will be deemed to have passed the Mathematics subtest for the purpose of their first stage of licensure. These teachers will be required to retake the Mathematics subtest and score 240 or above in order to be eligible for the next stage of licensure or to renew their initial license.

Dr. Fortmann said he agrees with the approach the commissioner has recommended. He said the deficit in math knowledge among elementary teachers is appalling. He added this is not their fault, but is caused by a vicious cycle created over the years: teachers who are not well prepared in math cannot prepare their students well. Dr. Fortmann said that in most cases, candidates don't understand fractions. He requested more information on the programs attended by candidates who passed the subtest.

Secretary Reville said this is the right standard, and we should take this news as an opportunity for action. Dr. Mohler-Faria said he supports the commissioner's recommendation, and that teacher preparation programs, ESE , EEC and DHE need to work together to address the problem. Dr. Stotsky said two issues this raises for her are how to raise admissions standards in teacher preparation programs and how to stimulate a reorganization of the elementary school day so that more math specialists are used in the early grades. Ms. Kaplan asked how many teacher candidates get training outside of Massachusetts. She said this is a pragmatic, reasonable solution at the moment, but she is concerned about the implications for the candidate pool, recruitment in general, and recruitment of minority teaching candidates.

Commissioner Chester said that knowing your subject matter does not mean you can teach well, but not knowing your subject matter does mean you cannot. He noted the low number of minority candidates in the overall pool and said the larger issue is not the test but the strategies to attract a strong, well prepared, diverse pool of candidates.

Vice Chair Chernow said her concern is that teacher licensing is already overly complex and bureaucratic, and additional tests complicate it further. She said that 46 states use the Praxis test, and asked whether using a different test impedes reciprocity and teacher mobility. Dr. Howard said he appreciated the expressions of concern about the diversity of the teaching pool, but standards should be set based on what students require from their teachers. Dr. Stotsky said the Praxis test is weak on mathematics.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with G.L. c. 69, § 1B and c. 71, § 38G, hereby amend the Regulations for Educator Licensure and Preparation Program Approval, 603 CMR 7.00, by adding, after section 7.14(f), the following provision as presented by the Commissioner:**

 **New section 603 CMR 7.14(g):**

**Between March 7, 2009 and June 30, 2012, candidates for the following preliminary or initial licenses who earn a scaled score of at least 227-239 on the Mathematics portion of the General Curriculum test: Elementary, Teacher of Students with Moderate Disabilities, Teacher of Students with Severe Disabilities, Teacher of the Deaf and Hard-of-Hearing and Teacher of the Visually Impaired, will be deemed to have passed the Mathematics portion of the General Curriculum test. All candidates who are licensed under this provision must earn a scaled score of 240 or above on the Mathematics portion of the General Curriculum test in order to be eligible for the next stage of licensure or to renew their initial license.**

**Further, in accordance with the Administrative Procedure Act, G.L. c. 30A, § 3, the Board finds that the immediate adoption of this regulation is necessary for the preservation of the public welfare, to implement standards that affect educators, preparing institutions, and school districts immediately, and that observance of the requirements of prior notice and public comment would be contrary to the public interest. The Board directs the Commissioner to provide notice and an opportunity for public comment on the emergency regulation, in accordance with the requirements of G.L. c. 30A, § 3, within the next three months.**

The vote was unanimous.

***Progress Report on Drafting New Standards for Principals, Superintendents, and Other Leadership Roles***

Associate Commissioner David Haselkorn said the Department is continuing efforts to develop a new architecture for the licensure of school leaders, and for recruitment, induction and ongoing professional development. Associate Commissioner Haselkorn said the Department will come back to the Board in June with policy standards, performance indicators and proposed regulation changes.

**Regionalization and Inter-district Collaboration**

***Update on Regional Collaboration Efforts***

Commissioner Chester said the Department is working to encourage and promote a more regional approach to district operations. Associate Commissioner Lynda Foisy updated the Board on an initiative to provide grant opportunities to groups of three or more districts that share common needs. Commissioner Chester said the Board charged him with taking the Department's Accountability and Assistance system to a new level. The commissioner said that more intensive support is being provided to the ten Commissioner's Districts, and the Department is addressing the needs of the rest of the state through two regional approaches, including a pilot regional school improvement assistance center serving nine smaller urban districts in the greater Boston metropolitan area.

Associate Commissioner Jeff Wulfson said that over the past year, the discussion level around the creation or expansion of regional districts has greatly increased, and that effort has been aided by planning grants. Secretary Reville said that regionalization is a priority of the Governor's, and he commended Commissioner Chester and Associate Commissioner Wulfson for their efforts. Board member Chertavian asked about the size of the potential benefit of regionalization. Associate Commissioner Wulfson said it would allow districts to have district wide education leadership and programs they don't now have.

***Amendments to Regional School District Regulations (603 CMR 41)***

Associate Commissioner Wulfson said the amendments to the regional school district regulations (603 CMR 41) address three issues: a transition period following the creation of new regional school districts, procedures for member towns to determine the method of assessing regional district costs, and procedures to be followed if a town fails to hold a town meeting to reconsider a previously rejected regional district budget. He summarized the comments the Department received on the proposed amendments.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with G.L. c.69, s.1B, and having solicited and reviewed public comment in accordance with G.L. c.30A, s.3, the Administrative Procedure Act, hereby adopt amendments to the regional school district regulations, 603 CMR 41.00, as presented by the Commissioner.**

The vote was unanimous.

**Update on the State-Led Common Core Standards Initiative and Revision of English Language Arts and Mathematics Curriculum Frameworks**

Commissioner Chester said several states, including Massachusetts, are joining under the auspices of the Council of Chief State School Officers (CCSSO) and the National Governors Association (NGA) to develop a common core of academic standards. The commissioner said Massachusetts is widely acknowledged as a leader in setting high standards, and no state will have to compromise on its own standards for this national effort.

Deputy Commissioner Jeff Nellhaus provided an update to the Board on the Department's work on revising the English Language Arts and Mathematics Curriculum Frameworks. Deputy Commissioner Nellhaus said the Department has also just begun to review the Science and Technology/Engineering framework.

Commissioner Chester said that a critical touchstone for Massachusetts in joining the common standards initiative is the understanding that no state should have to compromise on its standards for this national effort. The commissioner said USED sees this as a potential move toward national standards without those standards being imposed. Secretary Reville said that Massachusetts' standards are seen as the gold standard. The commissioner said that signing on to this effort requires commitment from both governors and chief state school officers.

Board member Stotsky cited the recent release of an American Institutes for Research (AIR) study comparing Hong Kong's mathematics standards to Massachusetts' standards, and asked about international benchmarking. Commissioner Chester said that Massachusetts has made clear that the common core standards initiative has to include international benchmarking, and this is not just about assessments.

Board member Stotsky submitted written comments to the commissioner on the Revised Progress Report on the Mathematics Curriculum Framework Revision Panel. She asked that her comments be included in the minutes:

***Proposed Addition to the Revised Math Progress Report***

***Sandra Stotsky***

"The Math Progress Report proposes two courses, one for grade 8 and one for grade 11, that are remedial in nature because they are based on standards previously taught. Remedial courses do not belong in this document, at least not in the body of this document. They might be mentioned in an appendix indicating different ways that schools might address the needs of (1) grade 7 students who are not ready to take an authentic Algebra I course in grade 8, or (2) grade 11 students who are not ready to take an authentic Algebra II course after taking Algebra I and geometry. I would like two other possible courses—not remedial in nature—to be mentioned in the final version of this Progress Report. They can be mentioned together with these two remedial courses if the latter are included in the final version.

**Two Remedial Courses Proposed in the Progress Report**: The course proposed for grade 8 students who are not ready to study Algebra 1 in grade 8 is described in the April draft as follows:

“…the revised framework would also contain standards for eighth grade that deepen pre-algebraic and beginning algebra concepts and skills designed to prepare students for Algebra I in grade 9. Eighth grade standards should not be remedial, and care should be taken to ensure that they would be rigorous.”

This course is described in the Board binder for May as follows:

“…the grade 8 standards should place a heavy emphasis on foundational algebra concepts designed to prepare those students not taking Algebra I in grade 8 to successfully complete such a course in grade 9.”

If all students will be expected to learn all pre-algebraic concepts and skills by the end of grade 7, as the May draft indicates, then the grade 8 standards for students not ready to take a one-year Algebra 1 course in grade 8 will consist of previously taught standards. In other words, a course based on these standards would be a remedial course.

The course proposed for some grade 11 students is described in the April draft as follows:

"A course designed primarily for eleventh grade students who have completed Algebra I and Geometry, but need further study of applications of algebra and geometry to be successful in taking Algebra II (either before or simultaneously with Algebra II).”

The course is now described in the Board binder for May as follows:

“A course designed primarily for eleventh grade students who have completed Algebra I and Geometry, but need additional mathematic content to be successful in taking Algebra II (either before or simultaneously with Algebra II).”

So far as can be determined, this proposed course is to be based on previously taught Algebra I and geometry standards, thus making it a remedial course. Moreover, one reviewer of the April Progress Report, Dr. Susan Hull of the Dana Center at the University of Texas in Austin, who praised this proposed course, indicated that the Dana Center had developed such a course and that a textbook had been developed for this course. Aside from the fact that she provided no independent evidence to support the efficacy of this course in Texas, it is inappropriate to insert into the Massachusetts curriculum framework the outline of a course developed elsewhere, with a textbook already accompanying it. Other remedial courses similar to this one may be available commercially and it is not clear why only one should be mentioned.

**Two Possible Non-Remedial Courses To Be Added to the Final Version of the Progress Report**:

Schools can address the needs of struggling mathematics students in the middle grades by means of two different two-year courses. They can offer (1) a two-year course based on the mathematics standards listed for grade 7 to students who, at the end of grade 6, appear to need two years to prepare for an authentic Algebra 1 course in grade 9. Or, they can offer (2) a two-year course based on the content of an Algebra 1 course, spread evenly over grade 8 and grade 9, to students who appear to need two years to learn its content. Regardless of which of these two-year courses they took, these students would complete Algebra 1 in grade 9, but they would not be reviewing standards they had already been expected to learn at a faster pace. It should be a local decision what to do and what students to put into the option that the high school mathematics department prefers.

There is much less value in having students struggle through algebra I and geometry and then take what will clearly be perceived as a remedial course before they can take algebra II. Nor are many students apt to want to take two mathematics courses (a remedial course plus Algebra II) in grade 11 or 12, which the Progress Report suggests is a possibility. A two-year spread for mastering grade 7 standards or Algebra 1 standards may be a more effective way to address the needs of slower learners."

**Next Meeting**

The next regular meeting of the Board of Elementary and Secondary Education is scheduled for Tuesday, June 23, 2009 at the Department of Elementary and Secondary Education in Malden. A special meeting will take place on the evening of Monday, June 22, 2009 at the Department.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 1:05 p.m., subject to the call of the chair.**

The vote was unanimous.

Respectfully submitted,

Mitchell D. Chester

Commissioner of Elementary and Secondary Education

and Secretary to the Board