Minutes of the Regular Meeting

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

**January 26, 2010**

**8:40 a.m. – 2:30 p.m.**

**Malden Senior Community Center**

**7 Washington Street**

**Malden, MA**

Members of the Board of Elementary and Secondary Education Present:

**Maura Banta**, Chair, Melrose

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

**Gerald Chertavian**, Cambridge

**Michael D'Ortenzio Jr.**, Chair, Student Advisory Council, Wellesley

**Thomas E. Fortmann**, Lexington

**Beverly Holmes**, Springfield

**Jeff Howard**, Reading

**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

Member of the Board of Elementary and Secondary Education Absent:

**Ruth Kaplan**, Brookline

Chair Maura Banta called the meeting to order at 8:40 a.m.

**Comments from the Chair**

Chair Banta said the Board had a special meeting last night that included a mid-year review of the Board’s priorities and processes and discussions of the state's Race to the Top application and the Common Core standards initiative. Chair Banta said she attended Governor Patrick's State of the State address, during which the Governor celebrated the recently enacted education reform legislation and committed to fully funding Chapter 70. Chair Banta also said that next month she will attend a National Association of State Boards of Education (NASBE) meeting on the Common Core. The chair asked Board member Jeff Howard to provide an update on the Proficiency Gap Committee.

Dr. Howard said the Proficiency Gap Committee's four subcommittees include Early Literacy, English Language Learners, Instructional Leadership, and Family and Community Engagement. He said each subcommittee has met several times and is developing a set of recommendations based on clear rationales and with the goal to change the status of underperforming populations. Dr. Howard said those recommendations will be integrated into a report that will be well aligned with the education reform legislation, Race to the Top, and the range of activities already underway at the Department of Elementary and Secondary Education.

**Comments from the Commissioner**

Commissioner Chester said he anticipated the release of House 2, the Governor's FY2011 budget, on Wednesday. The commissioner referred Board members to several items for information included in their packets, including grants, charter school matters delegated to the commissioner, and the release of Education Week's annual assessment of states called *Quality Counts*, which includes a story on the success of Brockton High School. Commissioner Chester said that he had hand-delivered the state's Race to the Top application to the U.S. Department of Education on January 19, 2010.

Comments from the Secretary

Secretary Reville said he would talk about the newly enacted education reform legislation as part of the regular agenda. The secretary said the Governor will propose record levels of Chapter 70 funding for FY2011 and a hold harmless provision for every community. Secretary Reville commended Commissioner Chester and staff from the Department and Executive Office for the state's excellent Race to the Top application.

**Comments from the Public**

*Gloucester Community Arts Charter School*

* Senator Bruce Tarr addressed the Board on the Inspector General's report on Gloucester Community Arts Charter School.
* Representative Ann-Margaret Ferrante addressed the Board on the Inspector General's report on Gloucester Community Arts Charter School.
* Inspector General Gregory Sullivan addressed the Board on the Inspector General's report on Gloucester Community Arts Charter School.
* Valerie Gilman, Chair of the Gloucester School Committee, addressed the Board on the Inspector General's report on Gloucester Community Arts Charter School.
* Kathy Clancy, Gloucester School Committee, addressed the Board on the Inspector General's report on Gloucester Community Arts Charter School.

*Lowell Community Charter Public School*

* Paula Maynard addressed the Board on Lowell Community Charter Public School.
* William Shanahan addressed the Board on Lowell Community Charter Public School.
* Cathy Loiselle addressed the Board on Lowell Community Charter Public School.
* Nancy Clancy addressed the Board on Lowell Community Charter Public School.
* Gordan Halm addressed the Board on Lowell Community Charter Public School.

*Robert M. Hughes Academy Charter School*

* Michelle Belanger, PTO President for the Robert M. Hughes Academy Charter School, addressed the Board on Robert M. Hughes Academy.
* Fannerie Baymon addressed the Board on Robert M. Hughes Academy.
* Olivia Walter addressed the Board on Robert M. Hughes Academy.
* Kathryn Gibson addressed the Board on Robert M. Hughes Academy.
* Gerald Root addressed the Board on Robert M. Hughes Academy.

Robert M. Hughes Academy Charter School

Commissioner Chester presented his recommendation that the Board should revoke the charter of the Robert M. Hughes Academy Charter School at the December 2009 regular meeting. At the January 26th meeting, Calvin Walls, the chairman of the school's board of trustees, led a presentation to Board members, which included testimony from the school's new principal, Joelle Jenkins, and two teachers, Ronald Veins and Rev. Isaac Williams, as well as the showing of a student video. Mr. Walls asked the Board to accept an alternative proposal that would require the school's board of trustees to develop an acceptable corrective action plan within 90 days to demonstrate and ensure the school's viability. That plan would include a revised accountability plan and benchmarks.

Board member Tom Fortmann said the Commissioner's investigation report on the cheating incident indicated that 16 staff members were interviewed by the Department, and that none of them came forward to the Department prior to the interview. Dr. Fortmann asked how many of those 16 individuals are still at the school. Mr. Walls said all 16 staff members are still at the school, because those individuals have not been identified yet. Vice Chair Harneen Chernow asked whether goals around organizational viability had been met. Mr. Walls said those were met as of July 1, 2009.

Board member Beverly Holmes said her concern was leadership, and the fact that leadership may have evolved does not mean the culture has changed. Ms. Holmes asked what the trustees felt was the impetus for the cheating incident. Mr. Walls said that leadership has changed at the school, and the trustees felt the culture came from the former principal. Mr. Walls said he was not sure what drove the principal to do what she did. Board member Dana Mohler-Faria said the fact that 16 of 22 teachers were involved speaks to more than one person being responsible. Dr. Mohler-Faria asked about the culture of the school and how it could allow this incident to happen.

Board member Jeff Howard asked about board turnover. Mr. Walls said that nine of 15 board members were new on June 30 of last year. Mr. Walls said the school received notification in June that there were anomalies on the MCAS testing, and the school did not hear again until September when it was notified that scores would be suppressed. Mr. Walls said he had no idea this was something extraordinary. Mr. Walls said in retrospect, possibly the board of trustees could have taken stronger steps.

Board member Gerald Chertavian said in this situation the adults are responsible, and they have failed the children.

The school's development officer, Fred Swan, said the school has no idea who the teachers involved are, and the school's internal report puts the cheating into the context of the former principal's use of a systemic, conspiratorial manner to intimidate and bully. Ms. Holmes asked what Mr. Swan's role at the school is. Mr. Swan said as development officer he is looking to create a 501-C-3 foundation to allow for contributions, and is seeking a $20,000 grant to help establish afterschool intensive tutorials, and links to UMass.

Secretary Reville said the report details a variety of excesses and abuses by leadership, and asked if the board of trustees was aware of this. Mr. Swan said that none of that had surfaced previously. Secretary Reville said many conditions go beyond cheating, and asked if the board was in touch with the nature of the leadership at the school and there had taken any disciplinary action. Mr. Swan said there had been none. Board member Michael D'Ortenzio asked about the practice of hiring staff at the school without a contract. Mr. Swan said he could not explain that.

Commissioner Chester said his recommendation is based on more than one incident; it is about the continued viability of the school and its board. He said he has never encountered this sort of orchestrated cheating and he is deeply troubled by it. The commissioner said this is not about the students, and no student had been accused of cheating. Rather, this is a systemic breakdown of the adults’ ethical and professional responsibilities. Commissioner Chester said he has consulted with Springfield Superintendent Alan Ingram to explore any possibilities of the school district playing a role in Robert M. Hughes, and that was not a possibility. Associate Commissioner Jeff Wulfson said many concerns about the school fell into the category of lack of effective oversight and management by the trustees. Commissioner Chester said his recommendation was based on the history of concern about governance at the school that culminated with the cheating incident. He said he took little comfort from the charter school board’s presentation today and that he is not confident the board can carry the charter forward.

Dr. Howard said he agreed with the commissioner that adults failed the children. Dr. Howard said there were a lot of failures, and there are serious questions about the culture at the school. Secretary Reville asked the commissioner what other alternatives he considered. The commissioner said he does not know of any other possibilities. Commissioner Chester said the superintendent was not inclined to absorb the school as a whole into the school district. Commissioner Chester said he has been approached by a couple of individuals about running the school as a new board, but he did not see any authority to take the charter from the board of trustees that holds it and hand it off to a new board of trustees.

Vice Chair Chernow said it seemed like the culture of the school was despotic. She said the challenge is listening to the parents who have their children in that school, and what it would mean to them to lose it. Ms. Chernow said this is a painful situation. Mr. D'Ortenzio said it is clear that the parents and students are involved and care, but clearly the governance issues are large. Mr. D'Ortenzio asked the commissioner if he was sure that the alternative approaches to govern the school were not viable. The commissioner said he saw no path for that.

Dr. Fortmann said the students and parents are the real victims. He said it is shocking that none of the teachers came forward. Dr. Fortmann said it would be wonderful if the commissioner could come back with a plan that replaced all of the adults, but that is not viable and the Board doesn't have authority to do that. Board member Sandra Stotsky said that charter schools should be subject to intervention as are underperforming public schools. Commissioner Chester said the relationship between the state and charter schools is fundamentally different than traditional public schools; charter schools receive greater autonomy in return for greater accountability to perform.

**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 state its intent to revoke the public school charter granted to the Robert M. Hughes Academy Charter School effective June 30, 2010, as recommended by the Commissioner.**

**Provided, that the revocation of the charter shall be conditional on the right of the board of trustees of the Robert M. Hughes Academy Charter School to request an administrative hearing in accordance with General Laws chapter 30A, section 13 and 801 CMR 1.00; provided further, that any such request for a hearing shall be in writing, addressed to the Board of Elementary and Secondary Education, and must be received within 15 days of the school’s receipt of the notice of the Board’s action. If the Board does not receive a request for a hearing from the school within the 15-day period, the Board’s conditional action on revocation of the charter shall become final at the end of the 15-day period.**

The vote was unanimous.

Lowell Community Charter Public School

Commissioner Chester recommended that the Board not renew the charter of the Lowell Community Charter Public School (LCCPS) at the December 2009 regular meeting. The school's interim principal, Alan Scheier, led a presentation to Board members, which included testimony from a parent, Mercedes Casella, and a founding member, Richard Chavez. Mr. Scheier said everyone has acknowledged that the school has not done its job as well as it could have. Mr. Scheier outlined changes the school has made, such as: (1) the resignation of the previous executive director, who was replaced by Mr. Scheier. The board of trustees is currently searching for a full-time executive director, with the expected date of hire to be by June 30, 2010; (2) the academic program has been aligned to state standards; and (3) eight members of the board of trustees have offered to resign because as Mr. Scheier explained the board must be held accountable and must change. Mr. Scheier said that LCCPS should not be judged based on its numbers, and that there has been no cheating, no scandals, and no fiscal mismanagement at the school. Mr. Scheier said that students must do better, but the adults have not done what they need to do.

Ms. Casella said she is the parent of two sons at LCCPS. She said the school has a great environment and was highly recommended to her by her friends due to the school's curriculum and extracurricular activities. Ms. Casella said the school has caring teachers. Ms. Casella said that among the factors for lower test scores are that many students are immigrants, low income, and whose primary language is not English. Mr. Chavez said that based on standards, the school and its board have failed and the board accepts responsibility. He said 100 percent of teachers hired since August 2005 are highly qualified. Mr. Chavez said that 900 children should not be punished for the mistakes of 11 individuals.

Dr. Stotsky asked what math program was used in the elementary and middle schools. The school representatives said the school uses Everyday Math in K-6 and Connected Math in grade 7.

Secretary Reville asked about the timetable for securing new leadership. Mr. Scheier said the school has already received three proposals from educational management organizations. Mr. Scheier also said most of the trustees are prepared to resign and they are soliciting new board members. Mr. Scheier said the school was run by a management company (Beacon Management) during its first five years.

Mr. Chertavian noted the academic performance comparison between LCCPS and Lowell Public Schools, and asked why things have not gone right. Mr. Scheier said that not enough educators were involved in the leadership of the school. Dr. Howard whether the MCAS data had been shared with the trustees. Mr. Scheier said yes, the board of trustees had been aware of the data. Dr. Stotsky suggested that the school should keep in mind the needs of English language learners when selecting math and reading programs.

Commissioner Chester said his recommendation for non-renewal was based on the school's academic performance, and that he continues to discuss options other than non-renewal with the school and with the district. The commissioner made clear that he has serious concerns about the school and student performance, and that his concerns were around reading, writing, and math programs that were not in place. Commissioner Chester said any path forward would need to give him confidence that things will turn around. The commissioner said he would need to see a path forward that is transformational.

Dr. Fortmann said the page of MCAS comparative data reveals that the school's performance is not good enough after ten years. Dr. Fortmann said that while the sense of community in the school is impressive, the bottom line is whether children are learning to read, write and do math. Dr. Howard said he also examined the school's performance data, which he said was terrible. Dr. Howard said he heard personal responsibility from the presenters, and that he too is looking for real change. Secretary Reville said he is impressed with the intensity and sense of community from the documentation the Board was given to read. Secretary Reville said he loves the diversity of this school, but is not yet persuaded about the pace of change. The secretary said he hopes there are some possibilities around governance and management. Chair Banta said the Board will continue its discussion of LCCPS at its February 2010 regular meeting.

# 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 December 15, 2009 regular meeting as amended.**

The vote was unanimous.

Review of New State Education Reform Legislation

Secretary Reville presented an overview of the new state education reform legislation. He said the passage of "An Act Relative to the Achievement Gap" is the largest policy change since the Education Reform Act of 1993. The secretary said the legislation grew out of the Governor's Readiness Project, looked at closing the achievement gaps, and is focused on four areas: (1) Innovation Schools; (2) Intervention Strategies; (3) Charter School "Smart Cap Lift"; and (4) Miscellaneous.

Commissioner Chester directed Board members to a matrix prepared to show changes the legislation would mean for Board and Department responsibilities related to charter schools, innovation schools, and intervention strategies. The commissioner said the Department will have an implementation plan next month as well as draft regulations on school and district accountability and assistance. The commissioner said this month's meeting would focus on regulations to identify Level 4 schools.

School and District Accountability and Assistance: Proposed Regulations to Identify Level 4 Schools (603 CMR 2.00)

Deputy Commissioner Karla Baehr said the Department is trying to move forward with draft criteria to identify Level 4 schools, and that federal Title I-G dollars would support Level 4 schools. Deputy Commissioner Baehr said the new legislation and regulations equate underperforming with Level 4. The deputy commissioner said this year performance would be used to identify the schools, while next year improvement will also be a factor. Deputy Commissioner Baehr said the goal is to be in a position to have turnaround plans ready to go in the fall. Commissioner Chester said today's Board vote would put the regulations out for public comment. General Counsel Rhoda Schneider said there is also a process for legislative oversight and review of these regulations, and the idea is to move forward with this regulation as the leading edge of the full set of regulations that are coming next month.

Vice Chair Chernow said it is difficult to review a single regulation out of context. The vice chair said it would be helpful next month to go over the Level 4 and 5 designations again, and to have the Department explain how a school gets out of Level 4. Deputy Commissioner Baehr said the full set of regulations would be presented to the Board in February.

**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 1J, as amended by Chapter 12 of the Acts of 2010, 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 amendment to the Regulations on Underperforming Schools and School Districts, 603 CMR 2.00, as presented by the Commissioner. The proposed regulation concerns identification of Level 4 schools.**

The vote was unanimous.

Follow-up on Inspector General's Report

General Counsel Rhoda Schneider reviewed the key points in the Inspector General's report on the Gloucester Community Arts Charter School. Ms. Schneider said the Board voted at its November 17, 2009 meeting that the issues provided no grounds for revocation. The Inspector General (IG) subsequently reviewed the process and issued a report in which the IG had four main points. Ms. Schneider said the IG contended that neither the commissioner nor the Board had authority to reach a conclusion different than the Charter School Office. Ms. Schneider said the IG was relying on a guidance document, not a statute or regulation, and that it makes clear that the commissioner recommends only those charter applicants whose applications meet the criteria, as this one did. She said the commissioner’s recommendation is informed by the application and the analysis by the Charter School Office, as corroborated in the final interview that the Charter School Office conducts. The Charter School Office does not make the final determination on whether to recommend new charters to the Board; the commissioner does. Second, the IG contended that the Department did not maintain documents and destroyed documents. Ms. Schneider said the purpose of the focus groups was to identify questions that the Charter School Office should ask during the final interviews, and that any notes were the personal notes of focus group members that the Department does not collect, as the memo to reviewers makes clear. She noted that where the Department did find that Department staff members who were on the focus group had kept their notes, the Department turned them over to the IG and made them public.

Third, the IG contended that the commissioner misled the Joint Committee on Education and the Board. Ms. Schneider said that is not so; the commissioner explained to the Joint Committee and the Board that he deliberated carefully on this decision and in fact the Charter School Office’s “do not recommend” memo was on display at the Joint Committee’s oversight hearing in Gloucester in June. The commissioner has stated that in hindsight he wishes he had informed the Board that the Charter School Office had advised “do not recommend,” but nonetheless the Board has stated it expects the commissioner to exercise his educational judgment in these matters after he reviews the application in relation the criteria, which he did. Finally, Ms. Schneider said the IG asserts that the commissioner's recommendation was based on political motivation rather than on the established criteria. Ms. Schneider said these criteria, of which there are more than 100, involve judgment, and that the GCACS application met in whole or part many of the charter school criteria. She noted that without the “do not recommend” notation on the memo, it becomes clear that this particular application was a “jump ball” and could have gone either way. She added that at the Board’s November meeting, the commissioner described in detail the merits of the application in his judgment.

Associate Commissioner Jeff Wulfson said the long-standing practice of not collecting reviewer notes took place at the time of the panel review. Mr. Wulfson said the notion of Department officials destroying documents was terribly upsetting to him, and that the members of the Charter School Office are people of high integrity. Mr. Wulfson said that the judgment of the Charter School Office was that they didn't think the Gloucester proposal had met the bar. Mr. Wulfson said the commissioner had a number of conversations with him when the commissioner was in Arizona in early February 2009 and after he returned on the merits of the application and the fiscal trigger. Mr. Wulfson said he had initial misgivings about the fiscal trigger. Mr. Wulfson said the draft letter prepared by Ruth Hersh is simply a good staff member preparing for contingencies. Mr. Wulfson said that Ms. Hersh did not receive any instruction from him to prepare that letter. Mr. Wulfson said from what he could tell, Commissioner Chester was wrestling with this decision.

Commissioner Chester said although he disagrees with the Inspector General’s conclusions, he was determined from the start that the Department needed to learn what it could from the IG's report. The commissioner said there are ways to tighten up the language of our documents and our processes to minimize the likelihood of misunderstanding. The commissioner noted that the charter school regulations have already been revised and will be amended further in light of the new law. The Department will clarify documents to eliminate ambiguities. From now on, the Board will receive a written summary of all evaluations of charter applications by the Charter School Office.

Chair Banta read the following letter from Board member Ruth Kaplan, who was unable to attend the meeting, and asked that it be recorded in the minutes:

Dear Maura:

As I am unable to attend the next BESE meeting scheduled for Tuesday, January 26, I would ask that the following be read into the record of the meeting as it pertains to the discussion of the Gloucester Community Arts Charter School (GCACS).

At our November 17 board meeting, when it first came to light that the Inspector General was involved in an investigation of the awarding of a charter to the GCACS, I moved to delay taking a vote regarding non-revocation of the school’s charter pending the outcome of that investigation. That motion failed by a vote of 8-2. A subsequent motion not to revoke the charter of the school passed by a vote of 8-2. I believed at that time that the grounds existed to revoke the charter of the GCACS, not necessarily because of any material misrepresentation on the part of the charter school’s proponents, but rather because the integrity of the charter approval process had in my view been clouded by the appearance of impropriety in the process. Indeed, Governor Patrick, who twice called upon this board to reconsider our approval process and vote, supported, along with Secretary Reville, an amendment to the recently enacted education reform bill to rescind the charter of the GCACS on the grounds that the “continued existence of the GCACS charter (was not) in the best interests of the school or the community.” (Letter to Representative Ann-Margaret Ferrante, Jan. 5, 2010)

I further agree with the points made in Secretary Reville’s letter that “the opinions of the IG set forth in his Report add to the local concern over the process and transparency that led to the charter school approval and leaves doubt as to the validity of the grant of the charter to the GCACS.” I therefore urge the BESE to rescind the charter of the school and allow it to reapply for re-consideration. I would hope that this process could occur in an expedited fashion.

Whatever the board decides today, I want the record to reflect my deeply held concern that the integrity of the board’s charter approval process has been seriously damaged and can only be restored by a reconsideration of the granting of the GCACS charter.

Sincerely,

Ruth Kaplan

Secretary Reville read the following statement and asked that it be recorded in the minutes:

In the midst of the debate over the recent education reform legislation, I wrote a letter, on behalf of Governor Patrick, in support of an amendment to the bill which would have revoked the charter to the Gloucester Community Arts School (GCAS). I wrote this letter to express the Governor's view which he has held for some time. He has expressed a belief that the divisions and the doubts in the community merit a new beginning for the process. In the same letter, we acknowledge that the Board has determined that it was legally constrained from severing the existing contract to re-start the process. Consequently, it seemed to the Governor, and to me, that the best route to resolving the dispute, to healing the community was to ask the Legislature to lift the process from the Board, to nullify it and ask the Board to start over. The Legislature, having considered a revocation amendment proposed by one of its members, ultimately decided not to revoke the charter.

Consequently, the Board is in the same position as it was when we voted, on November 17, to reaffirm our original endorsement of the GCAS charter, that is, as counsel has repeatedly advised us and continues to advise us, we had and now have no legal grounds for revocation.

This is a complex and agonizing situation. I believe that a "do over" of this process would relieve the tension and doubt in the community about our process. At the same time, I believe our process, while not perfect, was fully legal and appropriate. Nothing has changed my view on the facts or my experience in the process. Since the Legislature has chosen not to revoke, I do not see that the Board has any legal alternatives at this point but to stand behind our original decision.

I believe that our new education reform legislation with its provision for Innovation Schools and Horace Mann charter schools presents an unprecedented opportunity for community leaders to use one of these vehicles to resolve this crisis. To do so would require extraordinary leadership from within the community. At the same time, this Board, our Department and my office should do everything in our power to assist the community and the charter school to move forward and do their educational best for the children and community of Gloucester.

Secretary Reville said the Board is in the same position as on November 17th when it discussed this. He said the process, while not perfect, was fully legal and proper.

Vice Chair Chernow said that both she and Ms. Kaplan had asked the Board to hold its vote on not to revoke until the IG had issued his report. Ms. Chernow said the Board received a lot of public input, and that the public faith in our process is at an all-time low. Ms. Chernow said this process did not meet the material misrepresentation threshold, according to the independent counsel, David Kerrigan. Ms. Chernow said the Board was presented with an option today from the IG and Senator Tarr and Representative Ferrante about seeking an opinion from the Attorney General. She added that she does not see a problem with the Department’s records process, which is familiar to her from having served on proposal review teams. Ms. Chernow said from her perspective the Board needs closure on this process.

Dr. Fortmann said he was quite satisfied by what he heard from Ms. Schneider and that the commissioner acted appropriately. Dr. Fortmann asked Associate Commissioner Wulfson about his testimony before the IG. Mr. Wulfson said the IG asked about meetings with the Charter School Office, and Mr. Wulfson said he did volunteer the discussions he had with the commissioner. Dr. Fortmann said he believes the commissioner spent a lot of time considering this application, and that he respects that. Dr. Fortmann said there is nothing in the statute that constrains the commissioner in terms of his recommendation. Dr. Fortmann said in regards to his previous remarks about the Charter School Office, he was complementing that office for doing a good job, and that nothing he said implied that the Charter School Office should overrule the commissioner. Dr. Fortmann said he resented the assertion that Department staff deliberately destroyed documents, and that assertions that the Department shredded documents are out of line.

Dr. Mohler-Faria said he echoed Dr. Fortmann's comments, and said he resents the assertion that there is a grand scheme or conspiracy here. Dr. Mohler-Faria said that people acted in the best interest of the children, and nothing was done wrong.

Dr. Fortmann and Dr. Mohler-Faria had to leave the meeting at 2:15 p.m.

Mr. Chertavian said he was satisfied and there was no reason to take any additional action. Mr. D'Ortenzio agreed, and asked Secretary Reville about the context of his email to Commissioner Chester. Secretary Reville said the context was that he had had telephone conversations with the commissioner, and that he got the impression that the commissioner was still weighing this decision and that the commissioner might be leaning toward recommending the Gloucester application.

Inspector General Sullivan addressed the Board from the audience. The Inspector General said many comments made are patently inaccurate and contradicted by a look at the record. The Inspector General said he would take a tape of this meeting and then present evidence to show there was only one meeting after the email exchange between the secretary and the commissioner, and that it was not with the Charter School Office. The Inspector General suggested that the Board refer this matter to the Attorney General. The Inspector General said in his opinion, the Board has not had outside legal counsel. The Inspector General said that the Governor's Office told him they would file a bill to address this matter, and that had not happened.

Secretary Reville said the Governor filed his legislation, and that the amendment was not adopted. The secretary said he was happy to have the opinion of anyone on whether the Board has the power to revoke, but the Board is dealing with whether there are the grounds to revoke, and that is a different matter. Inspector General Sullivan said the Board should find out if it does have the legal basis. The Inspector General said he did not think the Board had engaged in a deliberative dialogue, and that it had not examined the record but had asked the parties involved in questionable wrongdoing to explain their actions. Secretary Reville said the process has been deliberative and fair. Associate Commissioner Wulfson clarified that there may not be a written record of every meeting and conversation because while there are scheduled meetings with the commissioner that appear on his calendar, most of the discussions he has with the commissioner are not scheduled. For example, he said, the commissioner often calls him to come to his office to discuss something, as he did in this case. He said this is routine in most organizations. These conversations would not appear on the commissioner’s schedule.

Chair Banta thanked Board members for their discussion.

Charter Renewals for City on a Hill Charter School and Lowell Middlesex Academy Charter School

Commissioner Chester said the vote on the charter renewal for City on a Hill Charter School would be delayed until next month. The commissioner recommended renewal of the charter of Lowell Middlesex Academy Charter School with conditions, including that the school establish and operate a program for special education students consistent with Massachusetts General Laws chapter 71B.

**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 grant a renewal of a public school charter to the following school for the five-year period from July 1, 2010 through June 30, 2015, as recommended by the Commissioner:**

**Commonwealth Charter School:**

**Lowell Middlesex Academy Charter School**

**Location: Lowell**

**Number of students: 150**

**Grade levels: 9-12**

**This renewal is explicitly conditioned as follows. Failure to meet this condition may result in the Board placing Lowell Middlesex Academy Charter School on probation, revoking its charter, or imposing additional conditions on its charter.**

**By September 1, 2010 the school will establish and operate a special education program in a manner consistent with the requirements of General Laws chapter 71B. The school will demonstrate that it has met this condition through, at a minimum, an inspection visit conducted by the charter school office.**

**Lowell Middlesex Academy 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.

Information on New Charter Applicants

Chair Banta reminded Board members that information on new charter applicants in the Board books included an overview of the process for reviewing and granting new charters as well as a summary of the six charter applicant finalists that are pending. The Board will vote on any recommendations that the commissioner makes to grant charters for new charter schools at its February 23, 2010 regular meeting.

**Next Meeting**

The next meeting of the Board of Elementary and Secondary Education is scheduled for Tuesday, February 23, 2010 at the Department of Elementary and Secondary Education in Malden.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 2:30 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

Minutes of the Special Meeting

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

**January 25, 2010**

**5:45 p.m. – 8:20 p.m.**

**Massachusetts Department of Elementary and Secondary Education**

**75 Pleasant Street**

**Malden, MA**

Members of the Board of Elementary and Secondary Education Present:

**Maura Banta**, Chair, Melrose

**Gerald Chertavian**, Cambridge

**Michael D'Ortenzio Jr.**, Chair, Student Advisory Council, Wellesley

**Thomas E. Fortmann**, Lexington

**Jeff Howard**, Reading

**Nicholas Martinelli** (designee for Secretary of Education Paul Reville)

**Sandra L. Stotsky**, Brookline

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

Members of the Board of Elementary and Secondary Education Absent:

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

**Beverly Holmes**, Springfield

**Ruth Kaplan**, Brookline

**Dana Mohler-Faria**, Bridgewater

Chair Maura Banta called the meeting to order at 5:45 p.m.

Chair Maura Banta welcomed Board members to a special meeting focused on three items: (1) a mid-year review of the Board's priorities and processes and an update on educator effectiveness; (2) an overview of the state's recently submitted Race to the Top application; and (3) an update on the Common Core standards initiative. Commissioner Chester said the Race to the Top competition has been a major effort for the Department, and that the state's Race to the Top objectives align well to the Board's priorities.

*Board Mid-Year Report*

The Board reviewed an updated time analysis to see how it spends its time and examine the distribution of topics. Board member Jeff Howard said he was pleased that the Board had moved some charter school matters to the commissioner. Dr. Howard said the theory was that would leave more time on the agenda to discuss broader issues, but his observation is that charter school matters have tended to crowd out other matters. Chair Banta reminded Board members that this is a work in progress. The chair said she would survey Board members on whether full-day meetings would be preferable to Monday evening/Tuesday morning meetings.

Board member Gerald Chertavian said given the changes in the charter school law, it is timely to consider restructuring what the Board does. He said throwing more time at the matter is the wrong approach and that in his view, the Board should consider delegating more authority or find a new structure. Mr. Chertavian said we need more research and thought into how to fix this. Dr. Howard said if it is state policy to increase the number of charter schools, the Board should think about how it is managing those duties. Commissioner Chester said the Legislature has said it is the Board's responsibility to grant and renew charters. Commissioner Chester said the Legislature sees the Board as the appropriate body to carry out those responsibilities. He noted that the Legislature had the chance through amendments to second-guess the Board's vote on Gloucester, but it chose not to. Commissioner Chester said after the February meeting, we should revisit this issue. The commissioner said he believes for a number of reasons it is good to have the Board responsible for K-12 education policy writ large.

Mr. Chertavian said there is a difference between responsibility for policy and responsibility for implementation, and it seems that the Board operates almost as if it were a school district with implementation decisions around charter schools. Dr. Howard said the Board has longer and more contentious discussions on individual charter schools than on entire school districts.

*Educator Effectiveness*

Associate Commissioner David Haselkorn presented an update on educator effectiveness, which the Board identified as a priority area during its August 2009 retreat. Associate Commissioner Haselkorn said the state's Race to the Top application builds on past efforts to build a coherent and comprehensive approach to educator quality by developing measures of effectiveness anchored in student achievement and including other aspects.

Mr. Chertavian said this is the "what," and asked if the Department is comfortable with the "how." Associate Commissioner Haselkorn said Race to the Top would allow the Department to fund 10 district pilots to develop measures of effectiveness. Mr. Chertavian said he would be interested in how the Department would measure and report on performance.

Board member Tom Fortmann asked how the RTTT proposal would help aspiring teachers improve their math knowledge and bring the professional development that educators in the field now need. Associate Commissioner Haselkorn said there are substantial supports for professional development, and that work will continue through Title IIA funds as well. Commissioner Chester said core to this proposal is improving evaluation so as to give the adult workforce feedback about performance and effectiveness and ensuring professional growth.

*Race to the Top*

Commissioner Chester said he is very pleased with the state's Race to the Top application and the dialogue created among local participants and the goodwill and commitment to do this work. A total of 256 out of 392 eligible local education authorities (LEAs) submitted a memorandum of understanding with the required three signatures (superintendent, school committee chair, union president).

Dr. Fortmann asked about the role of the state union leadership in obtaining signatures. Commissioner Chester said both unions were very supportive of local chapters signing on and we would not have gotten to the success rate we had without the active support of both unions. The commissioner recognized Department staff, including Heidi Guarino and Carrie Conaway, for their efforts in outreach and managing the project, respectively.

Department staff updated the Board on the plan's objectives, including: (1) developing and retaining an effective, academically capable, diverse, and culturally competent educator workforce; (2) providing curricular and instructional resources that support teacher effectiveness and success for all students; (3) concentrating great instruction and supports for educators, students, and families in our lowest performing schools; and (4) increasing our focus on college and career readiness for all students.

Board member Sandra Stotsky said she would like to see schools ensure that the reading and math programs they are using are appropriate to them and their students. Dr. Stotsky said that some math programs are not teacher-friendly. Deputy Commissioner Karla Baehr said the Department would be looking at reading and math programs through the conditions for school effectiveness. Dr. Stotsky said she would like to see a focus in the next set of materials on the evaluation of curricular programs for their usefulness. Dr. Fortmann agreed that some math programs are problematic, and suggested that the Department look at the most popular programs how they align with the frameworks.

Dr. Fortmann asked about the track record of International Baccalaureate in low performing schools. Deputy Commissioner Jeff Nellhaus said Brockton High School has had success in implementing IB, and a number of charter schools also have IB programs. Dr. Stotsky suggested we encourage IB in more than just low performing schools. Deputy Commissioner Baehr said that 42 percent of districts fall into Level 3 and are eligible to secure a grant to have IB in school.

Board member Michael D'Ortenzio Jr. asked whether the Department was looking to restart the Certificate of Occupational Proficiency program through Race to the Top. Deputy Commissioner Nellhaus said the Department is interested in building on what it has done in three or four critical areas, but at some point this would require state appropriations.

Dr. Fortmann asked about the state consolidation of Information Technology functions. Associate Commissioner Bob Bickerton said the Executive Office of Education has much of the responsibility for the IT consolidation, and that will help with the focus on PK-16.

Carrie Conaway, director of strategic planning, research, and evaluation, summarized next steps. There will be a finalist round in March where finalists will go to Washington, D.C. to be interviewed. Notification of awards will take place in April. If a state receives a grant, it would work with its participating school districts to develop a scope of work and response to the grant within 90 days. Ms. Conaway said this is the agency's work regardless of whether the state is funded. Ms. Conaway said the Department will convene all 256 participating LEAs in March before notification occurs to capitalize on the enthusiasm and give districts information we have on options. Dr. Stotsky asked about the vendors. Deputy Commissioner Baehr said that for school turnaround, the state will identify partners who can work on social/emotional supports for students and other components. Dr. Stotsky asked if the Board could see the list of vendors and evidence of their success.

Mr. D'Ortenzio Jr. asked why unions declined to sign the MOUs submitted by 62 school districts. Commissioner Chester said in those cases where the union signature was missing, he heard two predominant issues: (1) a concern about revising approaches to teacher evaluation; and (2) given the relatively low amount of money some districts would be getting out of the grant, it wasn't worth the effort.

*Common Core Standards Initiative*

Deputy Commissioner Nellhaus provided an overview of the work going forward on the Common Core standards initiative. Commissioner Chester said the Department continues to look at the overlap between the state's revision of its own frameworks and the development of the Common Core standards. Deputy Commissioner Nellhaus said the Department is close to completing its own revision of the frameworks, and will be in a good position to compare those to the Common Core.

Dr. Fortmann said he has looked at several versions of the Common Core, and that it is hard to track all of these versions. Dr. Fortmann said he did not think the timetable was realistic. He said while the K-8 math standards are making significant progress, some issues still need to be addressed. Dr. Fortmann said none of it is as rigorous as the Massachusetts standards or Achieve's American Diploma Project. He said the high school standards have some serious problems and are not organized in a coherent way. Dr. Fortmann said that, for example, modeling should be infused and not a stand-alone piece. Dr. Fortmann said it would be helpful to get a list of differences between the current Massachusetts standards, the revised Massachusetts standards, and the Common Core to show where the significant changes are from one to the next. Deputy Commissioner Nellhaus said the Department will do a comparative analysis when it receives a final draft of the Common Core.

Commissioner Chester said the Department has been very clear that if endorsing the Common Core standards would mean a setback from the state's current frameworks, then the state will not endorse the Common Core.

Dr. Stotsky said that as a member of the Validation Committee, she cannot talk about the workings of that group, but since the January draft document in the state's application has become a de facto public document, she would comment on it. Dr. Stotsky said the document needs to be revised because it is not appropriate for K-12 English language arts, it doesn't come close to the state's own standards, and the majority of standards are not intelligible.

Dr. Stotsky asked that the following remarks be submitted into the minutes:

Subject: Major Defects in the Draft K-12 ELA Standards of 1/13/10 in Appendix B3 in the Massachusetts RTTT application of 1/19/10

**Major Recommendations**:

1. The Commissioner should urge NGA/CCSSO to hire immediately someone who knows how to write English language arts standards for reading and writing that are **intelligible** to teachers at the grade levels intended, **developmentally appropriate**, **classified correctly**, and **make sense**.

2. The Commissioner should urge NGA/CCSSO to hire immediately someone who can write grade-appropriate standards for grammar, usage, and writing conventions that are in acceptable English prose and linguistically accurate.

3. The Commissioner should urge NGA/CCSSO to hire immediately someone who can write grade-appropriate vocabulary standards that say something pedagogically meaningful and are linguistically accurate.

4. Unless NGA/CCSSO can produce a set of academically acceptable standards in mathematics and the English language arts by March, the Commissioner should present in April an alternative common set of mathematics and English language arts standards for this Board to send out for public comment that would satisfy the RTTT criteria.

5. To do so, the Commissioner should convene or participate in a consortium with several other states that have strong standards and work out a common core of standards they could adopt from Achieve’s high school exit standards and related backmapped standards in mathematics and the English language arts. This core of academically vetted standards could be sent out for public comment and then, if approved by the Board, incorporated into the strong mathematics and ELA standards these states already have and serve as the basis for the development of common assessments by these states, thus further satisfying the RTTT criteria.

# A Few Strengths in the January Draft

\*a separate vocabulary subsection

\*use of a dictionary or other reference tools indicated throughout

\*useful reading standards informing the teaching of expository reading and writing in the elementary grades

\*Reading and Literature Standards broken down into two categories of standards to call attention to the existence of two broad types of texts--literary and non-literary--and the differences in approaches to reading these two broad types of texts

\*an overall organizational scheme, three of whose parts would be recognized by English language arts/reading teachers from K-12 (Reading and Literature, Writing and Research, and Speaking and Listening). Teachers would also recognize the subtitles of the fourth part, called Language Development even though it includes sections on grammar/usage and mechanics (all of which, like subject/predicate agreement, must be explicitly taught to most students). Only Vocabulary makes some sense under this heading, but just in the primary grades.

# Flaw I: The Standards

The most egregious flaw is at the level of the standards themselves. They are, for the most part, a catastrophe and it is not clear to me why this has happened. Who are the people literally writing these groups of words called standards? What reviewing and editing process is in place to ensure that what is released has passed some internal procedures aimed at quality control?

All the other pieces of this document won’t matter to the English and reading teachers of this country. They will not be impressed by, e.g., a huge haphazard list of exemplar titles at different grade spans, classified into recognizable genres but with no rationale for their choice—or links to specific standards—and a yet-to-be developed readability formula that will enable them to determine whether, e.g., *Crime and Punishment* or *Native Son* is suitably complex enough to teach to grade 11 or 12 students. All that K-12 teachers care about ultimately (in Arkansas as well as in Massachusetts) are the statements on which their state tests have been based—whether called standards, benchmarks, or objectives.

Why are these statements generally so poor even when they are intelligible, and why do so many seem to have been written by people who don't understand how to write a standard? This document is, at present, a national embarrassment to NGA/CCSSO. Given what is in this draft, how many legislators will wonder whether these two organizations can be entrusted with the development or revision of any “common” or national standards, those currently being developed or those to be developed in the future.

Dip into any page at random (which is what I did). Here are examples across this document, but there are more on each and every page.

E.g., in Grade 3: **“Identify who is telling the story or who is speaking in a drama."** This group of words muddles two totally different points. In most grade 3 stories, it is the author who is telling the story, but the point of view may be first person or, more likely, third person omniscient. Is this about point of view here? On the other hand, if one asks a third grader who is speaking in a “drama,” we are asking about the characters who engage in a play’s dialogue, a very different matter.

E.g., in Grades 4-5, Core Standard 3: **“Describe in detail two or more characters, events, or topics in the text and explain how they are related to one another.”** What does this mean? Why is it a standard? What’s the intellectual goal? (E.g., if two characters are siblings, why is explaining that intellectually significant in grades 4-5?)

E.g., in Grades 4-5, under "Narratives, Drama and Poetry": **(d) "Identify how narratives and plays are structured to describe the progress of characters through a series of events and challenges."**   What does this mean? Is this for Grades 4-5?  Is this a standard?

E.g., in Grades 4-5 under conducting research: **“3. Gather information from experience, as well as print and digital resources.”** How does a student gather information from experience to do research? How can a teacher or peers check “information gathered from experience” to confirm or disconfirm it? How can this be called a standard? In the 2001 Massachusetts English Language Arts Framework, one finds under Research for grades 3-4: “Locate resources” and “Evaluate the relevance of the information.” In grades 5-8, one finds: “use an expanded range of print and non-print sources…”

E.g., in Grades 4-5 under Narratives, Drama, and Poetry: **“a. identify the narrator of a story and explain how different stories are narrated from different perspectives.” And “b. compare accounts of historical events and figures or natural phenomena with their depiction in a fictional work.”** Aside from understanding exactly how anyone compares an account of a natural phenomenon with its depiction in a fictional work (whatever that means), are there any teachers who could teach to these statements at those grade levels? On the other hand, in the 2001 Massachusetts English Language Arts Framework, one finds in grades 3-4: “Identify similarities and differences between the characters or events in a literary work and the actual experiences in an author’s life.”

E.g., in Grades 6-8, under “Informational Text”: **“(b) determine how key ideas or concepts build on one another to reveal an overarching theme or idea.”** This is meaningless, whether intended for grade 6 or 12. Exactly what is the average student supposed to know and be able to do in order to address this group of words?

E.g., in Grades 6-8, Core Standard 3: **“Explain in detail how events, ideas, and characters unfold in the text and interact with one another.”** This is gibberish at any grade level. In contrast, see the following two standards in the 2001 Massachusetts English Language Arts Curriculum Framework under Fiction: “Identify and analyze the elements of setting, characterization, and plot (including conflict“ (Grades 5-6); and “Locate and analyze the elements of plot and characterization and then use an understanding of these elements to determine how qualities of the central characters influence the resolution of the conflict” (Grades 7-8).

E.g., in Grades 6-8, under Narratives, Drama, and Poetry: **“(c) recognize how the setting unfolds over the course of the text and describe its significance to the work.”** Does a setting unfold? Where is this language coming from?

E.g., in Grades 6-8 under Informational Text: **“(a) summarize a text without expressing a personal opinion by drawing on the author’s specific description of events or information.”** This is incorrect. A summary does not address the details of a text.

E.g., in Grades 9-10 under Narratives, Drama, and Poetry: **“(b) summarize the development of a theme and describe how that theme resonates throughout the text.” “(c) weave together the details of texts to form a comprehensive understanding of its characters, including their overlapping or competing motivations.”** Both are examples of pretentious gibberish.

E.g., in Grades 9-10 under Informational Text: **“(c) analyze how different authors organize and categorize similar information and describe the impact of those different approaches.”** A reader’s first response is to ask: Impact on what? There is a germ of an intellectual objective lurking in this group of words but, as written, an English teacher would see this as an example of the kind of writing they try to correct in their writing classes.

E.g., in Grades 9-10 under Narratives, Drama, and Poetry**: “(c) evaluate how playwrights use soliloquies to portray the internal thinking and feeling of characters.”** Are grades 9-10 students capable of *evaluating* Shakespeare’s use of a soliloquy? For contrast, see the standard in the 2001 Massachusetts English Language Arts Curriculum Framework: “Identify and analyze dramatic conventions (monologue, soliloquy, chorus, aside, dramatic irony)” (Grades 11-12).

E.g., in Grades 9-10 under Integrating information and evaluating evidence and called a Core Standard: **“(9) Analyze the point of view or purpose represented in the text, assessing how it shapes the content, style, and tone.”** This is mind-boggling on several levels. To begin with, point of view is not equivalent to the purpose of an informational text. Point of view is a literary element indicating the stance from which a narrative is told. Second, how is an analysis of the purpose of an informational text with respect to assessing how it shapes the content, style, and tone of the work (whatever all of this actually means) related to Integrating information and evaluating evidence? High school English teachers will read this statement in disbelief that it appears as a national ELA standard.

Random examples of unacceptable Vocabulary standards:

1. By grade 3, students are to: **"identify and know the meaning of the most common prefixes and derivational suffixes (e.g., *un-*, *re-*, *mis-*, *-ful*, *-tion*, *-able)."***Most common suffixes don’t have meanings that can be conveyed to little kids (e.g., “-tion", “-ment”, and “-hood”), and suffixes in general are not considered meaning-bearing morphemes. “A suffix is a categorizer whose function it is to transpose a word…into another word class and/or a different semantic class from that to which the word…belongs” (Hans Marchand, *The Categories and Types of Present-Day English Word-Formation*, Second Edition, 1969, Munich: C.H. Beck, p. 215).

2. Throughout many grade levels, to determine the meaning of an unknown word, students are to (among other things) ***"use phonics and word analysis to identify visually new words when reading."***How does one identify visually a new word using phonics? Phonics is about sound/letter correspondences. This amounts to gibberish.

3. In Grades 4-5: **“identify the meaning of figurative phrases and culturally significant characters found in mythology that are integral to understanding other works of literature and texts (e.g., *Herculean*, *Pandora’s box*).** This long group of words muddles the germs of several different authentic standards. As written, it is gibberish. Moreover, “Herculean” is not a word that is apt to appear in Grades 4-5 reading materials. Part of this group of words resembles an authentic standard in the 2001 Massachusetts English Language Arts Curriculum Framework under General Standard 16 for Grades 3-4: “Acquire knowledge of culturally significant characters and events in Greek, Roman and Norse mythology and other traditional literature.”

4. In grades 9-10: ***"*interpret the connotative meaning of closely related words and phrases as they are used in the text (e.g., *angry* versus *irate*)."**  This is a totally uninterpretable command.

5. **"Distinguish a word from other words with similar but not identical meanings (synonyms)."** Every grade 5 child can no doubt tell us that the word BIG is not the word LARGE or the word HUGE. If written in a way that makes sense to teachers, "e.g., Identify words with similar meanings (synonyms)," it can be done in grade 1.

6. In Grades 4-5: "…**analyzing the word’s sounds, spelling, and meaningful word parts."** How exactly does a fifth grader analyze a word's sounds?

6. In Grade 3: **"Distinguish among related words that describe states of mind, degrees of certainty, or other abstract concepts (e.g., knew, believed, suspected, heard, wondered). "** Teachers and students alike will have no idea what this means for Grade 3. How is this a standard? Perhaps it is at the college level for ELL students.

7. In Grade 11 under Vocabulary and Core Standards: **“Determine or clarify the meaning of an unknown word by using one or more of the following strategies: …using the word’s history (etymology).”** My Webster dictionary indicates that “etymology” means the “origin and development” of a word. What secondary school students should learn at some point (but not as part of their language development) are the sources or origins of many of the key words used in their texts. Their evolution over the centuries is unimportant unless one is studying the history of the English language itself (which is never mentioned in this document and needs to be).

**Random examples of unacceptable “Conventions” standards**.

1. In Grade 3: **"Generate complete sentences, avoiding fragments, comma splices, and run-ons."** How many adults could do this, never mind third graders? And what third graders know about comma splices? This cannot be placed under Language Development no matter how you splice it.

2. This is under Conventions of Language and Writing in several places:

**"Maintain the focus of a paragraph on a topic through structural elements such as main ideas, supporting sentences, and transitions."** How is this a convention? It is also gibberish.

**Random example of grade-inappropriate titles**

Here are the informational texts listed in one part of this document for grades 6-8. Do excerpts from Plato, Churchill's speech, and Reagan's address make sense in 6-8?  These misplaced titles can be taken out and put into grades 11-12, but the deeper question is how they ever got here to begin with.

**Informational Texts (English Language Arts)**

―Allegory of the Cave from *The Republic* by Plato (380 BCE) translated by G.M.A. Grube

―Letter on Thomas Jefferson by John Adams (1822)

-- *Narrative of the Life of Frederick Douglass an American Slave* by Frederick Douglass (1845)

―Gettysburg Address by Abraham Lincoln (1863)

―Lee Surrenders to Grant by Horace Porter (1865)

―Blood, Toil, Tears and Sweat by Winston Churchill (1940)

*--Travels with Charley: In Search of America* by John Steinbeck (1962)

―Address to the Nation on Civil Rights by John F. Kennedy (1963)

*--I Know Why the Caged Bird Sings* by Maya Angelou (1969)

―Address to Students at Moscow State University by Ronald Reagan (1988)

**Random example of inappropriate standards on “Argument”**

In Grades 4-5: Arguments (opinions)

a. introduce an opinion about a concrete issue or topic

b. support opinions with relevant reasons

c. support reasons with specific details

d. link the reasons together using words, phrases, and clauses (e.g., *because*, *since*)

e. adopt a relatively formal style for sharing and defending an opinion when appropriate to the discipline or context

f. provide a concluding statement or section that offers reflections, restatement, or recommendations consistent with the opinion presented

Flaw II. Incoherent or Sporadic Intellectual Progression Through the Grades

Random example of a subset of standards showing little if no vertical development through the grades or relevance to its classification

**Integrating information and evaluating evidence, grades 4-5**

Core Standards — Students can and do:

7. Explain and use information presented graphically or visually in print, videos, or electronic texts.

8. Outline the information or evidence used to support an explanation or argument, determining which points support which key statements.

9. Determine the point of view or purpose that guides how events or ideas are described

**Integrating information and evaluating evidence, grades 6-8**

Core Standards — Students can and do:

7. Interpret information presented graphically or visually in print, videos, or electronic texts and explain how this information clarifies and contributes to the text.

8. Analyze the structure and content of an argument, including its main claims or conclusions, supporting premises, and evidence.

9. Determine the point of view or purpose represented in the text, assessing how it shapes the content

**Integrating information and evaluating evidence, grades 9-10**

Core Standards — Students can and do:

7. Interpret information presented graphically or visually in print, videos, or electronic texts and explain how this information clarifies and contributes to the text.

8. Analyze the structure and content of an argument, including its main claims or conclusions, supporting premises, and evidence.

9. Determine the point of view or purpose represented in the text, assessing how it shapes the content.

**Summary**

Any set of English language arts standards must be rooted in recognized literary, linguistic, and rhetorical scholarship and be compatible with the grade-by-grade progression of standards in the best sets of English language arts standards in this country. English teachers will not respect or teach to a document that (1) shows no cognizance of the literary, rhetorical, and linguistic scholarship they studied as English majors, (2) offers as standards statements that read like caricatures of the English language, (3) spills out a haphazard list of exemplar titles across the grades unrelated to the document's "standards," and (4) expects them to use a readability formula in place of a sensible outline of the substantive content of the literary and non-literary knowledge that students in an English-speaking country (with English-speaking institutions of higher education) should have acquired by the time they graduate from high school in order to read, write, and speak English like educated people.

Let me repeat my major point differently. A document purporting to present a set of English language arts standards not only needs to acknowledge the research evidence that supports its details on reading instruction, it also must indicate the linguistic, rhetorical, and literary scholarship that justifies its organization, and its literature and composition strands. E.g., the page on “Definitions of Key Writing Types,” close to the end of this draft, has not one quotation or scholarly reference to support what this draft claims are the three “key writing types.” Who says so?

Dr. Howard asked if this critique of the draft Common Core is shared by others. Commissioner Chester said staff has presented concerns to the people writing the standards and they have been responsive to our concerns.

Dr. Stotsky said the state needs a Plan B if the CCSSO/NGA does not produce a set of academically acceptable standards. Dr. Stotsky proposed that when the Department receives the next Common Core draft document (the public comment draft due in late February or early March), it convene a group of public high school math and English teachers and public college level math and ELA professors who teach freshman courses to present comments directly to the Board.

Commissioner Chester said the Department is committed to helping make the Common Core project successful. He reiterated that Massachusetts will adopt the standards only if they add value. The commissioner said we should start with the Massachusetts standards revision, and if the Common Core project is successful, we will see substantial overlap. He said this is very much a work in progress.

Deputy Commissioner Nellhaus said the feedback on the K-8 standards is favorable in math, and the Department is giving a lot of feedback on the ELA standards. Commissioner Chester said our definition of success is that there has to be value added, and if Massachusetts walks away, it will have alternatives. Dr. Fortmann said he agreed with the commissioner that getting our own standards right is job #1. Dr. Fortmann said the Common Core is a worthy project, and we should use our influence to nudge it in the right direction. Commissioner Chester concurred and said this country should have a set of standards and assessments that go beyond state boundaries and are internationally benchmarked.

Commissioner Chester said he will bring this topic back to the Board and will convey the concerns of the Board to CCSSO. Chair Banta thanked Dr. Stotsky for serving on the national committee and the commissioner for his continuing work on this project.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 8:20 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