Minutes of the Regular Meeting

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

**September 27, 2011**

**8:40 a.m. – 11:50 a.m.**

**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

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

**Gerald Chertavian**, Cambridge

**Matthew Gifford**, Chair, Student Advisory Council, Brookline

**Jeff Howard**, Reading

**Ruth Kaplan**, Brookline

**Dana Mohler-Faria**, Bridgewater

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

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

Members of the Board of Elementary and Secondary Education Absent:

**Vanessa Calderón-Rosado**, Milton

**Beverly Holmes**, Springfield

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

**Comments from the Chair**

Chair Banta acknowledged the service of former Board member James McDermott, who has resigned. The chair welcomed the new chair of the Student Advisory Council, Matthew Gifford, to the Board. Mr. Gifford said he is interested in politics and student rights, and hopes to learn from his colleagues on the Board. Chair Banta said the Board had an excellent meeting the previous night on family and community engagement. The chair said she would travel to Atlanta in October for the National Association of State Boards of Education (NASBE) meeting, which will focus on the Administration's recent announcement around No Child Left Behind waiver flexibility.

The chair asked for reports from several committees. Vice Chair Chernow said the Proficiency Gap Committee recently met and the committee recommends that the Board have a deeper discussion at its fall retreat or at a Monday night special meeting. Ms. Chernow said the committee has been working with the Department to identify a number of data indicators to show gaps over time, perhaps in a dashboard model. Ms. Chernow said the committee believes it would be useful for Board members to visit Level 4 schools to get a better understanding of their issues. Dr. Howard said he hopes the data dashboard will focus on a limited number of metrics.

Chair Banta presented on the work of the Commissioner's Performance Evaluation Committee on behalf of Ms. Holmes, who chairs the committee. Chair Banta said the committee has completed this year's evaluation of Commissioner Chester, and is looking at next steps after three years of terrific performance. She said Ms. Holmes will present a further report in October.

Chair Banta appointed Mr. Gifford and Dr. Howard to serve with her on the Budget Committee for FY2013.

**Comments from the Commissioner**

Commissioner Chester welcomed Mr. Gifford to the Board. The commissioner said he participated in a great event at the Charlotte M. Murkland School in Lowell to release the spring 2011 MCAS school and district results. The commissioner said he is chairing a commission created by the Legislature to develop recommendations around the implementation of a Creativity Index at the school level, and that commission met for the first time last week. Commissioner Chester provided an update to the Board on the No Child Left Behind waiver announcement and the Department's plans to pursue a waiver. The commissioner said a lot of schools in Massachusetts that are making good progress are failing the federal criteria, and the fact that 82 percent of schools and 91 percent of districts are not making Adequate Yearly Progress (AYP) flies in the face of common sense.

Secretary Reville arrived at 9:00 a.m.

Commissioner Chester said the Department is well positioned to move quickly on the waiver request, and that a consequence of not moving quickly would be to fall out of sync with planning for the 2012-2013 school year.

**Comments from the Secretary**

Secretary Reville welcomed Mr. Gifford to the Board. The secretary acknowledged the service of Dr. McDermott, and said he anticipates an appointment to be made within the next month or two. Secretary Reville said the Governor is underlining his commitment to public education by setting aside time this month to visit schools and participate in events around education. The secretary said the Governor will bring together the four boards of education (Early Education and Care, Elementary and Secondary Education, Higher Education, UMass) for a summit.

Secretary Reville said the Department of Labor recently announced a $20 million grant to community colleges in Massachusetts, and the state is planning to submit a Race to the Top application as part of the Early Challenge Learning Grant. Secretary Reville said the Governor is very concerned with the situation involving collaboratives and will file legislation. The secretary applauded the Obama Administration for taking affirmative steps to address deficiencies with NCLB, and the state will look closely at taking advantage of the waiver opportunity.

**Public Comment**

* Carol Keirstead and Kristen Peterson, New England Comprehensive Center, addressed the Board on an online learning experience for Board members;
* Kelly Kulsrud, Strategies for Children, addressed the Board on early literacy;
* Helena Soares, MATSOL, addressed the Board on SEI educator preparation and training.

# 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 June 27, 2011 special meeting and June 28, 2011 regular meeting.**

The vote was unanimous.

**Annual Meeting: Election of Vice-Chair**

Chair Banta said that given the absence of three Board members, the Board would take up the matter of electing a new vice-chair at its October 25, 2011 regular meeting.

**2011 MCAS Results**

Commissioner Chester reviewed the highlights of the release of the spring 2011 MCAS school and district results, which included strong high school results, some gap closing at several levels, and strong performance gains since last year made by two-thirds of Level 4 schools. Dr. Howard said the results are easier to comprehend in the form of charts and graphs. Dr. Howard suggested that the Board should devote a substantial portion of a future meeting to look at the data in depth and receive an illustrative set of charts.

Vice Chair Chernow asked the commissioner if he was concerned about potential cuts in federal funding. The commissioner said the Department is trying to be proactive in anticipating likely scenarios with federal dollars, especially given that the majority of Department staff are funded from federal dollars. Secretary Reville said the Administration is mindful of the continuing economic crisis nationally and internationally.

**Educational Collaboratives: Report of Board Committee, Update on Activities, and Proposed Next Steps**

Chair Banta said the Board's Committee on Educational Collaboratives held its second meeting and heard from stakeholders, including MASS, MASC, and MOEC. Commissioner Chester said his goal is to ensure that programs and services are open and functioning well, and he is satisfied that has happened. The commissioner presented a set of recommendations on collaboratives. He said the Legislature's Joint Committee on Education is holding an oversight hearing tomorrow.

Commissioner Chester said his recommendations take into account input from the Massachusetts Association of School Superintendents, the Massachusetts Association of School Committees, and the Massachusetts Organization of Educational Collaboratives. The commissioner's recommendations address oversight and accountability, as well as role and function. On licensing matters, the commissioner said he expects collaboratives to mirror the requirements for school districts, with any exceptions driven by the unique structure and mission of collaboratives.

Commissioner Chester said that collaboratives have untapped potential and could be the foundation of a regional support system for schools and districts. The commissioner's recommendation included promoting the role of collaboratives as a partner with the Department around technical assistance and support to schools. The commissioner said a planning process would allow school districts and current collaboratives to define a path forward and identify where collaboratives might expand and where there might be consolidation.

Vice Chair Chernow asked if collaboratives were housed in school districts and how they are governed. Deputy Commissioner Wulfson said they are established under the General Laws as a voluntary collaboration of school committees coming together. Collaboratives are governed by a board of directors and have their own offices, many have classrooms, and some use space in member districts. He said collaboratives are governmental agencies subject to the conflict of interest and public meeting laws. Commissioner Chester said there is a wide range in what collaboratives offer, and his recommendation is that there be more consistency.

Dr. Howard asked how collaboratives differ from the regional assistance agencies we have. Commissioner Chester said we currently have limited regional capacity, and that the District and School Assistance Centers (DSACs) are staffed and funded from Race to the Top and aimed at Level 3 and 4 schools and districts. Deputy Commissioner Wulfson said the proposed new structure for collaboratives would take several years to implement, and that the DSACs would be folded into this model.

Secretary Reville commended the good process that the Board committee has followed. The secretary said he would abstain from the final vote because the Administration will be filing its own package. Chair Banta said we should not lose sight of all the good work that collaboratives do. Commissioner Chester said there is appropriate indignation about Merrimack. The commissioner said legislative leaders are very interested in the Board’s recommendations.

Dr. Howard asked when the recommendations were sent to the Board. Commissioner Chester said they were sent on Saturday. Vice Chair Chernow discussed the issue of job training under adult services, and said a lot of vocational schools provide this service. The commissioner said the Auditor found that some collaboratives were going beyond what school districts typically do with respect to workforce development. Deputy Commissioner Wulfson said some vocational schools are members of collaboratives. He said job training funding goes through a different accounting system than education funding, which leads to confusion. Deputy Commissioner Wulfson said this is a good example of where affiliated non-profits could provide service. Dr. Howard said he would abstain from the vote because he did not have adequate opportunity to review the materials that were sent over the weekend without any note calling attention to the email.

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

**VOTED: that the Board of Elementary and Secondary Education hereby endorse the recommendations related to accountability and oversight and the recommendations related to the role and responsibilities of collaboratives presented by the Commissioner in his September 23, 2011 memorandum to the Board on *Educational Collaboratives: Report of Board Committee, Update on Activities, Proposed Next Steps, and Recommendations*; and further, that the Board direct the Commissioner to communicate its endorsement of the recommendations to the Governor and Legislature.**

The vote was 5-2. Secretary Reville and Dr. Howard abstained.

**English Language Learners: Educator Preparation and Training Required for Sheltered English Immersion**

Commissioner Chester welcomed Esta Montano and Attorney Dianne Curran from the Department. The commissioner said he was asking the Board to adopt a timeline for him to come back to the Board in February with recommendations around educator preparation and training for sheltered English immersion. The commissioner said the 2002 ballot initiative amended the statute to require all English language learners to receive their academic classroom instruction in English through sheltered English immersion. The commissioner said the teacher training was voluntary rather than mandatory, and participation has not reached ideal levels.

Commissioner Chester said two key initiatives were underway. First, the Department is looking at the training it currently offers, called category training, to examine how effective it is and whether we have the right content. Second, the Department is moving to implement the World-Class Instructional Design and Assessment (WIDA) to determine ELL students’ progress in becoming proficient in English. The commissioner said WIDA is more refined than the current system and includes academic content language.

Commissioner Chester said the U.S. Department of Justice (DOJ) has looked at English language learner programs in a number of states, and in Massachusetts, has focused on specific school districts. The commissioner said DOJ has reached settlement agreements with Boston, Somerville, and Worcester.

Ms. Kaplan arrived at 10:25 a.m.

The commissioner said his primary focus is to benefit English language learners by strengthening their instructional programs. He said the approach has to benefit students and be feasible to implement.

Secretary Reville said he supported this motion and sees it as a sensible timeline. The secretary said the results for ELL students are disturbing, and this is a struggle in every state. The secretary said additional instructional time for ELL students should be another consideration. He said teacher training is one strategy to improve outcomes, but other things include curriculum and the structure of the day. Secretary Reville said that Commissioner Chester has laid out a thoughtful, accelerated process.

Mr. Chertavian asked why it took the federal government to spur us to act. Commissioner Chester said he would argue it did not, that the Board has focused on English language learners through the work of the Proficiency Gap Committee and the Budget Committee. He noted that the state budget provided less than $400,000 for ELL teacher training despite the Board’s requests for additional funding. The commissioner said the Achievement Gap Act and the Department’s school turnaround work also paid particular attention to ELLs. Commissioner Chester said the question is how to identify who needs additional training, what it should be, and how to mandate and implement it.

Vice Chair Chernow said the compliance letter is pretty scathing. She said she did not understand why the training is voluntary, and asked if it should be part of licensure and relicensure. Commissioner Chester said the Department has a range of initiatives underway and is not stopping the current training. He said relicensure is an obvious lever. He said he wants to have confidence in the training program and be sure whatever we mandate is of benefit to students, is feasible to implement, and is worth the cost. Ms. Kaplan said the report is alarming, and asked if it is fair to hold students to standards on MCAS if they have not been adequately taught. Commissioner Chester noted that if ELL students are exempted from MCAS, their progress or lack of progress is hidden. He noted that by definition an ELL student is not yet proficient in English and said the formerly limited English proficient students actually do quite well. Secretary Reville said the answer is to find strategies that work, and that some programs and schools have been successful in their results for ELL students.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with M.G.L. c. 69, §1B; c. 71, s. 38G; and c. 71A, adopt a timeline directing the Commissioner to continue to review the needs and options for preparation and training for teachers of academic content to English Language Learners in the Sheltered English Immersion program and:**

* **by February 2012, present to the Board proposed amendments to the regulations on educator preparation and licensure and the regulations on license renewal that will define the preparation and training required for teachers of academic content to ELLs in the Sheltered Immersion program along with a plan for implementing the new requirements, including content of training, method of delivery, educators who require training, and timing of implementation;**
* **with Board approval, send out the proposed regulations for public comment; and**
* **by June 2012, following the period for public comment and necessary revision, bring the regulations back to the Board for a final vote and a review of the plan for implementation.**

The vote was unanimous.

**Charter Schools: Edward W. Brooke Charter School Waiver Request**

Commissioner Chester said the Edward W. Brooke Charter School filed a renewal request that was two days late. Deputy Commissioner Wulfson said the deadline is a regulatory deadline and the Board has authority to waive it.

**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 1.03(2), hereby waives the requirements in 603 CMR § 1.12(1) with respect to the deadline for the submission of the application for the renewal of the charter for Edward W. Brooke Charter School. This waiver allows Edward W. Brooke Charter School to proceed with the renewal process as if its request had been submitted by August 1st.**

The vote was unanimous.

**Virtual Innovation Schools: Greenfield Waiver Requests**

Commissioner Chester recommended that the Board allow one waiver request for students who were enrolled last year in MAVA@Greenfield as 8th graders, to enable them to enroll as 9th graders this year while legislation is being addressed.

Deputy Commissioner Wulfson said a requirement that special education students have the approval of their team turned out to be a barrier. He said the Department plans to recommend that the Board revise that regulation later this year. Deputy Commissioner Wulfson said problem has arisen primarily in Springfield, and that placing this additional procedural requirement on special education students could result in a challenge.

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

**VOTED: that the Board of Elementary and Secondary Education authorizes the Greenfield School Committee to enroll ninth grade students in MAVA@Greenfield during the 2011-2012 school year; provided, that said students were enrolled in MAVA@Greenfield during the 2010-2011 school year; provided further, that the other provisions of the Board's vote of May 24, 2011, with respect to MAVA@Greenfield shall remain in effect; and provided further, that the first sentence of 603 CMR 48.05(6) shall not apply to MAVA@Greenfield.**

The vote was unanimous.

**Process and Timelines for FY2013 Budget and Possible Legislative Proposals**

Commissioner Chester asked Department CFO Bill Bell to review the process and timelines for the FY2013 budget with the Board. Ms. Kaplan asked if there were any surplus funds at the end of the last fiscal year. Mr. Bell said the Department did not end with any deficits, and is now doing a final reconciliation of all accounts. Ms. Kaplan said it would be helpful to see the Board's budget priorities over the last few years. Secretary Reville noted that the Department’s operations and staffing rely heavily on federal funding.

**Advisory Council Appointments and Annual Reports**

Commissioner Chester said the Department will ask the Board to appoint members to the advisory councils in October. He invited Board members to submit additional nominations. Chair Banta said the Board has done a better job in the past year bringing advisory councils before the Board to present on key topics. Ms. Kaplan suggested that students from the State Student Advisory Council should serve on the councils if possible, and that representatives from the bilingual and special education communities should be encouraged to serve on the various councils. Vice Chair Chernow asked that the Department list the liaison to each council and where each council is housed in the Department when the list comes back to the Board in October.

**Other Items for Information**

Secretary Reville asked about the impetus for the Social and Emotional Learning curricula. Commissioner Chester said the bullying legislation had directed the Department to develop and publish the guidelines. Ms. Kaplan asked if the Board could hear more about the Behavioral Health Task Force report. Commissioner Chester said there was a presentation on it to the Board in the spring and he could provide further information if the Board has questions on it.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 11:50 a.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**

**September 26, 2011**

**5:05 p.m. – 6:30 p.m.**

**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

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

**Gerald Chertavian**, Cambridge

**Matthew Gifford,** Chair, Student Advisory Council, Brookline

**Jeff Howard**, Reading

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

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

Members of the Board of Elementary and Secondary Education Absent:

**Vanessa Calderón-Rosado**, Milton

**Beverly Holmes**, Springfield

**Ruth Kaplan**, Brookline

**Dana Mohler-Faria**, Bridgewater

Chair Banta called the meeting to order at 5:05 p.m.

Chair Banta welcomed the Board to its special meeting to focus on and discuss family, parent and community engagement. The chair recognized Matthew Gifford, the newly elected chair of the State Student Advisory Council, to his first official meeting.

Commissioner Chester said this topic is very much at the forefront of the Board's thinking and was a priority identified in the Proficiency Gap Task Force's report. The commissioner said a number of advisory councils are working on this issue.

Secretary Reville arrived at 5:10 p.m.

Commissioner Chester said that Anne Serino, director of adult and community learning services at the Department, would provide an overview on the issue. The commissioner invited members of the advisory councils who were in attendance to stand and be recognized.

Ms. Serino made a presentation on the cross-agency work around family and community engagement and the development of a set of fundamentals. Peggy O'Hare, chair of the Parent and Community Education and Involvement (PCEI) Advisory Council, also presented on the six fundamentals, which are: (1) Welcoming all stakeholders; (2) Communicating effectively; (3) Supporting the success of children and youth; (4) Advocating for each child and youth; (5) Sharing power and responsibility; and (6) Partnering with the community.

Ms. O'Hare said that there has been a shift in focus away from "parent involvement" to "family engagement." Ms. O'Hare said the council developed a structure and framework that looks at each fundamental to examine what will have the most impact. The council took each fundamental and came up with 3-4 indicators. The council also came up with three levels: initiating, progressing, and mastering. The PCEI collected feedback from other advisory councils (Racial Imbalance, Special Education, English Language Learners / Bilingual Education, Interdisciplinary Health and Human Services) and discussed adding a level beyond mastering to highlight some exemplary practices. Ms. O'Hare said this work has given us structure for what family and community engagement looks like in schools, and the council is pleased with the outcome.

Chair Banta asked who was to make this assessment, and whether schools and parent groups both are to make that judgment around the current status of family and community engagement in a school. Ms. O'Hare said the PCEI envisioned this as a tool used by diverse stakeholders in different ways. Commissioner Chester said this is impressive work and that it lays out a useful, accessible framework. The commissioner said there are several areas where this can be put into play more systematically, such as in Title I, special education, and Level 4 schools, where family engagement is one of the eleven conditions.

Dr. Howard said this matrix is simple and easy to understand. Dr. Howard asked if this was being used anywhere and if we are seeing its effects. Ms. O'Hare said she knows of a Level 3 school that used the fundamentals with its action team. Ms. O'Hare said the school was initiating in some areas, mastering others. Ms. O'Hare said the 8-member action team consisted of parents, faculty and the principal, and the school is known for being family-friendly.

Dr. Howard said he was concerned about resistance from school staff. Ms. O'Hare said that is a possibility. Dr. Howard wondered if it would be more powerful with fewer indicators. Ms. O'Hare said the council worked with the national PTA and Boston Public Schools, and those two entities had many more indicators than what is presented here. Commissioner Chester said there needs to be a balance between support and accountability. The commissioner said this document is on the support side, and it lays out the conditions and provides feedback and tools. The commissioner said this will be helpful to the school turnaround process.

Secretary Reville said this is impressive work and the explicit language is helpful. The secretary said he shared concerns about the degree of emphasis. The secretary said the notion of family support for children's learning is not prominently mentioned, and it should be. Secretary Reville said families are co-educators of their children at home, and it needs more emphasis. Secretary Reville said it would be helpful also to highlight the connection that schools can make with families around services that can mitigate problems that are impeding learning. Families need to know where and with whom to connect. Secretary Reville said the principal needs to convey that this is important.

Vice Chair Chernow said this is very literacy heavy and a lot of text for parents. Vice Chernow said she was impressed by the work, and how this is implemented is the big question. Mr. Gifford said this was interesting from a student perspective, and asked how students are feeling with families getting more involved. Ms. O'Hare said typically with younger students, families are more willing to become involved.

Ms. Serino described the work of the Family and Community Engagement Initiative at the Department, which includes an internal working group, an action plan, a progress update, and next steps. Ms. Serino said that Adult and Community Learning Services acted as the convener within the Department to help connect efforts within the agency.

Chair Banta asked how the Department has measured the impact of this initiative. Ms. Serino said we all care about student outcomes, and the question is can we see if this initiative has had an impact on outcomes. Ms. Serino said work in Chicago has demonstrated that this takes more than one initiative, but family and community engagement is an important piece of the puzzle.

Commissioner Chester said the Board directed the Department to bring back a set of recommendations around surveying parents in the context of educator evaluation. Secretary Reville said we are struggling to go beyond the narrow, simple definition of what a good school is. The secretary said the bottom line is learning, and some schools are more effective than others at establishing an atmosphere where learning can flourish. Dr. Howard asked what the purpose of the family and community engagement initiative is. Ms. Serino said to harness and focus the work that is being done in different units at the Department and coordinating it for greater impact. Secretary Reville said galvanizing parent participation in support of student learning will help to reduce proficiency gaps.

Commissioner Chester said this is a work in progress, and the Department will continue trying to leverage family and community engagement. Vice Chair Chernow asked if we are able to pull out family and community engagement in Level 4 schools. Commissioner Chester said we are starting to gather those insights, and we will have a better understanding as we move forward.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 6:30 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