**Minutes of the Regular Meeting**

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

**Tuesday, April 29, 2014**

**8:35 a.m. – 1:00 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

**Daniel Brogan**, Chair, Student Advisory Council, Dennis

**Vanessa Calderón-Rosado**, Milton

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

**Karen Daniels,** Milton

**Matthew Malone,** Secretary of Education

**James O’S. Morton,** Springfield

**Pendred Noyce**,Weston

**David Roach**, Sutton

**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 Banta called the meeting to order at 8:35 am.

Comments from the Chair

Chair Banta reported on her recent visit to the Burlington Public Schools, where she observed PARCC field testing and spoke with administrators and students about their experience. Chair Banta noted the Lawrence Public Schools teacher contract that was recently ratified and commended the parties for working together on the agreement.

Comments from the Commissioner

Commissioner Chester updated the Board on appointments to the STEM advisory council.

Comments from the Secretary

Secretary Malone reported on the progress of the state budget, including amendments to fund innovation schools and the STEM teacher pipeline. He said education has done well in the budget proposal, but there is still work to be done. Secretary Malone updated the Board on his recent school visits.

The Board presented citations to Senior Associate Commissioner Lynda Foisy and Senior Associate Commissioner Bob Bickerton, thanked them for their years of service to the students of the Commonwealth, and wished them the best in their retirement.

Statements from the Public

1. Tim Sullivan of the Massachusetts Teachers Association addressed the Board on Level 5 schools.
2. Vickie Lynnette Williams addressed the Board on Level 5 schools.
3. Janine Matho, Deputy Director at the Massachusetts Charter Public School Association, addressed the Board on the ESEA flexibility waiver and revisions to the state accountability system.
4. Marc Kenen, Executive Director at the Massachsuetts Charter Public School Association, addressed the Board on the ESEA flexibility waiver and revisions to the state accountability system.
5. Ann O'Halloran of Citizens for Public Schools addressed the Board on the ESEA flexibility waiver and revisions to the state accountability system.
6. Tom Mela of Massachusetts Advocates for Children and the Education Law Task Force addressed the Board on the Student Discipline Regulations.
7. Rebecca Bryant of Stoneham, Chandler & Miller addressed the Board on the Student Discipline Regulations.
8. Dan Gutekanst, Superintendent of Needham Public Schools, addressed the Board on the Student Discipline Regulations.
9. Jonathan Pizzi, Principal of Needham High School, addressed the Board on the Student Discipline Regulations.

**Lawrence Public Schools: Update on Teacher Contract**

Commissioner Chester said he is very pleased with the work in Lawrence, and most recently with the approval of a new teacher contract. He said this collective bargaining agreement is very progressive in terms of time for students and teachers, working conditions, and compensation, and is the result of a partnership between the union and district. He introduced Lawrence Superintendent/Receiver Jeff Riley, Deputy Chief Redesign Officer Julie Albino, and Lawrence Teachers Union President Frank McLaughlin.

Mr. Riley said he is pleased that an agreement has been reached, and presented highlights to the Board. He reminded the Board of the six themes that guide the work in Lawrence: build on excellence in Lawrence and the Commonwealth; focus on schools as the unit of change; empower principals, teachers, parents, and the community; use resources wisely; implement with urgency; and focus on results. He said Lawrence has tremendous talent in schools and great partnerships. Mr. Riley explained Lawrence’s model of open architecture for schools. He said the vision for the contract was guided by the goal of improving student outcomes by creating a professional contract and compensation system that will retain and grow our best teachers and leaders, while also attracting new high potential talent and supporting individual schools’ strategic design to best meet their students’ needs.Mr. Riley said the contract preserves major initiatives implemented over last two years, creates new vehicles for teacher empowerment, and ensures protections for teachers. He gave the Board an overview of the career ladder, which includes novice, developing, career, advanced, and master levels. Mr. Riley presented achievement results of the district, showing positive trends in the graduation and dropout rates each year since receivership began.

Mr. McLaughlin said the union and the receiver share a vision for the students of Lawrence and have worked to solve problems. He said there is a refreshing mood in the city with the new mayor, and the school district is moving forward.

Mr. Roach asked how many teachers are in the career category, and how many will move to the master level. Ms. Albino said there are currently 600 career teachers, and applications for master teacher will open soon. She said the career ladder rewards teachers more than the previous step-and-lane system, making the district more competitive with neighboring districts. In response to Secretary Malone’s question, Mr. Riley said he uses student growth data as well as performance data, and also looks at the arts and other factors. Ms. Chernow said she is impressed with the work in Lawrence, and asked about leadership reforms. Mr. Riley said he has replaced 50% of the principals, reduced the central office by one-third, and empowered school based reform efforts. In response to Commissioner Chester’s question, Mr. Riley said the district receives many applications from teachers who believe in the mission and the new system and want to be a part of the work in Lawrence. He said there is also excitement around the Teacher Leader Cabinet, which includes 100 teachers.

**Update on Level 5 Schools**

Commissioner Chester said the Department has issued final turnaround plans for the four Level 5 schools: Dever Elementary School and Holland Elementary School in Boston; Morgan Full Service Community School in Holyoke; and the John Avery Parker Elementary School in New Bedford. He reminded Board members that four years ago 35 schools were identified for low performance; while most made good progress, these four showed little if any progress over four years so he moved them to Level 5. The commissioner described the process involving the local stakeholder group in developing and reviewing the plan. He said the superintendent, school committee, and local union now have the opportunity to appeal the final plan to the Board.

Commissioner Chester said common strategies in the four turnaround plans include an emphasis on great teaching, effective professional development, a strong focus on curriculum, data-driven instruction, student support, extended time and resources, and parent involvement. He said the key is effective execution of these strategies, which we did not see previously. The commissioner said he has identified a receiver for each school to implement the plan. Commissioner Chester thanked Deputy Commissioner Alan Ingram, Lynda Foisy, Liza Veto, and Manuel Monteiro for their work.

Ms. Noyce asked if Level 5 status carries additional funds and if school districts have been supportive. Senior Associate Commissioner Lynda Foisy said the Department worked with the districts’ financial officers to establish a plan. Commissioner Chester said state and federal funds were reviewed and used when developing the budgets. He reminded Board members that the schools received targeted assistance funds as Level 4 schools, and the Department wants to be sure the plans are sustainable in the long run. Ms. Chernow asked why the Parker school had a lower budget allocation. Ms. Foisy said the Parker is smaller than the other schools. She added that the Department conferred with each receiver, including the New Bedford superintendent who is serving as receiver of the Parker, to estimate start-up costs.

Rhoda Schneider, General Counsel, outlined the appeals process for the Board and said she will advise the Board on the appeals. She said letters went to all parties outlining the process, timeline, and grounds for an appeal. Parties may file an appeal within 30 days of the release of the final turnaround plan. Ms. Schneider noted that the statute provides the Board may vote to modify the plan if the appellant establishes that: such modification would further promote the rapid academic achievement of students in the school; a component of the plan was included, or a modification was excluded, on the basis of demonstrably false information or evidence; or the commissioner failed to meet the requirements of subsections (m) to (p), inclusive [of G.L. c. 69, §1J]. She said parties submitting appeals must submit a clear and unambiguous statement as to the grounds for the appeal of the particular component of the plan, identifying which of the three statutory grounds for appeal serves as a basis, offering a specific proposed modification to that component of the turnaround plan, and presenting all arguments and supporting documentation upon which the appellant seeks to rely.

In response to Ms. Chernow’s question, Ms. Schneider said parties may appeal separately or unify their appeal. Commissioner Chester said this is the first time we have identified Level 5 schools, and the Department is attentive to all the input as well as the requirements of the law. The commissioner added we need to act expeditiously, keeping the needs of the students first and foremost. Mr. Roach said this is difficult but essential work. He said it is critical for the Board to remember how the schools got to this point, and that a significant number of schools made progress. Mr. Roach said while it would be easier to say, “That’s good enough,” for low-income students, such an approach would not be right or just. He commended the commissioner for taking a stand on these schools and said the goal of improving outcomes for these students is most important.

**Update on PARCC**

Senior Associate Commissioner Bob Bickerton updated the Board on the PARCC Performance Based Assessment (PBA) field test, in which approximately 81,000 Massachusetts students in 1,050 schools in 345 districts are participating. Mr. Bickerton informed the Board of student and administrator feedback from the field test survey.

In response to a question from Ms. Daniels, Mr. Bickerton said Massachusetts students are used to open-response questions from the MCAS tests, and initial information shows they submitted substantial answers to the PARCC open-response items. In response to Mr. Brogan’s question, Mr. Bickerton confirmed that schools may use tablets for the PARCC test. Mr. Roach said the online capabilities are being touted but access to technology in every school is still an issue we need to pursue as a matter of equity. Mr. Brogan said he is concerned about a lack of technology readiness in some schools. Mr. Bickerton said the Department’s Office of Digital Learning is continuing to survey and work with districts, and the pending state technology bond bill and federal e-rate funds hold promise for addressing gaps.

**Accountability and Assistance: Update on ESEA Waiver and Revisions to Accountability System**

Commissioner Chester gave a brief overview of the previous evening’s special meeting discussion. He reminded the Board that the one-year waiver extension request he is proposing to submit under the Elementary and Secondary Education Act (ESEA) will allow the Commonwealth to continue operating under the current five-level accountability system. He said our waiver application to the U.S. Education Department will not include the weighting of achievement and growth, which is a state rather than federal issue. Commissioner Chester said he wants to be prudent about reviewing the intended and unintended consequences of an achievement and growth calculation, which he will bring back to the Board for further discussion and action at a future meeting.

Chair Banta asked about the status of the re-authorization of the ESEA. Commissioner Chester said between 1965 and 2001 the Act was re-authorized every 5 to 6 years, but it has not been re-authorized in 13 years and action is stalled in Congress.

Ms. Noyce moved to endorse the Commissioner’s proposed request for a one-year extension of the flexibility waiver for Massachusetts under the ESEA, as presented in the Commissioner’s memorandum and presentations. The motion was seconded.

MOVED: that the Board of Elementary and Secondary Education endorse the Commissioner’s proposed request for a one-year extension of the flexibility waiver for Massachusetts under the federal Elementary and Secondary Education Act, as outlined in the Commissioner’s April 18, 2014 memorandum and April 28 and 29, 2014 presentations, and authorize the Commissioner to submit a flexibility waiver application to the U.S. Department of Education consistent with the elements contained in his memorandum and presentations.

Ms. Chernow said the motion should be amended to delete the references to the Commissioner’s memorandum, since the memorandum included the weighting of achievement and growth, and those issues would not be included in the waiver request. Ms. Calderón-Rosado made the motion and it was seconded.

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

**VOTED: that the Board of Elementary and Secondary Education amend the original motion to delete the references to the Commissioner’s April 18, 2014 memorandum.**

The vote was 7-0-2 and motion was amended. Harneen Chernow and David Roach abstained.

Ms. Noyce said the accountability system should have the greatest outcome for the most students and assist schools and districts with the most need. In response to a question from Ms. Daniels, Rob Curtin, Director of Education Data Services, said about one-third of schools are on track to meet the gap narrowing goals. Secretary Malone said it should not matter which schools are on or off the achievement and growth simulations; the accountability system should reward systems that work hard no matter what type of students they receive. He suggested using a model that blends achievement and growth.

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

**VOTED: that the Board of Elementary and Secondary Education endorse the Commissioner’s proposed request for a one-year extension of the flexibility waiver for Massachusetts under the federal Elementary and Secondary Education Act, as outlined in the Commissioner’s April 28 and 29, 2014 presentations, and authorize the Commissioner to submit a flexibility waiver application to the U.S. Department of Education consistent with the elements contained in his presentations.**

The vote was 6-0-3. Harneen Chernow, David Roach, and Daniel Brogan abstained.

**Report on Educator Diversity Initiative and Commissioner's Action Plan**

Commissioner Chester thanked members of the Diversity Task Force for their hard work on this important subject. Commissioner Chester said he convened the task force last year to consider how educator workforce diversity could improve, and how the current workforce could better meet the needs of diverse students.

Heather Peske, Associate Commissioner of Educator Quality, said the educator diversity initiative was one of the projects in our Race to the Top grant. Ms. Peske reviewed the ten task force recommendations and the Department’s action plan for each item.

In response to Chair Banta’s question about license reciprocity, Ms. Peske said the Department is reviewing licensure policy generally over the next 18 months. In response to Mr. Morton’s question about the action steps, Commissioner Chester said the Department will monitor progress and report back to the Board annually. In response to a question from Ms. Noyce, Ms. Peske said out-of-state candidates can take the MTEL online. Secretary Malone thanked the task force for their work on this initiative. He said developing the pipeline is essential, and policies providing incentives for joining the teaching profession would help. Mr. Roach commended the “Today’s Students, Tomorrow’s Teachers” program, and noted that more financial aid is needed.

Secretary Malone had to leave the meeting at 12:05 pm. The Secretary's designee, James DiTullio, took the Secretary's place.

**Report on Educator Evaluation Data**

Commissioner Chester reminded the Board that statewide educator evaluation data was released in November 2013, and has now been updated to include results by race, ethnicity, and gender, as well as a correlation between evaluation performance and student growth. Commissioner Chester said the majority of educators are proficient.

Associate Commissioner Heather Peske presented the statewide educator evaluation results, including race/ethnicity, gender, and professional and non-professional teacher status. Rob Curtin, Director of Education Data Services, presented on the correlation between educator evaluation results and student growth percentiles. Commissioner Chester explained that under the Massachusetts system, the evaluator’s professional judgment is paramount. He added that if an educator is rated proficient or exemplary and the student growth percentile is extremely low, the educator will have an improvement plan to expand professional learning.

In response to Chair Banta’s question, Ms. Peske said the data and report are posted on the Department’s educator evaluation site and the data have been shared with districts and stakeholders. Ms. Noyce commended the Department for compiling and analyzing the data. She noted that the information would be of great interest to other states.

**Regulations on Student Discipline, 603 CMR 53.00**

Commissioner Chester said the recent report from the U.S. Education Department and Department of Justice confirms that student exclusions from school have been happening at an alarming rate for students of color and males. Commissioner Chester said the new state law, An Act Relative to Student Access to Educational Services and Exclusion from School, was an appropriate response, and the regulations he is presenting to the Board for a final vote today strike a balance by protecting students from capricious exclusions and giving principals appropriate tools to maintain safety and order. The commissioner said that in response to concern from the field, he has revised the emergency removal section of the regulations to insert the words “materially and substantially disrupts” – so that school leaders have the ability to move swiftly when the need arises. Commissioner Chester handed out the revised page of the regulations. He recommended that the Board adopt the regulations as presented with this revised section, stating that the change protects all students and addresses the field’s concern.

**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, and M.G.L. c. 71, § 37H and § 37H ¾, and having solicited and reviewed public comment in accordance with the Administrative Procedure Act, G.L. c.30A, § 3, hereby adopt the Student Discipline Regulations, 603 CMR 53, as revised on April 29, 2014, and presented by the Commissioner**.

The vote was unanimous.

Mr. Curtin presented student discipline data, including data on specific student groups. Mr. Curtin said the Department streamlined its data collection in 2012-2013 in anticipation the requirements of the new student discipline law.

Ms. Chernow asked how the Department is considering using the data for school and district accountability. Commissioner Chester said the new law and regulations put a focus on student exclusions. He said in accordance with the law, the Department will report on schools and districts with a high number of suspensions or a high rate of suspensions for particular student groups and those schools and districts will then establish a corrective action plan with the Department. Mr. DiTullio said the regulations are a good step and strike a fair balance. He noted that the state civil rights commission has an interest in the data. Associate Commissioner John Bynoe said a major component of the new law is the requirement to provide education services to students who are excluded. He said the student discipline law is part of a renewed focus on school culture.

**Rescission of Regulations on Private Occupational Schools, 603 CMR 3.00**

Commissioner Chester said the Board’s vote today would rescind our soon-to-be-obsolete Regulations on Private Occupational Schools, 603 CMR 3.00. He said the emergency regulations allow us to coordinate our timing with the Division of Professional Licensure (DPL), which now oversees these private proprietary schools and is adopting new regulations to govern their operations and provide appropriate consumer protections.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with G.L. chapter 69, § 1B and Chapter 106 of the Acts of 2012, hereby rescind the Regulations on Private Occupational Schools, 603 CMR 3.00, as presented by the Commissioner.**

**Further, in accordance with the Administrative Procedure Act, G.L. c. 30A, § 3, the Board finds that the immediate rescission of these regulations is necessary for the preservation of public safety and general welfare, and that observance of the requirements of prior notice and public comment would be contrary to the public interest. The Board directs the Commissioner to provide notice and an opportunity for public comment on the emergency regulations, in accordance with the requirements of G.L. c. 30A, § 3, within the next three months.**

The vote was unanimous.

**FY2015 Education Budget Proposal from House Ways & Means Committee**

Chief Financial Officer Bill Bell said the full House of Representatives is currently meeting to review amendments to the proposed budget. He reviewed the Department’s line item accounts. Mr. Bell introduced Julia Jou, the Department’s new budget director. In response to Mr. Roach’s questions, Mr. Bell said funding for connecting activities was restored to the previous level in the House budget. Mr. DiTullio said there are some places where education funding falls short, such as RETELL and innovation schools, but most accounts were supported. He noted that these issues will be flagged for the Senate Ways and Means Committee.

Mr. DiTullio had to leave the meeting at 12:55 pm.

**Technical Correction to Charter Renewal with Probation for Dorchester Collegiate Charter School**

Commissioner Chester said the Board voted in February to place the school on probation and established conditions. He said the Board also voted to approve the school's major amendment request to reduce its grade span, but due to an inadvertent error, the motion presented to the Board on February 25 did not include language renewing the school's charter. Today’s vote makes that technical correction.

**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 C.M.R. § 1.11(1) with respect to notification to the Dorchester Collegiate Academy Charter School of the decision on the renewal of the school’s charter.**

**Further, that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby grants a renewal of a public school charter to the following school for the five-year period from July 1, 2014 through June 30, 2019, as recommended by the Commissioner:**

**Commonwealth Charter School:**

**Dorchester Collegiate Academy Charter School**

**Location: Boston**

**Number of students: 238**

**Grade levels: 4 through 8**

**The school remains on probation and the conditions remain in place that the Board of Elementary and Secondary Education imposed on the charter of the Dorchester Collegiate Academy Charter School in its vote on February 25, 2014. This renewal is explicitly conditioned upon the school meeting the requirements of probation and these conditions. Failure to meet these conditions may result in the Board of Elementary and Secondary Education revoking the charter of the Dorchester Collegiate Academy Charter School.**

**Dorchester Collegiate 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.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 1:00 pm, 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**

**Monday, April 28, 2014**

**5:05 p.m. –  7:10 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

**Daniel Brogan**, Chair, Student Advisory Council, Dennis

**Vanessa Calderón-Rosado**, Milton

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

**Karen Daniels,** Milton

**James DiTullio**,Designee of the Secretary of Education

**James O’S. Morton,** Springfield

**Pendred Noyce**,Weston

**David Roach**, Sutton

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

**Student Assessment: High School Testing and End-of-Course Tests**

Commissioner Chester introduced Higher Education Commissioner Richard Freeland and Senior Associate Commissioner Bob Bickerton to present on the potential transition to new standards for high school graduation and college readiness. Commissioner Chester said higher education has been a great partner in our curriculum and assessment initiatives, with the goal of creating a system that prepares students well through high school for the transition to college and careers.

He said tonight’s discussion will be the first of many over the next 12-18 months around two important policy decisions relating to possible implementation of the Partnership for Assessment of Readiness for College and Careers (PARCC) assessments in high school. The two issues are: options for transitioning the high school competency determination requirements – i.e., the state standards that students must meet to qualify for high school graduation – to include PARCC assessments; and how students could benefit from earning PARCC college readiness certification in English language arts/literacy and mathematics.

Mr. Bickerton gave the Board an overview of the current competency determination (CD) system, noting that students through the graduating class of 2018 will continue to take the grade 10 MCAS to meet their CD requirement. He outlined the assessment options for earning a CD in English language arts and mathematics for students in the class of 2019 and beyond, if the Board adopts PARCC in 2015. Mr. Bickerton also presented information on PARCC assessments that are parallel to current MCAS high school assessments, options for students on traditional pathways, and various re-test plans. Commissioner Chester said there are currently no definitive answers, but he wants the Board to have a sense of all the possible options as the conversation moves forward.

Ms. Noyce asked about students taking Algebra I in eighth grade. Mr. Bickerton said the Department has sent guidance to districts regarding eight grade algebra courses and alignment with PARCC. Chair Banta said that when decisions are made around various assessment options, it will be important to communicate very clearly what the options are and the reasons. Ms. Noyce asked about the percentage of high school students taking calculus. Mr. Bickerton said the Department would send the data to the Board; he added that there has been an increase in the number of students taking the Advanced Placement calculus tests.

Mr. Morton and Ms. Calderón-Rosado arrived at 5:35 p.m.

Higher Education Commissioner Freeland reminded the Board of their vote last year on a joint college and career readiness definition with the Board of Higher Education. He said the definition sends clear signals to the field, parents, and students on the necessary academic knowledge, experiences, and intellectual and personal qualities that are important to success in post-secondary education and careers. Commissioner Freeland said 35 percent of Massachusetts students who earn the CD, meet local graduation requirements, and then enroll in a Massachusetts public higher education institution are placed in remedial courses. He said only 20 percent of those who must take two or more remedial courses earn a college diploma. Commissioner Freeland said having more students graduating from high school ready for college level work will vastly improve graduation and completion rates. He said the Department of Higher Education has endorsed the revised curriculum frameworks that this Board adopted in 2010 and is working to align educator preparation programs to the frameworks. Commissioner Freeland added that his board is encouraging more students to take four years of high school mathematics, and is planning to commit to place PARCC-certified college-ready students in credit-bearing courses.

Mr. Roach asked about the future of the Accuplacer exam. Commissioner Freeland said the Board of Higher Education is currently in a two-year period of experimentation with other standards for college course placement, such as using grade point average or other assessments. Commissioner Freeland added that the public may not be prepared to learn that many students are not ready for college-level work. He said PARCC will deliver early signals to students, families, and schools as to whether students are on track to meet a college-ready standard.

Mr. Bickerton outlined next steps, which include: engaging stakeholders in these conversations; continuing the discussion at upcoming Board meetings; and considering a potential vote to continue with or update the current CD policy. In response to a question from Ms. Chernow, Mr. Bickerton said the Board should decide by September 2014 whether to continue using the grade 10 MCAS for the CD through the class of 2019. Mr. DiTullio asked whether a PARCC score would appear on a student’s transcript for college admission purposes. Mr. Bickerton said the decision is open but probably the scores would not be on the transcript since they would be used for college course placement, not for college admission.

Chair Banta thanked Commissioner Freeland and Mr. Bickerton for their presentations.

**Accountability and Assistance: Update on ESEA Waiver and Revisions to Accountability System**

Commissioner Chester reminded the Board that the Commonwealth is currently operating under a waiver granted under the federal Elementary and Secondary Education Act (ESEA), which has not been reauthorized since 2001. Commissioner Chester said under the federal No Child Left Behind Act (NCLB), 80 percent of schools and 90 percent of Massachusetts districts would have been flagged as failing to meet the standard, if we did not have the waiver. He said the NCLB standard lacked impact and credibility, and thus Massachusetts submitted the waiver request that allows us to use our five-level accountability system. Commissioner Chester said the Department now has the opportunity to extend the waiver through the end of the 2014-15 school year. He clarified that the waiver request and the Board’s vote tomorrow do not reference a weighting system that incorporates achievement and growth measures; that issue is related but separate. The commissioner introduced Rob Curtin, Director of Education Data Services, and Matthew Pakos, Director of School Improvement Grant Programs.

Mr. Pakos gave the Board an overview of the changes to the accountability system in 2012, such as: a new goal of reducing proficiency gaps by half by 2017; accountability and assistance levels for schools and districts (Levels 1-5); a new performance measure that includes student growth, science, and other indicators; reporting representative school percentiles; and creating a “high needs” subgroup. He gave an overview of the current school and district level designations.

Mr. Curtin said the Department is proposing to request five enhancements to the ESEA waiver as part of the extension process. He said one modification would require districts that are behind in their implementation of the new educator evaluation system to devote their Title IIA funds towards this effort. He said the proposed waiver also would align the Commendation School methodology with federal Blue Ribbon School methodology. Mr. Curtin said another proposed change to the waiver would grant extra credit to schools who re-engage dropouts. He said the proposed waiver also expands the requirements for persistently low graduation rates; the proposed requirement defines a low graduation rate as a school/group having a five-year graduation rate less than 70% in the previous three years and a four-year graduation rate less than 67% in the most recent year. A school meeting these criteria would be placed in Level 3. He said the final proposed change includes district assessment participation, which would establish that any district or school with a participation rate for any group less than 95% is not eligible for Level 1 and any group with a rate less than 90% is not eligible for Levels 1 and 2. Mr. Curtin said the changes to graduation rates and assessment participation would not be implemented until the 2015 accountability determinations.

In response to Mr. DiTullio’s question, Mr. Curtin said thirteen schools would be affected by the enhancement to the graduation rate. In response to Ms. Calderón-Rosado’s question, Commissioner Chester clarified that districts, for various reasons, could be struggling with educator evaluation implementation at different stages, such as contract adoption, district determined measures, or professional development. He said Title IIA funds would be used to provide resources to boost implementation. In response to a question from Mr. Roach, Commissioner Chester said delay of implementation would not affect a district’s accountability level.

Ms. Chernow asked why the accountability weighting system is not being included. Commissioner Chester said it is not necessary for the waiver application and he would like to continue to discuss it with the Board and understand the various models. The commissioner said the current accountability system weights performance 80 percent and growth 20 percent. He said he has been considering a shift to a 70-30 percent model, but he is not ready to make a recommendation to the Board at this time.

Mr. Curtin said the current accountability system aims to identify schools with the largest proficiency gaps and very low performing subgroups that are not improving quickly enough, so they will receive state support. He said the question is whether the accountability system is identifying the right schools for support. Mr. Curtin reviewed the current percentile methodology for those included within the lowest 20 percent and those above the lowest 20 percent level. He also presented simulations under the 70-30 and 60-40 weighted models. Mr. Curtin explained the impact on the charter school tuition cap. He outlined several considerations, including: the current methodology for determining the lowest performing 10% of districts is based solely on achievement; the amended Charter School Regulations that the Board approved in March 2014 align the charter cap calculation with the metrics used for the state accountability system; weighting of achievement and growth for school and district accountability levels would be applied to determine the lowest performing 10 percent of districts based on 2013-14 assessments; and the charter school statute only allows use of two years of data, instead of four years of data per the school accountability statute.

Mr. Roach said the Board should consider the greatest good for the greatest number of districts. He noted that our current accountability system is much more credible than the NCLB system and the vast majority of districts are benefitting. He added that political concerns should not be part of the decision making. Ms. Noyce said the Board should consider which schools and districts most need help. She suggested one option could be the bottom 10 percent based on achievement and below the 50th percentile in growth. Commissioner Chester said he would not rule out other methodologies. He said he shares the same concerns as Board members, including not rewarding districts for growth if their achievement is still critically low. The commissioner said this discussion would continue at a future meeting.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 7:10 pm, 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