**Minutes of the Regular Meeting**

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

**Tuesday, March, 24, 2015**

**8:30 a.m. – 12:25 p.m.**

**Montachusett Regional Vocational Technical School**

**1050 Westminster St, Fitchburg, MA 01420**

Members of the Board of Elementary and Secondary Education Present:

**Paul Sagan,** Chair, Cambridge

**David Roach**, Vice-Chair, Millbury

**Vanessa Calderón-Rosado**, Milton

**Margaret McKenna**, Boston

**James Morton**, Springfield

**Pendred Noyce**, Boston

**James Peyser**, Secretary of Education

**Mary Ann Stewart**, Lexington

**Donald Willyard**, Chair, Student Advisory Council, Revere

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

Members of the Board of Elementary and Secondary Education Absent:

**Ed Doherty**, Boston

**Katherine Craven**, Brookline

Chair Sagan called the meeting to order at 8:30 a.m.

Chair Sagan said it is an honor and privilege to serve on the Board as its chair. He said he has a profound sense of service to the students and families of the Commonwealth. He said all students deserve a high quality education, and closing the achievement gap is the most important civil rights challenge of our time. Chair Sagan said the Board will move forward, implementing the tools the Legislature has provided, measuring results, addressing weaknesses, and making improvements with urgency. Chair Sagan thanked Margaret McKenna for her service as chair.

Commissioner Chester welcomed Chair Sagan to the Board and thanked Margaret McKenna and former member Karen Daniels for their service. He informed the Board of a recently published Rennie Center study of the PARCC field test in Burlington and Revere. The commissioner distributed the testimony he would be delivering at the legislative Ways and Means budget hearing in the afternoon. Commissioner Chester thanked Montachusett Superintendent Shelia Harrity for hosting the Board meeting.

Secretary Peyser thanked Chair Sagan for accepting his appointment to the Board. He thanked Margaret McKenna and Karen Daniels for their contribution to the Board.

**Comments from the Public**

1. Carli Fleming, a Teach Plus fellow, addressed the Board on a Teach Plus educator survey on PARCC.
2. Barbara Madeloni, Massachusetts Teachers Association President, addressed the Board on the Holyoke Public Schools District Review.
3. Dorothy Albercht, a Holyoke educator, addressed the Board on the Holyoke Public Schools District Review.
4. Linda Cahill, a parent, addressed the Board on the proposed LGBTQ recommendations.
5. Marc Kenen, Massachusetts Charter Public School Association Executive Director, addressed the Board on a statewide charter school collaborative.

**Approval of Minutes**

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

**VOTED: that the Board of Elementary and Secondary Education approve the minutes of the February 23, 2015 Special Meeting and the February 24, 2015 Regular Meeting.**

The vote was 7-0-1. Chair Sagan abstained.

Superintendent Sheila Harrity welcomed the Board to Montachusett Regional Vocational High School. She said Monty Tech serves 18 communities and 1,450 students and offers 20 vocational-technical programs. She said students from the school recently participated in Skills USA competitions and were named national champions of the Air Force Association's CyberPatriot Program.

**Update on PARCC**

Deputy Commissioner Jeff Wulfson said the online testing window has begun in Massachusetts. He said the Department has received a small number of inquiries regarding test refusals. Mr. Wulfson noted several studies of the PARCC test that are in process, as well as the recent Rennie Center study. He said Board members have received a letter of support from Massachusetts college presidents and a list of tentative PARCC forum dates. In response to Mr. Roach’s question, Mr. Wulfson said of the schools administering the PARCC tests, 50 percent are online, 30 percent are paper and pencil, and 20 percent are mixed. Ms. Stewart said she has heard from parents who have many questions about PARCC. In response to a question from Ms. McKenna, Mr. Wulfson said 12 states are administering PARCC tests this year, and Massachusetts is the only state on a two-year timeline to try out PARCC, other states are fully using results this year.

Vanessa Calderón-Rosado arrived at 9:30 a.m.

**Summary of Recent Research on Several Key State Education Initiatives**

Associate Commissioner Carrie Conaway reviewed results from eleven studies by the Department and other stakeholders on the implementation of the curriculum frameworks, educator evaluation, and PARCC. She said educators and districts are reporting that implementation of the 2010 curriculum frameworks is proceeding, but is not yet complete; most agree that the new standards will have a positive impact on student learning. She said the survey data shows educator evaluation having a positive impact on student, although challenges remain with district-determined measures. Ms. Conaway said districts are preparing to administer PARCC while anticipating some challenges; she noted that most students who participated in the PARCC field test agreed that all or most of the test questions asked about things they had learned in English language arts and math that year. She said the Department has focused its efforts on aligning educator evaluation with the curriculum frameworks. Ms. Conaway reviewed the initial results from a statewide study on the frequency and use of student assessments, including findings that: across all participating districts, the average number of assessments required by districts is 6.7; and 83% of participating districts prepare for state assessments 5 days or less per year. Ms. Conaway said phase two of the study will include case studies of district practices.

**Holyoke Public Schools District Review Report**

Commissioner Chester said he is going to recommend that the Board vote on receivership for the Holyoke Public Schools and the vote will be preceded by a public forum in Holyoke. He said in 2008 he identified five districts of serious concern: Holyoke, Lawrence, Springfield, Fall River, and New Bedford. The commissioner said four of the districts are doing much better now than they were seven years ago, though they still have much to do. In contrast, Holyoke has made little progress.

Commissioner Chester said low student performance in Holyoke is persistent and pervasive, with only one in four students reading on grade level. He said he is not blaming teachers or the superintendent, but he has come to the conclusion that despite pockets of excellence, Holyoke does not have a strong overall educational program or system. Commissioner Chester said in Lawrence, the Commonwealth’s first Level 5 district, there is great progress and confidence in the work being done. He said during a visit last week to Worcester’s Union Hill School, the principal spoke of the tough decisions that had to be made to propel the school from Level 4 to Level 1.

Rob Curtin, Director of Data Services and District Accountability, said an eight person team led the Holyoke district review. He said the team reported the central office has some strengths but the team also reported concerns about low student achievement and classroom instruction, as seen through observations. In response to Chair Sagan’s question, Commissioner Chester said he moved up the scheduled review date in order to have time to get information and make informed decisions. In response to Ms. Noyce’s question, Mr. Curtin said he presented the findings to the school committee; he did not ask questions of the school committee. Ms. Stewart requested further information on questions she had submitted to the Department. Mr. Curtin said one member of the review team was from Cambridge Education and the others were retired school administrators with expertise in the six standards. He said family and community engagement was reviewed under student support. He said classroom observations were twenty to thirty minutes.

In response to Mr. Willyard’s question, Commissioner Chester said if the Board decides to accept the recommendation, that launches a process to develop a turnaround plan, but there should be no disruption to student learning, just improvement, which could include a broader curriculum and more student learning time. Mr. Roach commented that the Holyoke Teachers Association says it is committed to improvements, but the report says otherwise. Mr. Curtin said the review team found a lack of collaboration between the teachers association and the district administration.

Mr. Morton asked about opposition in Lawrence when the Board intervened. Commissioner Chester said there was opposition; the teachers association opposed receivership, the school committee did not endorse it, and the mayor endorsed receivership. He said there is a much more cohesive school community today, the teachers association has ratified a new contract with radically new working conditions, and things are moving in a very positive direction. Commissioner Chester said he met with the public, the teachers association, and the entire faculty in Lawrence to clear up misconceptions. He said Lawrence now has much more decision-making at the school building/principal/teacher level. In response to Ms. McKenna’s question, Commissioner Chester said about 80% of teachers in Lawrence had the opportunity to stay after receivership, and about two-thirds of the teachers in Lawrence chose to stay.

Commissioner Chester said he is confident in the Department’s capacity to lead the turnaround process. He said his recommendation is not solely based on the district review report, but also on the district’s history of partnerships and attempts at turnaround, which have yielded very little improvement. He said he sees pockets of excellence at every school, but strong programs at every level should be the rule, not the exception. He said he approaches this task with a great sense of urgency and humility, and that receivership provides a set of tools and authorities that did not exist in the past.

Chair Sagan said the process for improving underperforming schools began in 2010 with the enactment of the Achievement Gap Act, and the Commissioner has made his recommendation. Chair Sagan said the results are not acceptable and the question is how to get better results for the students. He said the Board will schedule a meeting in Holyoke to hear from the community and then will make a decision for the benefit of the students.

**Proposed Amendment for Mystic Valley Regional Charter School**

Commissioner Chester said Mystic Valley Regional Charter School is requesting 400 additional seats. He noted the charter school is high-performing but there are concerns regarding non- identification of English language learners. He said the school has addressed previous concerns regarding processes and governance. The commissioner said his recommendation allows the school to expand in 2016 once the conditions are met.

In response to Mr. Willyard’s question, Associate Commissioner Cliff Chuang said the sending communities do have significant English language learner populations. Ms. Stewart said the Melrose School Committee letter raises concerns.

The commissioner handed out a corrected motion, which was made and seconded.

Secretary Peyser noted that the school has a strong academic record and it must fulfill its responsibilities as a public school. He proposed a substitute motion to allow the school to enroll 50 kindergarten students this fall and continue to meet the conditions. He said if the school does not meet the conditions, it would have to remain at an enrollmentcap of 1550.

On a motion duly made and seconded, it was:

MOVED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby amends the charter granted to Mystic Valley Regional Charter School, and imposes the following conditions on the school’s charter, as presented by the Commissioner:

### Mystic Valley Regional Charter School (enrollment increase from 1500 to 1900 with a limit of 835 students from Malden and 300 students from Everett; provided that the enrollment is limited to 1550 students in FY2016 to support enrollment of 175 kindergarten students)

Location: Malden

Charter Region: Everett, Malden, Medford, Melrose, Stoneham, and Wakefield

Maximum Enrollment: 1900 with a limit of 835 from Malden and 300 from Everett

Grades Served: K-12

Effective year: FY2016

 Mystic Valley Regional 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 or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the charter; provided further that:

1. In accordance with 603 CMR 1.08(5), the school must update its pre-enrollment report to the Department no later than 5 p.m. on March 25, 2015 to reflect the admittance of an additional 50 kindergarten students from the current waitlist of the school, and the increase in enrollment from 1500 to 1550 for FY2016.
2. By May 1, 2015, MVRCS will submit for Department approval a revised enrollment policy that clearly articulates the school’s process for accepting students in each grade with an enrollment preference for siblings, clearly outlines an enrollment growth plan indicating the number of seats available at each grade level as the school expands to 1900 seats, and conforms to Department criteria, and caps enrollment from Malden and Everett at 835 and 300 students respectively.
3. By July 31, 2015, the Board of Trustees of MVRCS will engage in training, conducted by an external consultant acceptable to and approved in advance by the Department, on the roles and responsibilities of a board of trustees of a charter school.
4. By December 31, 2015, MVRCS must establish and operate a program of English language learner education in a manner consistent with the requirements of G.L. c. 71A and all other applicable federal and state laws and regulations. Specifically:
	1. By May 1, 2015, the school will submit to the Department revised policies and procedures regarding English language learners that comply with current guidance on identification, assessment, placement, and reclassification for review and approval.
	2. By June 30, 2015, and in accordance with the school’s revised and approved policies and procedures, the school will reassess all current kindergarten and 1st grade students to determine their eligibility for designation as English language learners.
	3. By December 31, 2015, the school will implement a sheltered English immersion program for students identified as English language learners that corresponds to the needs identified for such students.

In addition to meeting the conditions placed on the charter, MVRCS, like all charter schools, must also comply with all of the terms of its charter. The Commissioner shall review and report to the Board on the success or lack of success of MVRCS, in meeting the conditions on its charter and, based upon his review, shall recommend such further action as he deems appropriate, including subsequent limits to the school’s growth plan of student enrollment in fiscal years 2017 through 2018 to an amount less than the maximum enrollment approved herein.

The motion failed, 3-6-0. Secretary Peyser, Chair Sagan, and Donald Willyard voted in favor.

**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 1.13(4), hereby imposes the following conditions on the charter of Mystic Valley Regional Charter School, as presented by the Commissioner:**

1. **By May 1, 2015, MVRCS will submit for Department approval a revised enrollment policy that clearly articulates the school’s process for accepting students in each grade with an enrollment preference for siblings, clearly outlines an enrollment growth plan indicating the number of seats available at each grade level as the school expands to 1900 seats, conforms to Department criteria, and caps enrollment from Malden and Everett at 835 and 300 students respectively.**
2. **By July 31, 2015, the Board of Trustees of MVRCS will engage in training, conducted by an external consultant acceptable to and approved in advance by the Department, on the roles and responsibilities of a board of trustees of a charter school.**
3. **By December 31, 2015, MVRCS must establish and operate a program of English language learner education in a manner consistent with the requirements of G.L. c. 71A and all other applicable federal and state laws and regulations. Specifically:**
	1. **By May 1, 2015, the school will submit to the Department revised policies and procedures regarding English language learners that comply with current guidance on identification, assessment, placement, and reclassification for review and approval.**
	2. **By June 30, 2015, and in accordance with the school’s revised and approved policies and procedures, the school will reassess all current kindergarten and 1st grade students to determine their eligibility for designation as English language learners.**
	3. **By December 31, 2015, the school will implement a sheltered English immersion program for students identified as English language learners that corresponds to the needs identified for such students.**

**Further, upon meeting these conditions, the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby amends the charter granted to the following school, as presented by the Commissioner:**

### **Mystic Valley Regional Charter School (enrollment increase from 1500 to 1900)**

**Location: Malden**

**Charter Region: Everett, Malden, Medford, Melrose, Stoneham, and Wakefield**

**Maximum Enrollment: 1900 with a limit of 835 seats from Malden and 300 seats from Everett**

**Grades Served: K-12**

**Effective year: The enrollment increase takes effect upon the Commissioner’s certification that the conditions have been met, but no earlier than FY2017**

**In addition to meeting the conditions placed on the charter, Mystic Valley Regional Charter School, like all charter schools, must also comply with all of the terms of its charter. The Commissioner shall review and report to the Board on the success or lack of success of Mystic Valley Regional Charter School, in meeting the conditions on its charter and, based upon his review, shall recommend such further action as he deems appropriate.**

The vote was 8-1-0. Mary Ann Stewart voted in opposition.

**Ensuring Safe and Supportive Learning Environments for LGBTQ Students**

Commissioner Chester thanked the courageous students, parents, and administrators who provided comment. He said the Board heard a presentation from the Massachusetts Commission on LGBTQ Youth in December, and the Commission asked the Board to review and endorse a set of Recommendations on the Support and Safety of Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning Students. He said the revised nine principles, aligned with applicable policies as well as current law and regulations, are intended to provide an updated set of best practices to guide schools in ensuring a safe and supportive climate for LGBTQ students. Vice-Chair Roach said the Department’s leadership on this issue has been critical for schools and students.

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

**VOTED: that the Board of Elementary and Secondary Education endorse the nine principles for Safe and Supportive Learning Environments for LGBTQ Students, as presented by the Commissioner.**

The vote was unanimous.

**ESEA Flexibility Waiver Renewal Application**

Commissioner Chester said the waiver Massachusetts received from the federal Elementary and Secondary Education Act/No Child Left Behind Act gave the Commonwealth the opportunity to implement a unitary accountability system that maintains our state's high standards and expectations and meets both federal and state requirements. Senior Associate Commissioner Russell Johnston said under the proposed waiver renewal, districts would receive additional credit for gains with English language learners, additional time for the inclusion of English language learners in the accountability system, and we would reduce the cohort number to 20 instead of 30.

Chair Sagan noted this is a way to deal with Congressional gridlock on reauthorization. Mr. Johnston confirmed this is a minimalist approach. Secretary Peyser said he wants to ensure a floor is being set, not a ceiling.

**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 three-year renewal of the flexibility waiver for Massachusetts under the federal Elementary and Secondary Education Act, as outlined in the Commissioner’s March 13, 2015 and January 16, 2015 memoranda and March 24, 2015 presentation, and authorize the Commissioner to submit a flexibility waiver application to the U.S. Department of Education consistent with the elements contained in his memoranda and presentation.**

The vote was unanimous.

Commissioner Chester said he and Secretary Peyser would have to leave the meeting to testify at the Ways & Means Committee hearing. The commissioner offered closing comments on the Holyoke matter, stating that he made the recommendation on Level 5 status only after careful consideration. The commissioner said our job is to use the tools we have to give students the greatest possible chance at success in life. Secretary Peyser and Commissioner Chester left the meeting at 11:45 a.m. Undersecretary Tom Moreau replaced Secretary Peyser at the table. Deputy Commissioner Alan Ingram replaced Commissioner Chester.

**Level 5 Schools Update**

Senior Associate Commissioner Russell Johnston said this is the third of four FY2015 quarterly progress reports on the Level 5 schools (Paul A. Dever Elementary School and UP Academy Holland in Boston, John Avery Parker Elementary School in New Bedford, and Morgan Full Service Community School in Holyoke). He said the receivers and superintendent are meeting regularly to discuss issues and successes and learn from each other. In response to Ms. Stewart’s question, Mr. Johnston said the schools have newsletters, spring events, and regular communications with parents. In response to Ms. Calderón-Rosado’s question, Mr. Johnston said no teacher at the Level 5 Boston schools in year one makes less than district educators, and compensation for year two has been adjusted and well received by educators. In response to questions from other Board members, Mr. Johnston said he will provide additional information about parent outreach and about UP Academy Holland’s initiative on trauma-informed education.

**Summary of Recent Research on Several Key State Education Initiatives (continued)**

In response to earlier questions from Board members, Associate Commissioner Carrie Conaway said surveys are done every year for the Department’s major initiatives. She said the educator evaluation data will likely show more positive trends this year, after a full year of implementation. Ms. Conaway said the Department’s spring and fall convenings of educators have been aligned to address educator evaluation and curriculum. She described the Department’s strategic planning and delivery system.

Chair Sagan reviewed upcoming scheduling considerations for Board meetings and PARCC forums.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 12:25 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**

**Monday, March, 23, 2015**

**5:05 p.m. – 7:00 p.m.**

**Department of Elementary and Secondary Education**

**75 Pleasant Street, Malden, MA**

Members of the Board of Elementary and Secondary Education Present:

**Paul Sagan,** Chair, Cambridge

**David Roach**, Vice-Chair, Millbury

**Vanessa Calderón-Rosado**, Milton

**Ed Doherty**, Boston

**Margaret McKenna**, Boston

**Pendred Noyce**, Boston

**James Peyser**, Secretary of Education

**Donald Willyard**, Chair, Student Advisory Council, Revere

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

Members of the Board of Elementary and Secondary Education Absent:

**James Morton**, Springfield

**Mary Ann Stewart**, Lexington

**Katherine Craven**, Brookline

Chair Sagan called the meeting to order at 5:05 p.m. and welcomed Board members.

**Chapter 70 Overview and Foundation Budget Review Commission**

Commissioner Chester welcomed Chair Sagan to the Board. He said the Legislature is currently studying the state aid program for education (Chapter 70) through a commission. He said in fiscal year 2014, K-12 spending in the Commonwealth amounted to $16.5 billion. Commissioner Chester said K-12 spending is comprised of a state contribution, local contribution, and some federal funding. In fiscal year 2014, the state contributed $6.6 billion to the Chapter 70 aid program, school building authority, and state teacher pension fund.

Secretary Peyser arrived at 5:15 p.m. Penny Noyce arrived at 5:25 p.m.

Deputy Commissioner Jeff Wulfson said that prior to the Massachusetts Education Reform Act of 1993, the amount of spending varied from district to district; the 1993 act created a formula that determines the foundational level, or minimum, for community contributions based on enrollment and student population. In response to Chair Sagan’s questions, Mr. Wulfson said the formula underestimated special education spending. He said districts, under law, must meet their net school spending requirements. They have a 5 percent leeway, which is then carried over to the next school year. If the 95 percent contribution is not met, local aid is deducted.

In response to Mr. Roach’s question, Mr. Wulfson said the commission is discussing the cost of out-of-district placements, special education costs, employee health coverage, extended learning time, and other factors. In response to Ms. McKenna’s question, Commissioner Chester said Boston is a minimum aid district due to the city’s property wealth; it receives a 30 percent contribution, not the minimum 17 percent due to the district’s targets. He said Boston receives additional funding for low income students and English language learners, with no guarantee of how the money is spent. Secretary Peyser said it took $75 million to maintain last year’s Chapter 70 contribution, with a modest inflation rate. He said even with drops in enrollment, Chapter 70 aid is not reduced.

**Update on State and Federal Education Budget**

Commissioner Chester said the Board received a copy of the Governor’s proposed FY2016 budget, which is largely responsive to the Board’s priorities.Chief Financial Officer Bill Bell said the budget cycle is challenging due to low revenue growth and higher projected spending at the state level. He said the Chapter 70 account funding grew. Mr. Bell said some accounts were consolidated into a priority schools account to allow more systematic and targeted spending; student safety and support priorities were also included in the Governor's budget. He said the Department is also planning for the expiration of federal Race to the Top funding. Commissioner Chester said the hardest-hit area for that reduction will be general curriculum support for districts.

Secretary Peyser said Chapter 70, the core funding vehicle, received an increase in the overall budget. He said the consolidated accounts concentrated investments to innovate and promote significant change.

**Overview of Educator Licensure and Progress Report on Educator Licensure Review and Redesign**

Commissioner Chester said after initial discussions on re-thinking educator licensure, the Board requested a follow-up discussion on the licensure process. He said the Board plays a role in setting regulations that define the requirements for educator preparation and licensure, within the boundaries of state law. He noted that the licensure tests (MTEL) are required by statute.

Associate Commissioner Heather Peske presented an overview of the categories, levels, and evidence needed for licensure. In response to Mr. Willyard’s question, Ms. Peske said out-of-state candidates can apply for a temporary license, which does not require the MTEL, and then have a year to complete the exam to apply for an initial license. Ms. Peske said in spring 2013 there was a 34-week backlog for licensure applications; as of October 2014, the Department has eliminated the backlog and applicants now hear back within two weeks. Ms. Noyce asked for additional data on test takers. Ms. Peske said in 2005 the Department launched a study group on MTEL pass rates, to address the disparate results for minority educators. Ms. Peske said 7 percent of educators in Massachusetts are people of color, which is problematic in comparison to our student population. She said the Department is working with educator preparation programs and districts to increase the pipeline.

Ms. Peske presented an overview of the performance assessment for leaders (PAL), a requirement for new principals. She said the PAL includes performance assessment tasks that more closely reflect the authentic work of school leaders, aligned to state indicators, and can be completed as part of the preparation pathway. Commissioner Chester concluded the presentation, noting the conceptual frame for the state’s role in educator preparation and licensure.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 7:00 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