**Minutes of the Regular Meeting**

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

**Tuesday, June 28, 2016**

**8:30 a.m. – 12:55 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

**James Morton**, Vice-Chair, Boston

**Katherine Craven**, Brookline

**Ed Doherty**, Boston

**Roland Fryer**, Cambridge

**Margaret McKenna**, Boston

**Michael Moriarty**, Holyoke

**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

**Member of the Board of Elementary and Secondary Education Absent:**

**Pendred Noyce**, Boston

Chair Sagan called the meeting to order at 8:30 a.m. He welcomed Board members and the public. He thanked Donald Willyard for his service to the Board and the Commonwealth. He introduced the incoming student member, Nathan Moore, a rising 11th grader at Scituate High School. He noted that members received the proposed 2016-2017 Board meeting schedule, and he solicited members for ideas for a possible planning retreat. He said the National Association of Charter School Authorizers interviewed him about the Board’s charter activities. He apologized for a comment he made during last night’s meeting and said he did not mean to offend any members of the public. Chair Sagan said he is open to Mr. Doherty’s request that the Board discuss and vote on a matter relating to the educator evaluation regulations as long as the requirements of the Open Meeting Law and the Board’s by-laws are followed.

Commissioner Chester said he is continuing to work on educator evaluation with the superintendents’ association, Department staff, and others. He said he had the pleasure of honoring the 2017 Massachusetts Teacher of the Year and other honorees at the State House earlier this month. The Commissioner said the Department continues its outreach to collect comments and suggestions on the state’s accountability system in light of the Every Student Succeeds Act (ESSA). Commissioner Chester invited Board members to make nominations for the History/Social Science workgroup. He reported on the recent release of student discipline data and announcement of a partnership with districts to improve disciplinary practices. He welcomed Nathan Moore to the Board and thanked Mr. Willyard for his service.

**Statements from the Public:**

1. Benedikt Nuesslein, a student at Pioneer Valley Chinese Immersion Charter School, addressed the Board on the school’s amendment request.
2. Simon Quinn, a student at Pioneer Valley Chinese Immersion Charter School, addressed the Board on the school’s amendment request.
3. Kathy Wong, Pioneer Valley Chinese Immersion Charter School Principal, addressed the Board on behalf of Irene Gao, a student.
4. Audrey Winkler addressed the Board on assessment.
5. Gerry Mroz addressed the Board on educator evaluation and assessment.

**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 May 23, 2016 Special Meeting and May 24, 2016 Regular Meeting.**

The vote was unanimous.

Katherine Craven arrived at 9:15 a.m.

**Reports on Level 5 Districts – Lawrence, Holyoke, and Southbridge**

Commissioner Chester introduced Lawrence Receiver Jeff Riley, Holyoke Receiver Stephen Zrike, and Southbridge Receiver Jessica Huizenga. He said the situations and strategies for turnaround are different in each district. He said the goal is to institutionalize strong education programs and systems to ensure they will not unravel after receivership.

Mr. Riley said the district’s graduation rate has improved 19.5 points and the dropout rate has declined 4 points since 2011. He said Lawrence achieved an increase in the percentage of students scoring at proficient and advanced levels, as well as increasing the number of school employees living in Lawrence. Mr. Riley described the summer learning opportunities for students and access to breakfast in the classroom and summer meals. He said the district provides many opportunities for parents to engage and had over 4,000 visits to the family resource center. He said the district is now focusing more closely on district contracts, a special education taskforce, high school redesign, and best practices conclave.

Dr. Zrike outlined Holyoke’s strategic priorities and targets. He noted that the district extended the student day to 7.5 hours, introduced acceleration academies, began implementing secondary redesign recommendations, expanded the dual language program in pre-K and grade 2, developed new programs to engage with parents, and aggressively focused on recruitment. He updated the Board on the Peck Full Service Community School.

Dr. Huizenga said the Southbridge community has experienced a lot of trauma and turmoil, and 43 administrators have come and gone over the past 7 years. She said the system has been suffering from neglect as well as racial, ethnic, and socio-economic divisions, and she is working to repair relationships. She outlined some recent accomplishments, including: a central office reorganization, quality new hires, relationship building, social-emotional supports for students, planning for a dual language program, technology improvements, and professional development. Dr. Huizenga said next steps will include the implementation of the district turnaround plan to achieve the goals of the priority areas.

In response to Mr. Fryer’s question, Mr. Riley said Lawrence is starting to look at data on college-going persistence. He also said that the trends in assessment data are positive, but the district has a long way to go with deeper work on teaching and learning. Mr. Moriarty encouraged the receivers to focus on the birth to third-grade continuum and look to housing and health sectors for support. He said third grade literacy is a critical benchmark for student success. Ms. McKenna said she is glad to see Lawrence taking a holistic view to turnaround and acknowledged the success of breakfast in the classroom and summer learning programs.

Commissioner Chester said he is very proud and pleased at how the receivers are each addressing very significant challenges. He thanked Board members for their support and acknowledged that the Level 5 designations are difficult decisions for the Board.

**Pioneer Valley Chinese Immersion Charter School – Request for Review of Commissioner’s Decision**

Commissioner Chester said Pioneer Valley Chinese Immersion Charter School (PVCICS) received a charter in February 2007 to establish a K–8 school with a maximum enrollment of 300 students. He said the charter was renewed and the grade range was increased to K–9 in 2012 and the maximum enrollment and grade span were increased again in 2013. Commissioner Chester said in June 2014, PVCICS submitted an amendment request to the Department to increase its maximum enrollment by 384 students to serve a total of 968 students in grades K–12. He said the school had not yet fully implemented its earlier expansion and had only limited evidence of demand, and consequently he did not bring the school's amendment request to the Board for consideration. He said his decision is not based on any negative judgment about the school’s performance, but rather the timing of the request. He encouraged the school to seek an enrollment increase in connection with its next application for renewal, which is due this summer.

Allison Bagg, of the Department’s Charter School Office, said the focus of today’s review is on the 2014 request, and during the school’s renewal process this year the Department will be able to review additional information and evidence. In response to Ms. McKenna’s question, Ms. Bagg said the Department was surprised by the school’s request for review of the decision almost two years after it submitted its expansion request. Secretary Peyser said the appeal process is to ensure that the Commissioner is not acting arbitrarily. He said the question for the Board is whether the Commissioner made a reasonable decision under his delegated authority; this process is not an open door for schools to keep coming back to the Board to seek expansion requests.

Kathleen Wong, PVCICS Principal, said the school is in its ninth year of operation and serves students from 39 communities. She said the expansion would allow the school to expand the middle school and build a high school, and the school needs approval now to secure financing and aggressively recruit students.

Amy DiDonna, PVCCS’s attorney, said the school is highly successful and supported by students and parents. She said the school faces a conundrum because without support for the expansion, the school cannot demonstrate demand.

Chair Sagan said PVCICS seems to be a great school that embraces innovation and diversity, but the question for the Board is about process. He said the school still has 100 open seats and is asking the Board to make an early decision regarding expansion before we address the renewal of the school’s charter.

Richard Alcorn, PVCICS Executive Director, said the school is currently constrained by its facilities and parents are eager to know if PVCICS will be able to offer a high school. In response to Vice-Chair Morton’s question, Mr. Alcorn said the school waited to appeal because there is no deadline to submit an appeal and the school wanted to provide additional information to the Board.

Ms. McKenna said the school has a good cause and plan. She requested that the school submit an updated amendment request now for the Commissioner to review. Mr. Moriarty said while he would like to support the school, the Department addresses amendments professionally and thoughtfully and he does not want to undermine that process. Ms. Stewart said she does not want to set a precedent for fast-tracking amendment requests, when all others must follow the process. Chair Sagan said the sense of the Board is to affirm the Commissioner’s decision.

**Digital Literacy and Computer Science Standards**

Commissioner Chester said he is asking the Board to vote to adopt the 2016 Digital Literacy and Computer Science (DLCS) Standards. He said this request follows revisions that the Department has made to the standards based on public comment gathered from February through April 2016. To support district implementation of the voluntary DLCS standards, the Department will continue to collaborate with Massachusetts Computing Attainment Network (MassCAN) on professional development, course development, and implementation, and partner with the Education Development Center, Inc. to develop elementary school curriculum modules that integrate computational thinking in mathematics and science lessons in grades 1–6. Secretary Peyser said the adoption of the standards is a momentous occasion and provides a great opportunity for Massachusetts students. He commended all who worked on the standards.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with Chapter 69, Sections 1B, 1D, and 1E of the Mass. General Laws, approve the voluntary *Digital Literacy and Computer Science Standards,* and direct the Commissioner to incorporate the standards into the *2016 Massachusetts Digital Literacy and Computer Science Curriculum Framework* and distribute copies to the Joint Committee on Education for their information, and to public schools and other interested parties throughout the Commonwealth for use in improving curriculum and instruction in digital literacy and computer science.**

**Further, that the Board extend its appreciation to the Department of Elementary and Secondary Education and to the many individuals and groups statewide who have participated in producing the *Digital Literacy and Computer Science Standards* and the *2016 Massachusetts Digital Literacy and Computer Science Curriculum Framework.***

The vote was unanimous.

**Update on the Next-Generation MCAS Project and Review of the English Language Arts and Mathematics Standards**

Deputy Commissioner Wulfson said the curriculum standards review panel met for the third time to incorporate feedback from over 400 comments received through the Department's online survey, and will meet again in July to finalize its recommendations. He said the Department expects to bring the recommendations for revising the standards to the Board in the fall for a vote to send the proposed changes out for comment, and then bring them back to the Board to adopt the updated standards/frameworks later in the school year.

Mr. Wulfson said the student assessment workgroups continue to meet to provide recommendations regarding test design and policy. He said the Department informed districts of the initial phase-in of computer-based testing in grades four and eight in spring 2017. He said the Department is communicating widely about the work of the assessment workgroups and the standards review panel, including conference presentations, a monthly e-newsletter, updates on the next-generation MCAS webpage, and a back-to-school packet. He said the Board’s assessment committee will meet over the summer.

**Commissioner’s Performance Evaluation**

Vice-Chair Morton said the performance evaluation committee consisted of Penny Noyce, James Morton, and Paul Sagan, and received input from Board members, Department senior staff, district receivers, and external constituents. He said the committee began the process in the fall with the review of the performance criteria, which include: facilitate student growth and achievement; management and operations; external relations and communication; and Board support/effective interactions. Vice-Chair Morton summarized the committee’s report and recommended ratings in each of the four performance areas and overall.

Chair Sagan said he appreciates Board members’ input on the criteria and assessment of the Commissioner’s performance this past year. He said the two-percent salary increase is as much as can be allocated at this time, although Commissioner Chester is one of the longest serving state commissioners and not the highest paid.

Ms. Stewart said she attended two of the committee meetings to provide input and has concerns around the categories of external relations and communication and Board support-effective interactions. She said she believes the Commissioner should use the advisory councils more strategically to address issues and concerns, and early literacy and social-emotional learning require further planning. She moved to divide the motion into separate votes on the performance rating and salary increase. The motion was not seconded.

Ms. McKenna said the Commissioner has an extraordinarily difficult job. She suggested the Board should spend more time on the opportunity gap and strategies for helping the neediest children. She suggested the Commissioner make sure there are no surprises for the Board and continue to strengthen his relationship with superintendents.

Secretary Peyser said he supports the committee’s recommendation on the Commissioner’s performance rating. He said the Commissioner led the Board very well through very challenging decisions this year, including placing Southbridge in receivership and developing a new assessment system. He said the Department could not be more deeply engaged in closing the opportunity gap than it is in Lawrence, Holyoke, and Southbridge.

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

**VOTED: that the Board of Elementary and Secondary Education approves the Commissioner’s FY2016 performance rating of “outstanding” as recommended by the Board’s committee. The Board further approves a salary increase for the Commissioner of 2% percent, effective July 1, 2016.**

The motion was approved 9-0-1. Mary Ann Stewart voted present.

Commissioner Chester said he appreciates the Board’s support. He said it is a privilege and a pleasure to serve the Commonwealth and its students. He thanked Department staff for their talent and hard work.

**Rescission of Obsolete Regulations: 603 CMR 6.00 (Teacher Quality Enhancement Grants); 603 CMR 38.00 (School Construction Grants); 603 CMR 45.00 (Agricultural High Schools)**

In April, the Board voted to solicit public comment on the proposed rescission of four sets of obsolete regulations: 603 CMR 3.00 (Private Occupational Schools); 603 CMR 6.00 (Teacher Quality Enhancement Grants); 603 CMR 38.00 (School Construction Grants); and 603 CMR 45.00 (Agricultural High Schools). This action is part of the review of regulations under the Department’s jurisdiction in accordance with Governor Baker's Executive Order EO562. The regulations are obsolete due to changes in state law and practice. The Commissioner explained that the Department is deferring action to rescind 603 CMR 3.00 in order to coordinate timing with the Division of Professional Licensure. On the three sets that remain, the Department received no comments and the Commissioner recommends the Board rescind the regulations.

1. **Rescission of Regulations on Teacher Quality Enhancement Grants, 603 CMR 6.00**

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with**

**G.L. c. 69, § 1B, and having solicited public comment in accordance with the Administrative Procedure Act, G.L. c. 30A, § 3, hereby rescind the Regulations on Teacher Quality Enhancement Grants, 603 CMR 6.00, as presented by the Commissioner.**

The vote was unanimous.

1. **Rescission of Regulations on School Construction Grants, 603 CMR 38.00**

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with**

**G.L. c. 69, § 1B, and having solicited public comment in accordance with the Administrative Procedure Act, G.L. c. 30A, § 3, hereby rescind the Regulations on School Construction Grants, 603 CMR 38.00, as presented by the Commissioner.**

The vote was unanimous.

1. **Rescission of Regulations on Independent Agricultural and Technical Institutes, 603 CMR 45.00**

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with**

**G.L. c. 69, § 1B, and having solicited public comment in accordance with the Administrative Procedure Act, G.L. c. 30A, § 3, hereby rescind the Regulations on Independent Agricultural and Technical Institutes, 603 CMR 45.00, as presented by the Commissioner.**

The vote was unanimous.

**Update on Level 5 Schools**

Commissioner Chester said the four Level 5 schools are at the end of their second year of receivership. He said the schools and the Department are learning and making adjustments, as needed. He said the Department is involved in the selection of a new principal at the Dever School in Boston.

Senior Associate Commissioner Russell Johnston said the UP Academy Holland principal is moving to UP Academy Dorchester and the new principal is the former director of curriculum and instruction. He said performance at the Dever School is not where the Department wants it to be, and the leadership at the school has changed again. He said the school serves many students with behavioral disabilities and the students have programs and supports available to them. Mr. Johnston said cross-cutting themes discussed during receiver meetings include innovation in assessment, personalized learning, time to intervene with students who are struggling, parent engagement, teacher leadership, and professional development.

Mary Ann Stewart left the meeting at 12:20 p.m.

Ms. McKenna said Dever has had six principals in two years, as well as high teacher turnover. She said the school’s performance is alarming and she does not have confidence in Blueprint as the receiver. Ms. Craven said the Department has gained more traction with the Level 5 districts. She noted the impact that Boston’s redesign plan might have on the Dever and Holland schools. Dr. Fryer said receivers have to be proven providers with successful prior turnaround experience. He said Dever should be implementing proven practices.

Commissioner Chester said he is not happy with the Dever situation now, but the school has struggled for years and is only in its second year of turnaround. He said he there are no excuses for the current situation and he will have a better sense of progress or lack of progress this fall. Secretary Peyser said organizations and individuals with the capacity and track record can both succeed and fail. He cited the progress of UP Network and the Community Day School in Lawrence.

Roland Fryer left the meeting at 12:35 p.m.

**Report on Conditions for UP Academy Charter School of Springfield and Waiver Recommendation**

Commissioner Chester said the Board voted to grant a charter to UP Academy Charter School of Springfield, a Horace Mann III charter school. He said the Board awarded UP Springfield a charter explicitly conditioned upon the Springfield School Committee and Springfield Empowerment Zone Board voting their unconditional approval of the school. He said the school requested a waiver, which would allow the school to open more than 19 months after the award of its charter, as required by the charter school regulations. He said he is recommending the Board vote to remove the conditions from UP Springfield's charter and to approve the waiver request.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby removes the conditions from the charter of the UP Academy Charter School of Springfield because the school has met the conditions imposed in February 2015.**

**Further, the Board of Elementary and Secondary Education, in accordance with 603 CMR 1.03(2), hereby waives 603 CMR 1.04(6)(c)—which requires charter schools to have students attending the school within 19 months of the charter award—for UP Academy Charter School of Springfield for a period of one year. This waiver operates to amend the charter granted to UP Academy Charter School of Springfield and allows the school to open in the fall of 2017 instead of the fall of 2016, with students attending no later than September 24, 2017. For such waiver and amendment to be effective, no later than noon on Friday, September 22, 2017, UP Springfield must submit evidence that it will abide by the relevant terms of the Springfield Empowerment Zone teacher contract and that it will operate as a neighborhood school to the extent permitted by state law. If such evidence is not provided, the charter of UP Academy Charter School of Springfield will be null and void. Further, if students are not attending UP Academy Charter School of Springfield by September 24, 2017, the charter will be null and void, unless an additional waiver and extension is granted according to the process outlined in 603 CMR 1.03(2).**

**Further, the Board of Elementary and Secondary Education, in accordance with General Laws chapter 15, section 1F, paragraph 3, and 603 CMR 1.00, delegates to the Commissioner authority to grant an additional waiver of one year if requested by the board of trustees of UP Academy Charter School of Springfield with the approval of the Springfield School Committee and the local collective bargaining unit. The Commissioner may grant such additional waiver request only if the requirements of 603 CMR 1.03(2) are met, including, but not limited to, the requirement that UP Academy Charter School of Springfield make a good faith effort to comply with the requirement that the school open no later than September 2017.**

**UP Academy Charter School of Springfield 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.

## Delegation of Authority to Commissioner to take Necessary Action between Board Meetings

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

**VOTED: that the Board of Elementary and Secondary Education authorize the Commissioner, in accordance with General Laws c. 15, § 1F, paragraph 3, to act on behalf of the Board in approving any matters that are not otherwise covered by the Board's previous delegations of authority and that require Board action between June 28, 2016 and the next regular meeting of the Board in September 2016, provided that the Commissioner shall consult with the Chair in advance of any such action and shall report to the Board on any matters that have been so approved.**

The vote was unanimous.

**Schedule for Regular Board Meetings through June 2017**

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

**VOTED: that the Board of Elementary and Secondary Education approve the schedule of regular meetings through June 2017, as presented by the Commissioner.**

The vote was unanimous.

**Budget Update**

Commissioner Chester said the House and Senate budget are currently in conference committee. He said with projections for a $1 billion shortfall, the revenue picture is bleak. He said the budget shortfall is challenging while the Department is building a new assessment system. Secretary Peyser said all parties are working together to solve the challenges with the current budget projections. Commissioner Chester said he will update Board members as the situation evolves.

Chair Sagan, on behalf of the Board, thanked student member Donald Willyard again for his service.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 12:55 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, June 27, 2016**

**5:00 p.m. –7:15 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

**James Morton**, Vice-Chair, Boston

**Katherine Craven**, Brookline

**Ed Doherty**, Boston

**Margaret McKenna**, 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:**

**Roland Fryer**, Cambridge

**Michael Moriarty**, Holyoke

**Pendred Noyce**, Boston

Chair Sagan welcomed Board members and the public. He said the Board would hear an update on digital learning and then continue the discussion on the state’s educator evaluation system.

**Digital Learning**

Commissioner Chester welcomed Board members and introduced Ken Klau, Director of Digital Learning, Andrea Cote, of the Office of Digital Learning, and Barbara Tracy and Julia Freeland-Fisher of the Board’s Digital Learning Advisory Council.

Mr. Klau said digital learning refers to the thoughtful, deliberate use of technology to support teaching and learning. He said digital learning impacts all students and is necessary for meaningful participation in civic, economic, and social life. Mr. Klau said digital learning can help educators solve problems through collaboration, personalized learning, differentiated pathways, and tailored learning environments. He informed members of the digital connections partnership schools grant and Massachusetts Personalized Learning Edtech Consortium (MAPLE), which will promote the adoption of high-quality personalized learning models.

Ms. Tracy provided an overview of the advisory council, which provides advice, guidance, and technical expertise to the Board and the Commissioner. Chair Sagan asked how schools harness students’ own digital tools. Mr. Klau said the Department has issued guidance on bring-your-own-device policies and 1-to-1 initiatives. Ms. Freeland-Fisher said educators and students need instructional models, not just devices. In response to Ms. Stewart’s question, Ms. Tracy said through visits to digital connection grantees she has seen more collaboration among students, richer research projects, and educators interacting and learning from each other. In response to Mr. Willyard’s question, Mr. Klau said the Department is not promoting one particular model or level of technology; the Department is communicating that districts need long-term technology plans that overlap with curriculum planning and district goals. Ms. McKenna noted that during her time at Lesley University she learned that you must spend twice as much on professional development as on the device or it becomes useless. In response to Mr. Doherty’s question, Ms. Tracy said technology should support both teachers and students.

Commissioner Chester said technology and digital learning tools can enhance teachers’ pedagogy, but the promise of personalized learning is far from being realized. He said the Department wants to learn more about what districts are doing in order to disseminate best practices. Ms. Stewart said Steve Smith, technology director for Cambridge Public Schools, has created model contract language and a list of approved applications. Mr. Klau confirmed that many school districts are using Cambridge’s resources. Vice-Chair Morton said he wants to ensure that technology helps to close achievement gaps and does not become another layer of inequity. Chair Sagan thanked the presenters and noted that the Board would return to this topic at a future meeting.

Katherine Craven arrived at 5:55 p.m. The Board took a short break.

**Educator Evaluation**

Chair Sagan said tonight’s discussion on the educator evaluation system is a continuation of the Board’s May special meeting. Commissioner Chester said tonight’s discussion focuses on one component of the evaluation system that measures impact on student learning. Commissioner Chester introduced the first panel: Massachusetts Teachers Association (MTA) President Barbara Madeloni and American Federation of Teachers-Massachusetts (AFT-MA) President Tom Gosnell.

Ms. Madeloni said the MTA and AFT-MA have voiced the concerns of their educators regarding the student impact rating which is unworkable and burdensome. She said student learning is central to what educators focus on every day, and is already embedded into the evaluation framework. Mr. Gosnell said superintendents and school committee members also oppose the mandate. Beverly Miyares, of MTA, said student learning is at the center of educator evaluation, but the established policy does not work or add value. She said charter schools are exempt from the mandate. She noted that the Department has extended the deadline three times in the past five years and districts are not prepared to report the ratings this fall.

Dan Murphy, of AFT-MA, reminded Board members they have the the MTA/AFT-MA white paper on district-determined measures. He said it is impossible to isolate educator impact and noted Steven Cerisi’s research on the unreliability of student growth percentiles. Mr. Murphy said 88 percent of educators do not have student growth percentiles because they do not have tested grades or subjects. He said the district-determined measure mandate is unclear, adds no value, and costs districts time and money. Mr. Murphy said AFT-MA is in favor of common assessments if they are used well.

Chair Sagan said the Board is trying to balance the varying insights and viewpoints and asked if the panelists have suggestions to substitute for the current regulation. Ms. Miyares said the five-step cycle embeds student learning goals and a feedback loop that improves student learning, which is sufficient. In response to Mr. Willyard’s question, Senior Associate Commissioner Peske said non-core academic staff, such as nurses and librarians, are evaluated using direct and indirect measures.

Commissioner Chester said virtually every district has made progress on this, and the system leaves it to districts and educators to identify appropriate measures. Mr. Murphy said when you dig deeper, districts are not really making progress, and professionals do not want to be assessed based on a rating with no credibility. In response to Ms. Stewart’s questions regarding educators in un-tested grades, Ms. Miyares said educators are rated based upon two years of state assessment trend data and two other locally determined measures. She said in practice it is a pre- and post-test model for every student and every teacher.

Commissioner Chester introduced the second set of panelists: Henry Braun, of the Lynch School of Education at Boston College, and Martin West, of Harvard University’s Program on Education Policy and Governance. Mr. Braun said he was a member of the educator evaluation taskforce. He said every evaluation system draws on indicators. Mr. Braun said an evaluation system must serve to improve and hold accountable, while also being fair to educators and students. He said the Board should ask if multiple sources of evidence will assure comparability. Mr. West, a former taskforce member, said student learning should be at the center and the system should use multiple measures. He said the Board should not reverse course and should allow the system a chance to work before abandoning it. Mr. West noted that the American Statistical Association and American Education Research Association critiques of value-added measures, referenced by presenters, looked at other evaluation systems, not Massachusetts, which does not use technical algorithms. Mr. Doherty said the educator evaluation taskforce did not discuss nor develop district-determined measures.

Ms. McKenna said she does not object to an educator evaluation system, student assessment, and keeping student learning at the center of education. She said there is agreement in the field and among professional organizations including MASS, MASC, MTA, and AFT-MA that district-determined measures are not working. She said if 88 percent of educators are without state student assessment data, how can thousands of different instruments being used in districts be valid, comparable, and reliable? Chair Sagan said the evaluation system balances observations of teaching practice and student results. Ms. Stewart noted that only four to six percent of educators are rated less than proficient.

Commissioner Chester said beyond just the rating is the crucial feedback that spurs educators’ growth and development. Ms. Craven asked how the statewide data is used and if best practices can be shared. Commissioner Chester said the data should first inform local discussion and planning, and the Department has networks of districts working together to share best practices. The Commissioner said the Department has been very deliberate to avoid using algorithms, relying instead on the evaluator’s professional judgment. Mr. Doherty provided an example of an educator receiving positive feedback based on observations and going above and beyond, but not seeing students’ scores improve that year. He said it is not fair to rate an educator as low because her students are not performing well. Mr. Doherty said he would propose a motion on Tuesday to repeal the regulation mandating student impact ratings.

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

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 7:15 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