

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF EDUCATION
REGULAR MEETING**

**MONSON JUNIOR-SENIOR HIGH SCHOOL
29 THOMPSON STREET
MONSON, MASSACHUSETTS
TUESDAY, MAY 23, 2000
9:00 a.m. - 12:30 p.m.**

**MEMBERS OF THE BOARD
OF EDUCATION PRESENT:**

Mr. James A. Peyser, Chairman, Boston
Dr. Roberta R. Schaefer, Vice-chairperson, Worcester
Mr. Charles Baker, Swampscott
Ms. Patricia Crutchfield, Southwick
Dr. Judith I. Gill, Acting Chancellor, Boston
Mr. Marcel LaFlamme, Monson, Chair, Student Advisory Council
Dr. Abigail Thernstrom, Lexington

Dr. David P. Driscoll, Commissioner of Education

**MEMBERS OF THE BOARD
OF EDUCATION ABSENT:**

Dr. Edwin J. Delattre, Boston
William K. Irwin, Willmington

ALSO PRESENT:

Nancy Catuogno Varallo, Registered Diplomate Reporter

Chairman Peyser called the meeting to order at 9:05 a.m.

CHAIRMAN PEYSER: Good morning, everyone. Welcome to the monthly meeting of the Board of Education, and to Monson. We're going to depart a little bit from the scheduled agenda to accommodate the Governor's schedule, and we're going to go first to his statement. I want to say that we are honored and privileged to have the Governor here speaking on this important topic today.

GOVERNOR CELLUCCI: Thank you very much, Mr. Chairman, Commissioner, and members of the Board of Education. Thank you for allowing me to speak now so I can get back to the State House. I do appreciate the fact that you're meeting out here in the heartland of central Massachusetts. We are glad of that.

I think we all know that this is a critical time for Ed Reform. This Board, just a few months ago, took a vote that stated that in order to get a high school diploma in Massachusetts, as of 2003, students will have to pass math and English. Now, some might think that that's a revolutionary concept, but I think it's something that is critically important for our young people and their futures. I also believe it is critically important for the future of our state, which relies more and more upon a high-tech economy to provide the jobs that give our people and our families a good standard of living and a good quality of life. It really is the promise of Ed Reform. It's what we knew we had to do in 1993. We said we had to improve what happened in our schools. We had to make sure, in this new economy, that when young people graduate from high school in Massachusetts, they have the skills they need to live and to work in today's world. And I believe that no group is more critical to our children's future and to the survival of our high-tech economy than the highly skilled professionals who teach in our schools. It is pretty clear to me, given the kind of jobs our economy is demanding, that math teachers are especially important.

The MCAS results have set off some alarm bells. The test that the Board is voting on today will be a diagnostic test. It will identify potential deficiencies, it will alert us to weaknesses so we can offer help, like intensive professional development. I believe the regulation to test math teachers in those schools where more than 30 percent of the students are failing math represent is a reasonable response to the national crisis we face in math education. One out of every three high school math teachers in this country did not major in math and college or even take math as a minor. The average elementary or middle school teacher, on average, has taken three or fewer math courses in

college. Fewer than half of the 8th grade math teachers have taken a course in how to teach math to 8th graders. These are things that I believe we can solve over time. The requirement of a math degree to teach math will hopefully be in effect in a few years, but it will take time. I believe that there are math teachers in our classroom who are struggling and who need our help. But we really can't help them unless we know who they are.

This proposal that you will be voting on today is really just one facet of a huge challenge we face over the next several years, and that challenge is the national teacher shortage. If we're going to succeed in the goal of Ed Reform, in making sure that every student who graduates from high school has the skills they need to live and to work in today's world, it's going to be important that in every classroom in our state we have a capable effective teacher leading that classroom. There is no substitute for that. Because we need many more teachers as we head down the road, we have put in place one of the most aggressive teacher recruitment programs in this country. I commend the Board and I commend Commissioner Driscoll for that. We have loan forgiveness programs and signing bonuses, which the Senate President and the Commissioner awarded last week. We have a scholarship program, which I proposed, offering top-performing high school students, willing to get a teaching degree at a state university or college and who agree to teach in the Massachusetts public schools for four years, free tuition and fees. That's how important I believe it is that we recruit our young people to this very noble profession of teaching. But we face a big danger to the efforts we've made in Ed Reform as we continue to work to make sure that every teacher and every classroom is capable and competent -- and as I've said repeatedly, I will repeat it again today.

I believe the vast majority of public school teachers in our classrooms are capable and competent and we need to support them, but I will be going back to Boston to try to rally local officials against the early retirement bill. I've sent it back to the legislature with an amendment to try to provide an incentive for our most experienced teachers to stay in the classroom rather than to provide a powerful incentive for our most experienced teachers to leave. We face a national teacher shortage. I believe it is dangerous to aggravate that scarcity by paying experienced veteran teachers to leave at the same time we say to new teachers, "We're going to essentially cut your pay by 2 percent by raising your pension costs." I think the numbers tell the tale on that particular bill.

We estimate that in the first year about 8,000 teachers will take advantage of early retirement. Over five years, 23,000 teachers. That's over 25 percent of the public school teachers in our state. And if that occurs, the bottom line is that we will not be able, the local school districts will not be able to find, recruit and hire the thousands and thousands of teachers we will need to replace those very experienced teachers leaving our classroom. This is a very dangerous bill. And I know others will argue that they don't think as many teachers will take advantage of it. I guess the question is: How can you run the risk? How can you run the risk that 25 percent of our public school teachers might retire early and decimate classrooms all across this state? How can you run that risk and say you believe in all we are trying to accomplish with Ed Reform? I believe that the clock is ticking. We all know that the high stakes kick in 2003. We know from the MCAS results that we face a huge challenge in our classrooms in order to get thousands of kids up to standard, so that they will be prepared for life and to go to college or work in this new economy, so that we will have the workers that our high-tech economy needs to stay strong forever.

I feel a little bit like Paul Revere on this issue because, like a lot of things, the legislature does this bill with very little fanfare, very little debate, and here it is. If they reject my amendment, which I suspect they will, I will send it back with a veto. I'm trying to alert parents, I'm trying to alert school superintendents and principals. When I was at the Local Government Advisory Council meeting just two weeks ago, I was urged to veto the bill. There were some passionate statements from school committee members and mayors and selectmen. I asked for a show of hands: Is there anyone in this room who thinks this bill is a good idea? And there was not one local official in this meeting of the Local Government Advisory Council which includes representatives from all of the local official groups in the state, not one person in the room, who raised their hand. So you have this odd situation where you have an almost unanimous view of the people on the street who have to implement this law that it's going to decimate the classrooms, and then you have on the other side the unanimous vote of the state legislature to do so. So it is a rather interesting dynamic. But I'm going to continue to fight that because I believe it is a grave danger to all of the work and all of the progress we've made. I do want to thank this Board, I want to thank you because you've stuck to it. I know it's not easy. It's not easy to put standards in place, to say we have to hold the line on the standards. It's not easy to insist that we complete what we started in 1993. The easy part of this effort was ramping up the spending. That was easy. We took it from \$1.5 billion a year to \$3.6 billion a year, and I commend the legislature for sticking

with it. It's the first time in history that we've had an Ed Reform bill that we actually fully funded. We said we'd ramp it up over seven years and we did it. We made it a priority. But we made an agreement back in 1993. We said we were willing to put the money up, but we asked for one thing in return. And that was accountability. Now that we are at the stage where we continue to insist upon accountability, and I commend the Board for doing so, people are starting to say, "Maybe we ought to change things. Maybe we shouldn't have the MCAS stakes count in 2003. Maybe we should step back from the accountability and standards." I believe that would be an abandonment of what we all agreed we would do in 1993.

So I urge the Board to approve this proposal today, I believe it will help us improve the math scores. I believe it will help us meet the challenge we have to meet of getting all these kids passing math. I believe it will keep us on the road to reaching the goal that I believe we have to achieve. We have to meet this challenge for our kids' future and for the future of our state. So I thank you for your time and I urge you to approve the proposal today.

CHAIRMAN PEYSER: Governor, thank you very much for making the effort to come out here. Thank you for your continuing support and for your administration's placement of education at the top of its list of priorities. We greatly appreciate it and thank you once again. Thank you very much. We'll let you know what happens today. With that, if we could invite our hosts to come up to the front table. Gentlemen, if you could introduce yourselves.

DR. NOSEWORTHY: Good morning, I'm Gordon Noseworthy, I'm the superintendent of schools in Monson. It was very nice to have the Governor here this morning. Chairman Peyser, Commissioner Driscoll, and the Board of Education, and all of our guests in Monson, it's nice to see so many of the familiar faces that I encounter in meetings all over the state here in our own town. So on behalf of the School Committee, I certainly want to welcome you heartily to Monson. I realize Marcel is the connection to this meeting. Bon jour, Marcel. Nevertheless, I think the tradition of going to the town where your student rep resides might be a formal tradition, but I think it's a very important one. I strongly feel that all of us at any level of administration need to get very close to classrooms whenever we can. In Monson I'm in classrooms, the principals do a daily walk-through of classrooms, and I think that the teachers and students, and we do have capable and effective teachers in Monson, will feel your presence today and know that you may not have time to get into lots of classrooms, clearly, but you're in our school and that sends a strong message to where all the work that you do and all the work that we do really culminates in what happens in schools. Education is very important, the education of our youth in Monson. We work very hard for our programs. As you may know, we have a building program underway at the moment, but we are not missing a beat in teaching and learning. As far as the children who have to work their way through that building program are concerned, they can't come back for a rerun, so we are right on top of keeping things moving along here. I know you're anxious to get to work, but I do want to thank you for coming to Monson. You're always welcome and if you ever have a few spare moments and you want to get into a classroom and see where the action is, please come back to Monson.

MR. PETERS: Good morning, everyone. My name is James Peters. I'm the principal at Monson Junior-Senior High School. Commissioner Driscoll, Chairman Peyser, Mr. LaFlamme, and all the members of the Massachusetts Board of Education, we are really honored to have you here this morning. I'm honored for two reasons. Because I have great respect for the role that you are playing in public education, no question. All we have to do is look at the media and see you're not popular on all fronts. But we can have great respect for the difficult task that you have at hand. I applaud you for that. I also am honored this morning because it gives me a chance in the public eye to congratulate and thank especially this young man, Marcel LaFlamme. I'm quite confident that his role in your Board of Education has been unsurpassed over the years. This is a special young man and, Marcel, as your principal and your friend, I'm really proud of you. I thank you for everything you've done for your constituents across the state of Massachusetts.

MR. LaFLAMME: Thank you.

MR. PETERS: Again, welcome, and have a nice morning here. Thank you.

COMMISSIONER DRISCOLL: I'm wondering if I could ask the two of you to join us up here with Marcel.

CHAIRMAN PEYSER: While we are on the topic of Marcel, there's more yet to do, and I just want to say before introducing the Commissioner to read a Certificate of Appreciation that Marcel has been a thoughtful and articulate and fully involved member of this Board who has had on many occasions shown the courage of his convictions, and it has not gone unnoticed and certainly has not gone unappreciated, and we have been honored to have you as a member of this Board. Commissioner?

COMMISSIONER DRISCOLL: Thank you, Mr. Chairman. Certainly the citizens of Massachusetts and the legislature, and administration should be proud of the fact that we have a student voting member on our Board of Education. For those of you that have attended Board meetings in the past, the student members have certainly distinguished themselves, but no more so than Marcel. He's been just a terrific member of the Board and we wish him well next year at Harvard. The Chairman and I would like to officially present this Certificate of Appreciation to Marcel LaFlamme.

Elected by your fellow students, you served as the 1999-2000 chairperson of the State Student Advisory Council, representing 960,000 public school students, as a full voting member of the Massachusetts Board of Education. During your tenure the Board of Education has addressed many issues important to students including student testing, 10th grade passing score, recertification, frameworks, teacher quality, school and district accountability. As the Student Board Member you have thoughtfully articulated the ideas and concerns of the students of the Commonwealth and you have effectively facilitated discussion about educational policy with your peers. In addition to your work on the Board, you have provided strong leadership to the State's Student Advisory Council. For the past three years, you have served as a Regional and State Advisory Council Member, and you have worked diligently to inform your fellow students about the policy decisions debated by the Board. Most importantly, you engaged hundreds of students in discussions and debate about these policies and you aptly represented their views at every Board meeting. Marcel, on behalf of the Board of Education and the Department of Education, we thank you for your leadership, integrity, your commitment to the improvement of the quality of education, your energy, enthusiasm, and your forthright commitment to the students of Massachusetts. We will miss your thoughtful and articulate perspective and wish you much luck and great success at Harvard and beyond. With best wishes, Jim Peyser, Chairman of the Board of Education, David Driscoll, Commissioner of Education.

CHAIRMAN PEYSER: I will forego my own statements because I know we have a long list of folks to present in the public comment period. Commissioner, do you have any remarks to make?

COMMISSIONER DRISCOLL: I think that was a hint. Discretion is the better part of valor. I think I will forego mine as well.

PUBLIC COMMENT

Joan Schuman, President of the Massachusetts Organization of Educational Collaboratives

MS. SCHUMAN: Good morning. Before I speak, I have to also congratulate Marcel. It's almost 30 years ago that I was part of a very small group that drafted the legislation that developed the Student Advisory Councils, and for ten years I worked with the Student Member on the State Board of Education. So my greatest legacy, I think, to education in this state, after a long career, is that, and so I do congratulate you as well.

MR. LaFLAMME: Thank you for that.

MS. SCHUMAN: Mr. Chairman, Commissioner Driscoll, members of the Board of Education, my name is Joan Schuman. I'm the Executive Director of the Hampshire Educational Collaborative. I'm also the President this year of MOEC, the Massachusetts Organization of Educational Collaboratives. And it is in that capacity that I come before you today. I'm not going to talk about teacher testing. I'm going to talk about space issues that are extremely critical. MOEC represents 29 educational collaboratives across the Commonwealth who in turn provide educational

programming for over 5,500 children and youth with special needs whose special education requirements cannot be met in their school systems' programs. Chapter 40 section 4e, originally passed and signed into law in 1974, authorized the formation of educational collaboratives by encouraging local school committees to work together to conduct educational programs and services to supplement or strengthen existing school programs and services more efficiently and more cost-effectively. The majority of collaboratives, indeed, most educational service agencies across the country, came into existence to address school districts' needs for a special or occupational education; designing, implementing and delivering a menu of programs and services for low-incidence, handicapped populations who were returning to their communities from residential institutions in the mid-seventies era of deinstitutionalization. And you have one here right in Monson that we visited, as the Board of Education did hold a meeting there many, many years ago.

Last year, I came before you with a statement warning that the ability of collaboratives across the state to continue to offer programming for special needs students in an inclusive setting, that is, within the walls of the public school, was reaching a critical juncture. Our ability to obtain any classroom space in the public schools of the Commonwealth was becoming increasingly difficult. In the 1996-97 school year, educational collaboratives across the state utilized 364 classrooms in public schools, and 225 classrooms outside of the public schools. Two years later, the 1998-99 school year, our members reported that 362 classrooms were in public schools but 262 classrooms were in private spaces outside the public schools, an increase of almost 25 classrooms. Granted, some of the growth in out-of-district classroom usage reflects the changes in the nature of the students we are being sent, but much of the growth is the result of the unavailability of public school space for collaborative special needs programs. Unless a school district is required to make space available as part of the original collaborative agreement, the following scenario is typical: A school district has a need for a collaborative program for one or more of its students; often it is because the parents demand that the student remain in his or her home community among peers; space is therefore found in the local school district because of parental demand or because the school system will save a considerable amount of money in transportation costs. When a student leaves the program, or moves out of the district, or graduates or ages out, the space is no longer available. The school district finds that it needs it for other purposes, or has become so overcrowded that it essentially evicts the collaborative, dislocating the other students, their families and the teaching staff. The collaborative has the following choices: Find new space in a willing school district, if possible; if not, close the program, leaving the school systems, the local school systems, to find places for the other students.

CHAIRMAN PEYSER: I'm sorry, Ms. Schuman, we need to move on, so if you can wrap it up, I'd appreciate it.

MS. SCHUMAN: This is not a new problem. Indeed, I came across a position paper written by several collaborative directors on behalf of MOEC in 1987. They said, "Collaboratives, in their delivery of special education services under the provisions of Chapter 766, face serious classroom shortages. School systems place greater priority on local classroom needs, and collaborative classrooms are often relegated today non-mainstreamed areas, or sometimes discontinued altogether because of lack of appropriate classroom space. Such program discontinuance may necessitate less cost-effective, more restrictive private school placements outside the direct control and governance of local school systems."

We suggest that the school building assistance regulations application and approval process be amended to include a sign-off by the local collaborative director; if the school district is a member of the collaborative, that the collaborative space needs have received consideration and been provided for. We suggest amending paragraph 6 of Section 38.03 of the regulations to read as follows: "All projects shall provide evidence that the collaborative has determined its need for space in the project and that said needed space has been provided." We also recommend amending Section 38.12 of the regulations by adding section 10 to read as follows: "In those instances where approved projects include space for collaborative programs, the district and the collaborative board may agree to have the collaborative contribute to that member community a portion of the local cost of the collaborative designated space for the life of the bond issued to finance the project, further provided that the collaborative will have the guaranteed use of this space for the life of the bond."

Stephen Gorrie, President of the Massachusetts Teachers Association.

MR. GORRIE: Good morning. Before I begin my formal comments, I want to say that we too have appreciated Marcel's contributions to this Board and to public education and we are proud to claim him as a product of our public schools. We wish him luck in the future. We think it is valuable that there is a student member of this Board and I need to say that we do look forward to the day that there's a teacher on this Board as well, but congratulations. Must take those opportunities when they arise, right?

For the record, my name is Steve Gorrie, I'm President of the Massachusetts Teachers Association. You have now made available the summary of the comments and testimony that was given at the forums around the state. I know that you're well aware that over 1,000 individuals attended these forums. There were teachers from all types of districts, from all grade levels, and from all disciplines. There were superintendents, principals, department heads, elected officials, and parents. They spoke with one voice against this proposal, they spoke logically, and they articulated the reality of teaching in districts with diverse student bodies and they spoke from experience. The Commissioner in his cover letter for this month's Board packet has chosen, at least in our estimation, to completely ignore the educators who spoke and for whom he should be speaking. It looks as if total disrespect was given for those in the field. He said, "Virtually everyone who commented perceives the proposal as an attack on teachers." Yet he goes on to say, "I refuse to conclude that it singles out teachers in a negative way." Let me suggest that refusing to accept a reality does not make it less real. It forces me to ask what is going on here. There were forums scheduled, rescheduled, scheduled again. Teachers going to one announced site and finding no one there. Public comments made in near unanimity but ignored. Informed summaries readied at the 11th hour. It's difficult for to us to believe that the opinions of teachers were actually valued by anyone, including the Department. What is the Department of Education's solution? Tinkering with the proposed regulations through amendments that do not address the fundamental folly of teacher testing. We view these proposed changes as a cynical and ill-conceived attempt on the part of the Department to create the appearance of listening to the concerns of the teachers. These changes are obviously intended to eliminate the testing of teachers in affluent communities such as Weston, Longmeadow, and even Monson.

As an example, Monson had a 40 percent failure rate in grade 10 on the math test. Once you eliminate the 20 percent of students in special needs and you put that into the equation, the failure rate is reduced to 26 percent. So who is left to test? Teachers in the urban districts. Unless, of course, they apply for a waiver. This Board should not think that by reducing the targeted group that you're reducing the opposition of all teachers to this foolish proposal. This proposal indicates a lack of commitment to the Commonwealth's most deserving students: those for whom public education represents the best hope for a productive future. However, it is obvious that if the price for spending one's teaching career working with urban students is the threat of testing and the labeling of underperforming, then recruiting and obtaining well-qualified teachers in the very schools that need them most will be impossible. Make no mistake about it. The Governor spoke about retention this morning. Proposals like this will aggravate the recruiting and retention problem driving qualified younger teachers away from the profession and away from Massachusetts to Connecticut and Rhode Island. Now, I recognize that most of you serve on this Board by virtue of a gubernatorial appointment. However, having accepted the office, you have a responsibility to quality public education and an obligation to oppose the Governor when he is wrong. You have a responsibility to ensure that the energy, time, the resources of educators be spent on those activities that will actually improve the student achievement. And to quote a teacher from one of the forums, "The Department of Education should be behind us, not putting obstacles in our way." The Governor describes this proposal as professionally helpful and student focussed. I submit to you, these proposed regulations, including the amendments before you, are neither, and I ask you to have the courage to reject them. Thank you very much.

Kathleen Kelley, President of the Massachusetts Federation of Teachers.

MS. KELLEY: Good morning, Mr. Chairman, Commissioner, members of the Board. And Marcel, let me add my voice and congratulations to you. Harvard is indeed going to be richer, as if they need to be any richer, for your attendance. But I wish you all the best and a great success.

MR. LaFLAMME: Thank you.

MS. KELLEY: And rather than intern at the Department of Ed, the Mass. Federation of Teachers is always open to you. For the record, my name is Kathleen Kelley, I'm President of the Massachusetts Federation of Teachers. If I can have an additional three minutes, I will be glad to address the retirement bill. Is the Board voting on the retirement bill?

CHAIRMAN PEYSER: No, we are not.

MS. KELLEY: Then I will keep my comments to the math testing.

CHAIRMAN PEYSER: Thank you.

MS. KELLEY: On behalf of the members of the Massachusetts Federation of Teachers, I arise today to tell you that we are unalterably opposed to your math teacher testing proposal. Giving a math test to teachers in underperforming schools is unfair, unproductive, a waste of time and money, and certainly it is going to be subject to legal challenge. It may play well politically and in the public, but it does nothing to move us forward in terms of student achievement. We have the best-educated math teachers in this country. They have multiple degrees. They have worked day and night to implement curriculum with a changing framework, to serve on school-site councils, to restructure schools, to take professional development courses on a regular basis. These people have worked hard. Targeting teachers in districts with low MCAS scores I think is particularly destructive. I think it's unfair, I think it's discriminatory, and I think it certainly is bad public policy. We end up testing only those teachers who teach our most disadvantaged students, teachers who are already teaching in difficult and complex circumstances.

I want to ask you two questions: What will the ad say when urban districts go to try and recruit math teachers? Come to a school system where you get paid less money, have terrible working conditions, are going to serve in a role not only as teacher but many other roles, and now you're also going to be tested. What teachers will step forward, as I always did each year, to work with students who have learning problems, who are behind the others? Those are the students we need to reach, and those are the students that these teachers are working with day and night to make sure that they achieve. The Board of Education I think has an obligation to do a diagnostic test for school districts and schools. I want the Board of Education to tell me if you have looked at every district to make sure that the resources are there and up-to-date materials for every teacher in every classroom. Have you made sure that frameworks are aligned with curriculum? Have you looked at class size and teacher load in these classrooms? Do you know if teachers in these schools have relevant professional development opportunities? Do teachers have time to work together to coordinate and implement programs? Are there opportunities for teachers to incorporate the best research and practice into their daily work? Can you answer that? Accountability has to start with you and with the people who are running these districts. I watched districts buy superintendents out of contracts, yet we're going to test teachers. I want to finish up with one thing. I have just a brief quote that I want to read to you. This is from a six-year teacher that we recruited into an urban district. She was at the top of her class, both in undergraduate and graduate school. This is what she had to say and this is what I think you have to be concerned about. It certainly concerns me. "My students do not fail because of me. They fail in spite of me for myriad reasons that you and the Department of Education refuse to acknowledge and refuse to address. The insinuation that I'm the cause of my students' MCAS failures is not only an insult to but an assault on my intelligence, my integrity and my commitment. If this attack on teachers by the very people who should be looking for ways to support me in my work continues, education will lose me, and many others like me. We are young enough and smart enough and motivated enough to start over and choose another career. Can you really afford to lose us?" And I say to this Board, You cannot. Thank you.

Claire Graham, Co-Chair, Mathematics and Science Advisory Council

MS. GRAHAM: Good morning. I'm Claire Graham, Co-chair of the Mathematics and Science Advisory Council along with Jim Hamos. The issue that I would like to address on behalf of the Council is the testing of mathematics teachers in low-performing districts. In our meetings held on April 27 and May 18, members of the Mathematics and Science Advisory Council discussed the proposal to test mathematics teachers in low-performing districts. Council members were troubled by this proposed approach to raise student achievement and voted 16 to 1 to recommend rejection of the proposal. The proposal does not take into account a number of factors that result in low academic

performance, and thus should be addressed in a multifaceted approach to attack the issue. Further, the proposal may cause some undesirable effects on the teacher workforce and the students that they teach. The proposal has multiple direct effects on teachers.

First, we believe that enacting this proposal will result in teachers leaving low-performing mathematics districts in their desire to not be part of a system that is seen as punitive. This will reinforce well-known research indicating that, on average, students with the greatest need often have the least able teachers as schools scramble to hire people for their classrooms. Second, despite a notion that the test will be diagnostic, we have asked around the country and have not been able to identify a single test that has been used to discriminate subject mastery among mathematics teachers. The test that has been mentioned for Massachusetts teachers, namely the Accu-placer, was not created for this purpose and asks questions related to only a limited portion of the mathematics repertoire. The Advisory Council believes that a strong, high-content certification process should set the stage for exemplary elementary and secondary mathematics teachers. The emphasis of professional development for established mathematics teachers should be continued learning in the discipline within a well-conceived and administered recertification process. We also recommend that the Department of Education look for alternative methods to help increase content knowledge such as pairing teachers with mentors steeped in subject mastery. The proposal does not take into account the many aspects, other than the content knowledge of teachers, which may result in students having low-performance on the mathematics MCAS test. Instead of testing teachers in a low-performing school, an educational audit of the entire school community and environment should be conducted. The following is a short list of the types of issues that should be examined in fully understanding why large numbers of students in some districts may have low achievement.

First, access to quality mathematics curricula, aligned with the framework, that leads to instruction of students with varied learning styles; second, meaningful professional development for all mathematics teachers in a district; third, district and school decisions to place teachers in mathematics classrooms although they are not certified to teach mathematics; fourth, isolation of teachers that can be remedied by collaborative approaches, coaching and mentoring programs; and fifth, mobility and attendance of students. Clearly, there is much work to be done on the myriad concerns that lead to low academic achievement. These are local, state, and national concerns. We look forward to working with the Board of Education and the Department to tackle the breadth of the problem rather than the narrowly defined and difficult to diagnostically measure content knowledge of teachers.

Daniel Adams, Mathematics Department, Brockton High.

MR. ADAMS: My name is Daniel Adams and I'm the Mathematics Department Head at Brockton High School. I have been a teacher since 1966, at Brockton High since 1971, and Department Head since 1984. I hold a Bachelor's, a Master's and a Doctor of Philosophy, all in mathematics. I have 127 semester hours of mathematics courses, and I see no reason why testing me further makes any sense. It is good that the legislature has finally faced up to its responsibility and is funding education at a level close to adequacy. Let us not be confused as to the source of this. Before anyone from the business community or the legislature pats himself or herself on the back, remember that it was the City of Brockton and other cities that sued for adequate funding in 1976, 17 years before the Ed Reform law. This action was the Webb v. Dukakis lawsuit, and nowhere in that suit did it say that teachers in Brockton or anywhere else were doing a bad job. On the contrary, we claimed that the great and general court was not doing its job, a claim that was upheld by the Supreme Judicial Court.

As for the MCAS, keep in mind that the Massachusetts mathematics curriculum framework was copyrighted in 1997. Not until late January 1998 did the DOE feel the need to publish the so-called bridge document to attempt to respond to the fact that math teachers all over Massachusetts had no idea what questions would appear on the MCAS. The first MCAS was administered in May 1998. Thus math teachers had some small idea about MCAS questions four whole months in advance of the exam. What a generous amount of lead time. Furthermore, the MCAS turned out to be a grueling, prolonged test of endurance. The public does not seem to be aware of these facts and all the more so of their implications. Also, statements issued by the Commissioner and others characterize the MCAS as nothing but a series of trivial easily answered items that only a nincompoop could miss. This is strange talk indeed if a high school diploma rides on passing the exam, but not so strange when taking a closer look at the motives behind all of this. If the tests were that simple, it might appear to be reasonable to conclude that failure rates on the test were

directly attributable to the quality of the teachers in front of the kids. A more ridiculous assertion I have seldom heard of.

I don't want to mislead you. We in public education in Massachusetts are well acquainted with the Pioneer Institute and its agenda. We know that this Board is literally packed with its members and the Board includes in its membership not one public school teacher. Imagine such an absurdity in any other profession. When these facts are contemplated it all becomes clear. When teachers in this state say they are being attacked, they have good reason to do so. Results from the first two MCAS sittings, which did not count for the students who endured them, have already been used by Mr. Birmingham, President of the State Senate, and others as proof of the failures of public school teachers. But so have the results of the Third International Math and Science Study, TIMSS, a portion of which is attached to my remarks. Such studies are very misleading if for no other reason than the absurdity of trying to reduce an entire culture to a single number. But reducing a complex issue to a single number is a national sport in this country. You will note that the United States came in 25th in this World Series of math and science, but you might also note the handwritten figures next to each country's name. I only have one more page. These figures were written in by me. These are each country's per capita Gross Domestic Product. I obtained this information from the 1999 Time Almanac. I don't believe that financial success is a good measure of an educational system, but isn't it strange that the United States, by this measure, is Number 1, at least on this planet, and stranger still that some of the countries that we in public education are urged to emulate, such as Japan and Germany, lag far behind us in per capita GDP. Seldom do people from the United States want to import the respect or the higher salaries for teachers found in Japan and other countries. Once again, when the motives of some of the more vocal critics of public education are examined, it all becomes clear. TIMSS may be valuable research, but it portrays the educational system in this country in a way that is simply false. The same is true for MCAS and Massachusetts. The Commissioner has proposed alternate regulations concerning testing of math teachers. I think this is a step in the right direction, but allow me to make a suggestion or two. First, drop the whole idea. It's not the idea of a test that concerns me, it's the pervasive, corrosive, counterproductive atmosphere in this state toward the entire public educational community that I am worried about. I have to hire the teachers to teach math, but I can't hire them if they don't apply for the job. Thank you for your time.

Wesley Olds, teacher, Brockton South Junior High.

MR. OLDS: Good morning. My name is Wesley Olds, I'm a math teacher at South Junior High in the city of Brockton. I have been asked here this morning by the MTA to testify concerning the proposal to test teachers that test math at schools with low MCAS scores. Let me begin by saying I'm not against the basic concept of testing teachers. As a teacher, I require my students to take tests and quizzes every week to show me that they know and understand the material that I'm teaching. It makes sense to me that a teacher should also be able to pass a test on the material that he or she is teaching. However, I don't think that testing in and of itself is the issue here. I feel that the important issue is the purpose for the tests. Whenever I give my students a test I do so with a clear objective in mind. Usually that objective is to show competency in a specific content area or idea. Whatever the objective is, there is always a specific reason for giving the test. The question I ask myself now is, What is the objective for these proposed tests? As I try to figure out for myself what I think the answer to that question is, I can't help but come back to the fact that only teachers who teach math in schools with low MCAS scores will be tested. I also can't help but notice just how many students across the state are failing these exams and how much political pressure is being put on Governor Cellucci over these exams. From where I'm sitting, right now I don't think he stands a chance at reelection in two years, and I think he knows that.

Therefore, he needs a scapegoat for the fact that so many high school students are now faced with the dilemma of not receiving a high school diploma after four years of work just because of this one MCAS test. This proposal to test math teachers seems to be, and I believe it is, intended to lay the blame at the feet of the teachers. In effect, Governor Cellucci, through this test, is trying to make the teachers in Massachusetts his scapegoats. My response to that is, "Mr. Cellucci, I will not be your scapegoat." Not only will I not be your scapegoat, but I say to you, "Fine, give me the test. Let me show you that I'm not your scapegoat." I'm a first-year teacher, which means that throughout the last year I have gone through a total of 12 hours' worth of teacher certification tests. I passed all of them. I got a 95 on the math test and a 92 on physics test. Isn't that enough to show that I'm competent in my subject areas? If not, fine, give me another test. I'll take it and I'll pass it without any problem. I also believe that

most of the teachers in this state will also pass it. So if you still think you want to give us this test, go right ahead. Just make sure you understand what the results will be. The test will prove that teachers will not be your scapegoat for poor MCAS scores. The state will have wasted time and taxpayers' money only to get results that show the blame lays somewhere else. Then maybe, just maybe, you will be able to find the true cause of the low test scores. Perhaps that cause just might even be the test itself.

In conclusion, I feel this test will back fire. You won't get the results you are looking for. I will pass the test, as will many other teachers in the state. Then what will you do? Give us another test? I have already taken and passed four tests under the last year trying to get through all the red tape I need to transfer my Vermont license into Massachusetts. How many tests will it take before you realize that we can pass all of your tests and that the blame for the low MCAS scores obviously lies somewhere else? Thank you.

Joseph O'Sullivan, Brockton Education Association.

MR. O'SULLIVAN: Good morning. Thank you. Marcel, you've set a very high standard for whoever follows in your place and I want to commend you and say thank you for your caring and for your service.

MR. LaFLAMME: Thank you.

MR. O'SULLIVAN: I'm here to testify, my name is Joe O'Sullivan, I'm a parent, I'm a teacher, I'm a local association president, actually recycled. My testimony is in opposition to testing math teachers or any teachers based on MCAS. Ironically, this year I celebrated National Teacher Day at the DOE Math Teacher Testing Forum in Brockton, the City of Champions. Over 600 parents, elected officials, teachers, school committee members from 32 communities, attended that forum. The Mayor of Brockton sent his communications director because he was in New York getting our bond rating up to A so we'll save \$3 million on the three new school systems we are building with your help. He spoke against this proposed regulation. Our superintendent came in person, he spoke against it. No one at the forum of 600 people spoke in favor of this. I want to thank Tom Noonan, Anne Duffy, and the Department of Education for the professional way that they conducted the forum in Brockton. Tom, by the way, has a video if of you would like to see it. It's been running all week. I came away from our forum with a message for the Board of Education. The message is simply this: The sleeping giant is waking up. Teachers and the public are coming to the realization that either you are abusing your regulatory authority by creating regulations which amount to little more than one irrational thumbscrew after another in order to discourage teachers from entering our profession and to encourage teachers to leave our profession, and in that way you could justify the expansion of parasitic Commonwealth charter schools and vouchers -- or there is some question about your competence in dealing rationally with the very wide range of responsibility you have. Frameworks, for example, have been characterized as being a mile wide and an inch deep. To address a later conclusion, I have a solution. I think public confidence in the Board of Ed could be restored if each of you took the 17 hour 10th grade MCAS minimum competency test.

Now, please remember, this would not be punitive in any way. The scores would not be published. They would simply be between you and Commissioner Driscoll. No one would brand you with a scarlet "I" of incompetence, of course, for taking these, and the Commissioner could provide you with any professional development if any weaknesses were discovered. By the way, I brought with me four questions from the 10th grade MCAS. These were given out in the forum in Boston, MCAS Success For All. Mr. Peyser has one folded over and stapled because he was at the hearing, he's got the correct answer. There's one around with the answers on it for you, Jim. There's one around in case anyone wants to check. There's nothing in my comments that I make that is any more disingenuous than this Board promulgating regulation after regulation for certification, recertification, testing for licensed public school teachers, while you openly support spending tax dollars to pay unlicensed, uncertified teachers in charter schools for whom there is no recertification and there's no stakes if they don't take this test. But then again, last month one among you didn't even know they didn't need a license. I wish you the greatest of wisdom in your decisions today. Thank you very much.

Mark Brophy of the Education Association of Worcester

MR. BROPHY: Good morning. My name is Mark Brophy, I'm President of the Educational Association of Worcester, and I represent 2,800 people: teachers, support personnel, and administrators. Thank you for affording me this opportunity to express my opinion regarding the proposed regulations to test math teachers. I need to publicly thank Roberta Schaefer for coming out to Worcester two weeks ago and meeting with teachers at one of our high schools. Although there have been changes made to this proposed regulation, it is still primarily based on MCAS scores. It is wrong, misguided, illegal and, most of all, insulting to all the teachers, administrators and superintendents that have opposed this regulation. Mr. Chairman, you have stated that many districts have been aligning the 1995 math frameworks and numerous school districts did poorly on the 1998 to 1999 exam. We continuously jump hurdle after hurdle, to deal with the frameworks that have yet to be stabilized. You presently are reviewing the math framework. Is it appropriate to test math teachers based on MCAS scores? No, it is not. Is it appropriate to dismiss the comments of many math teachers, superintendents, and educational leaders that have said this proposal is wrong, ill-conceived, politically motivated and, quite frankly, embarrassing that the Board of Education is even entertaining such a proposal? Aside from the Governor and the privatizers from the Pioneer Institute, can you tell us the names and their titles of the respected educators who favor this plan? Why has this Board continued to revise the math curriculum frameworks, and this proposal based on MCAS scores doesn't give a sufficient time for the adjustments that are needed in the districts? Has this Board helped, monitored, or worked with districts to monitor whether they are spending their professional development monies wisely on high development initiatives? Why should we trust this Board when this proposal was brought by the Governor who has repeatedly criticized teachers and questioned their competence? I repeat, this proposal is wrong. I'm speaking for 2000 plus teachers in the Worcester Public Schools and they are very angry at how they are being treated by this Board, and not one teacher will take a test based on MCAS performance of students. I'm speaking for teachers preschool through grade 12.

Lastly, teachers have suffered from this line: "Those who can, do; and those who cannot, teach." But now research shows, and I would like to share with you this Board, that teachers when measured against people in other lines of work hold their own. According to the Educational Testing Service, a respectable institution which has carried out the analysis for the study, shows how teachers compare when you compare these three areas, dealing with prose, document and quantitative skills of American teachers using the results of a 1992 federal survey of adult literacy. And just to sum up on this. Based on the results of more than 26,000 individuals, the ETS report defines three areas of ability under prose literacy -- the ability to use and understand information from text such as news stories and fiction, document literacy -- the ability to locate and use information in every day materials, and quantitative literacy - proficiency and mathematics. About half the teachers scored at least at the fourth highest level. I repeat: the fourth highest level out of five in all three areas compared with about 20 percent of adults nationwide. The analysis also found teachers, on average, performing about the same as lawyers, marketing professionals, and social workers in prose literacy and at least as well in document literacy as other professionals with the exception of electrical engineers, and though out-performed by auditors and computer systems analysts in quantitative literacy. Teachers scored about as well as other managers and professionals. Again, therefore, please support teachers and listen to them. Act upon their recommendations and, please, this Board, do not vote for this ill-conceived, politically motivated proposal. Remember, teaching and learning is the profession that makes all others possible. Thank you.

Eleanor Hanlon, President of the Weymouth Teachers Association.

MS. HANLON: Good morning. My name is Ellie Hanlon, and I'm a technology teacher and President of the Weymouth Teachers Association. I want to thank the Board for the opportunity to address you today. I have traveled to Brockton, to Boston, and now to Monson with the same question, a question I firmly believe needs to be answered, and an issue that needs to be addressed by this committee. On April 28, the Boston Globe reported, "Mental health counselors, social workers and other human service providers who work with the state have a new job perk: Free classes at state colleges." If the goal of this Board is to improve instruction, and if you truly believe that there are teachers who would benefit from additional coursework, why hasn't this committee provided all teachers, preK through 12, with this same opportunity? At the Boston forum, Commissioner Driscoll alluded to cities' and towns' real obligation is to provide teachers a cost-free route to certification and to DOE summer courses. Under Ed Reform, our communities have received additional funds. However, many of our cities and towns are still struggling financially. The 2000-2001 Weymouth school budget was cut significantly. The most egregious cuts included eliminating three teaching positions and cutting \$171,000 from the professional development account. That

cut left \$30,000 in that account. \$10,000 has already been earmarked for summer workshops. That leaves a grand total of \$20,000 for professional development for a school district with 500 plus teachers. Many of the DOE course offerings this summer are of no value to my members because of the locations. In fact, only two of the courses are being offered within a reasonable distance. These facts make my question even more compelling: Why hasn't this committee provided teachers, pre-K through 12, with the same opportunities as the mental health worker: free classes at the state colleges? If this committee truly believes that there are teachers who would benefit from additional coursework, providing teachers those opportunities would be a positive act rather than an arbitrary, capricious and punitive attempt to test teachers. Thank you.

Don Taggart, teacher, Weston High School.

MR. TAGGART: Good morning. My name is Don Taggart and I'm a history teacher at Weston High School. Over these past few months your proposal to test math teachers has triggered rancorous debate. From reading newspaper reports of the public forums and talking to colleagues around the state, it would appear everyone is abuzz about this topic. I'm here to tell you that this is not the case in Weston. Conversations about teacher testing are virtually non-existent? Why? The teachers in Weston are not panicked about being held accountable. Why is the reaction different in Weston? We'll start with the students.

My students, many of them, had picture books placed in their cribs when they were infants. Almost all entered kindergarten knowing their colors, numbers, letters and letter sounds. Some were already reading. Almost all spoke English. Many had traveled, visited museums, and attended concerts. I can count on having the same group of students from September to June. I can count on their being there almost every day. I can count on strong parental support. In Weston, we have optimal class size and a manageable teaching load. The ratio of support staff to teachers is high. We have common planning time, on-site professional development offerings and full tuition reimbursement to any college or university. 100 percent of our students take the SAT's. Approximately 60 percent take the Advanced Placement Exams. 95 percent go on to college. There are 2.6 students per computer. 88 percent of our classroom computers are hooked up to the Internet. We are constantly retooling. Change is not imposed on us; prior to a change in curriculum, scheduling, or any other area that impacts us, we are brought in for a discussion and planning. Training always precedes change in Weston. Is it surprising that we excel? We excel because Weston is a system where everyone is in the water and pulling in unison -- the taxpayers, the parents, the students, and the teachers. Of course the boat is moving forward. Consequently, no math teacher in Weston has to be overly concerned about being tested. Now let's imagine that starting next September I decided to teach in Fall River or Brockton. My students would have spent their primary grades in classes of at least 30 to 35. Many would have limited English proficiency. The transience rate would be high. Absenteeism would be overwhelmingly and tardiness would be all too common. Technology would be spotty. More of my time would be spent in supervisory duties, discipline, and clerical work. There would be little or no tuition reimbursement. I would have taken a \$20,000 per year pay cut and would be facing many more years of work to match my Weston pension. On top of all that, if I were a math teacher, my previously recognized competence would suddenly be suspect. So, there I would sit in the Fall River or Brockton boat, same teacher's oar in the water but it would be incapable, by itself, of moving that boat forward. In closing, it should be apparent to all that my remarks today are not motivated by self-interest. This proposal is stunning in its naivete and its simplicity. Accordingly, I urge the Board of Education to have the courage to say "no" to the Governor's proposal.

Paul Georges, United Teachers of Lowell.

MR. GEORGES: Good morning. I come from Lowell so I guess I'm on the other side of that coin that we just saw. I will tell you, in a community like Lowell we have chronic under funding; sure, Ed Reform money came in 93. It came in after a law case. I don't think the state legislature was anxious to give us the additional funds. But they got here. But what do we do about the 30 or 40 years of chronic underfunding before 1993? What do we do about a population that's primarily second language? I remember hearing from the Board of Education it would take seven years for a child to assimilate English. Yet after three years you're testing these kids. You're testing them in math using word questions. Makes it even more difficult. The majority of our kids are impoverished.

I remember when the Governor, visiting Lowell, spoke to Mr. Driscoll and said, "Identify the schools systems that are underperforming." And, then he said, "When you identify them, test the teachers." It wasn't to find out what kind of kids you have there. It wasn't to find out the poverty level. It wasn't to find out whether the programs were implemented properly. It wasn't to find out whether it was chronically underfunded. It wasn't to find out how many SPED kids were being unfairly tested, because in communities like Lowell they are included more than they are in other communities to save money. Yet you are going to test the teachers, the teachers who are working hardest in the most extreme conditions, and essentially blame them for poor test scores. That is akin to taking a trauma surgeon and taking his record concerning mortality and saying somehow he is ineffective because when you compare him with plastic surgeons and everyone else, they have a higher mortality rate. It's absurd, absolutely absurd.

The agenda here, as you know, as you are aware, is the Governor. The Governor has been attacking, as best he can, the most honored people, people who really endeavor to educate our kids, the paraprofessionals, and the schools. Now, that's his agenda but it doesn't have to be your agenda. Again, in Lowell, he didn't say, "Let's look at the facts, let's find out what the problem was. He said, Test teachers." Maybe it's payback for political realities of a couple of years ago, but it's blatantly unfair. When he talks about a retirement bill -- and I did notice although you're not going to vote on a retirement bill, he did take a considerable amount of time to discuss it for the benefit of the cameras. The fact is he is talking about worrying about losing teachers because of a retirement bill. I would tell you that I think he is the single greatest factor for losing teachers. I think it's blatantly hypocritical for the Governor of this state to be concerned about some kind of reasonable retirement provision that almost every other state in the country has, and say he is going to give up on this or somehow stop it with some kind of veto because of his honor or his appreciation for teachers. The hypocrisy is absurd. I'm asking you to stand against the Governor, to be the advocate for teachers, vote against this proposal so we can all work together. Thank you.

Nick Tarzia, President, Haverhill Education Association

MR. TARZIA: Good morning. As a way of introduction, I'm President of the Haverhill Education Association, but I just coincidentally happen to be a math teacher of 30 years, 15 years in middle school, 15 years in high school. Why is this the first time that I've had to be concerned about my occupation, for a testing purpose, when I've had many students go on to many of our best colleges and come back and say they've been successful with the teachers in Haverhill? To test math teachers or any other teachers in low-performing schools tends to create a connection by inference that teachers are responsible for low student test scores. Such a connection cannot be considered unless there are contributing factors that influence student performance that can be identified, measured, and discounted. The following are a primary list which can cause low student performance levels on any test. And you're hearing this from a teacher in the classroom presently, not someone who was there a long time ago.

I have been there for 30 consecutive years. Things don't tend to change when it comes to these issues. Number one, poor student attendance in daily classes. Number two, lack of student effort in content study. Three, apathetic attitude by students toward accepting responsibility. Four, student learning difficulties due to ability handicaps. Five, lack of student response to parental guidance. Six, low reading levels that prevent understanding. Seven, poorly developed retention and focusing skills. Since most, if not all, of these factors are not measurable other than by subjective judgment techniques, it is impossible to proceed to a conclusion that a teacher's performance is, of course, the cause for low student test scores. Furthermore, teachers cannot be held accountable for factors that are beyond their control. An increasing number of students neglect or reject learning opportunities that other students take advantage of. This is not a reflection of teacher preparation or diligence. Teacher content knowledge is questioned due to student failure on an MCAS test is unjust and misguided. To pursue a policy that insists on questioning teacher preparedness by testing them can only be assessed as an effort that is other than educationally driven. I will be short. The Board has a responsibility to Massachusetts' residents to act responsibly to provide educational leadership and to protect schools, students and teachers and parents from political agendas that could be detrimental to them. Beyond being required to act legally, the Board has a responsibility to act ethically, and to promote a participatory approach encouraging input and using it to help determine the course. I can only hope, we can only hope as teachers, that the Board's members are capable of acting independently of pure political pressure and are willing to demonstrate responsible leadership in exercising understanding and sound reasoning. We urge the Board to reject teacher testing proposals and to move on to reaffirm a true leadership role by addressing issues that

will advance education in Massachusetts for all students. We are sincere, we are serious, and we are dedicated. Thank you.

Tim Collins, President, Springfield Education Association.

MR. COLLINS: My name is Tim Collins, I'm President of the Springfield Education Association. I've also been a math teacher for the last 27 years prior to becoming president. Marcel, I would also like to add my kudos. You've done a real nice job.

I'm here today because I have some very serious concerns about the regulations that you're going to be considering today. Putting aside my concerns about the fact that the Massachusetts Comprehensive Assessment System has become a single test for students, putting aside my concerns for the validity of that test itself, putting aside my concerns about the legality of the regulations you're considering, I'm really concerned about the ramifications of these regulations. If you had attended the hearings that went on throughout the state, you would be well aware that teachers in general and math teachers in particular are feeling disregarded, disrespected, demeaned, and disenfranchised. If you were to pick up a newspaper in any state in this union, you will find advertisements for mathematics teachers. The skill is at a premium. What does this mean for an urban area like Springfield? Our best and most competent math teachers will be leaving us and we will not be able to replace them. The solution to your perceived problem is going to be one to add to the problem. When your inspection team was in Springfield about a week and a half ago, they weren't concerned about the fact that 87 percent of our students live below the poverty level, that 22 percent of our students are Special Ed, and another 19 percent are not native English speakers, that a high percentage of our students live in foster care and another high percentage of our students are, in fact, connected with Department of Youth Services for criminal activities. Their question to us, and rightfully so, is: What are we going to do to deal with those realities? Well, a reality in this state is the feelings of teachers, and if there is a teacher shortage, whether or not the retirement piece happens, and all that does is bring it up four years, how are these regulations going to help us? It's significantly going to hurt the education of children in urban areas. I have two suggestions for you because I really don't think that the words that are spoken here today are going to change your mind.

I'm going to add a suggestion to Mr. Driscoll's proposed amendments -- which I think indicates to me that you realize some of the flaws in the Massachusetts Comprehensive Assessment System. Let me add that you need to consider as well in those amendments attendance of students. If a student is not in class, how can we be responsible for teaching them? That is something that you haven't considered in your amendments. And the second suggestion that I have for you, which would be costly so you probably won't take it, but if you want to answer the question of whether or not it is teachers that are not performing well, I challenge you to find the highest-performing students in mathematics in the Commonwealth, take those teachers, and exchange them with teachers in Springfield, Worcester, Lowell, New Bedford, Fall River, and see if there's any significant change in the performance of the students of either teacher. I hope you will be reasonable and do what's best for children and for quality of education in the Commonwealth. Thank you.

APPROVAL OF MINUTES

CHAIRMAN PEYSER: I have just a couple of corrections with respect to my comments. On page 19, in the second paragraph the word "simplicity" should be "simplistic". The word "meeting" should have been "demeaning". The words "lack of" should be "lacking". Two paragraphs down, the term "and causes" should be deleted. And in the first sentence of the next paragraph, the word "employees" should read "employers". Are there any other corrections or comments?

MR. BAKER: I was at the meeting.

DR. THERNSTROM: One other small correction for the future. My name is never spelled with an I-E, but with a Y.

On a motion duly made and seconded, it was

VOTED: **that the Board of Education approve the minutes of the April 24 , 2000 Special meeting and of the April 25, 2000 Regular meeting, as amended.**

The motion was made by Mr. LaFlamme and seconded by Dr. Gill. The vote was unanimous.

**ADOPTION OF REGULATIONS ON DIAGNOSTIC ASSESSMENT OF CERTAIN MATH TEACHERS
(Amendments to 603 CMR 2.00 and 44.00) - Discussion and Vote**

CHAIRMAN PEYSER: I'd like to begin the discussion by reading a statement. I have listened closely to the comments of teachers on this proposal, certainly this morning, but also in the forums that have preceded this meeting today, and, in general, the criticisms fall into three basic categories: First, many teachers perceive the proposed assessment as punitive and demeaning. Second, teachers have complained that the targeting of schools with failure rates above 30 percent is unfair to those teachers working in communities with the greatest deficits and needs. And third, critics have argued that the real reason for poor student math performance is not a teacher's knowledge of her subject, but rather her method of teaching in the classroom. Let me address each of these concerns in reverse order.

With respect to whether subject mastery or pedagogical skill is more important, I've seen studies pointing in both directions. I tend to believe that subject mastery has been given short shrift over the years in teacher preparation programs. I also believe that the more complex and flexible teaching methods envisioned by our own frameworks, as well as those of NCTM, require higher levels of subject mastery than may have been the case in the past. Of course, common sense tells us that both teaching skill and subject knowledge are important. Whether one is marginally more important than the other is a relatively minor point. As a practical matter, it is far more difficult, time consuming, and expensive to assess a teacher's pedagogical skill than it is to assess her level of subject mastery. Assessing strengths and weaknesses in math knowledge and skill is something positive and useful that we can do now. Given the impending arrival of high-stakes testing for students and given the high failure rates in math, we have an obligation to do whatever we can, as soon as we can.

Many teachers have voiced concerns that this assessment plan is unfair to teachers in low-income and urban districts, where failure rates and educational challenges are consistently higher than in the wealthier districts. There are two points to be made here. First, the 30 percent threshold applies only to those schools that are not meeting their improvement expectations, as established by the school accountability program. As a result, even teachers in schools with very high failure rates will be exempt from the assessment if their students' MCAS performance is getting better. Second, we have modified the proposed regulations to take this concern for fairness into account. Specifically, in calculating whether a school is above the 30 percent threshold, we will exclude special education students, students with limited English proficiency, and students who have not spent at least two years in the school. All three of these categories of students tend to experience relatively high failure rates and are found in disproportionately high numbers in low-income and urban districts.

I come, now, to the issue that carries the greatest emotional weight: the perception that this proposal is punitive and demeaning to teachers. In responding, I will first repeat what I have said before on this point and what is explicitly in the regulations: these assessments are solely for the purpose of informing the course of professional development. Individual results will be confidential and may not be used as justification for any form of sanction against any teacher. We have also listened to the complaints and amended the proposed regulations to include a waiver provision, whereby the Commissioner may exempt individual teachers from the assessment on the basis of previously demonstrated subject mastery or special circumstances that make the assessment of the material irrelevant. The purpose of this waiver provision is to ensure that we are not needlessly or thoughtlessly wasting people's time or insulting their intelligence. In addition, we have given the Commissioner wide latitude in developing and implementing the assessment to allow for as much participation as possible from the field, and to ensure that the assessment program provides the kind of information that will enhance professional development and contribute to improved student performance. The overwhelming majority of teachers in Massachusetts are bright, talented, and committed to their students, and I understand and respect the concerns that have been expressed by teachers regarding this proposal. It is because of those concerns that we have amended the draft regulations. Nevertheless, the criticisms do not outweigh the reality that we must address the low level of math performance with a sense of urgency. The students of the Commonwealth deserve nothing less.

Before opening it up for further discussion, I would ask that the Board, if there is no objection, agree to the deletion of the words "full". This is on page 2, section 2.051, and paragraphs 1 and 2: Deletion of the word "full" prior to school year. This is in the bold amended section. The issue here is that the assessments are administered not at the end of a school year, but only near the end. So what we're getting at is students who are enrolled in the prior year and the current year. But with that minor change, if there's no objection, I would open it up for further discussion and ask, actually, perhaps prior to that, if anyone would move the regulations.

COMMISSIONER DRISCOLL: It's ironic that in 1998, as a candidate for Commissioner, I distinguished myself in two ways: One being the only candidate with prior experience in teaching; and secondly, for being publicly against the Governor's proposal for teacher testing which didn't endear myself to the Governor at that time, obviously. I was against it for a number of reasons. The most important was, of course, there were consequences, there were ramifications to not passing at that time; I had great concerns about that for a variety of reasons. Additionally, people did see it as demeaning and as blaming teachers, and that concerned me. I find this proposal different in a couple of ways. Most importantly, it is without consequences. I recognize what Joe Sullivan said, and what others have indicated. I believe that if I can implement this proposal correctly, should it pass, perhaps we can get at what I can live with, which are the ramifications of this kind of proposal.

We have a problem in mathematics education; I don't think there's any question about that. In fact, much of the complaints about MCAS would not be, I don't believe, as concerning if the passing rate, for example, in mathematics was the same as English language arts. We still don't know if the kids are trying, particularly at grade 10. So, we have an issue in mathematics. We have talked a lot about the results of specific questions, both at the 4th, 8th, and 10th grade levels. It's a problem nationally. We have had this problem in mathematics for a long time. No one should suggest that testing teachers is to suggest that teachers are the major part of the problem. Who knows at what level the teaching and the subject mastery makes a difference. We understand all these other issues that people have brought up about the motivation of students, the transience, the Special Ed, and the limited English proficiency, but I look at this proposal as an opportunity to shore up something that the Board and the Department, can address.

We don't have very good data on this, but there are a number of teachers who are being asked to teach mathematics for a variety of reasons without having had recent or strong mathematical background. They may be generalists in the middle school, they may even be certified in another area of teaching, grades one-through-five in mathematics. They may be, for a variety of reasons placed in courses. I support this proposal because I believe that it is the one place we can try to shore up the subject mastery of those teachers who need it. I also favor the waiver option that the Board is considering. I would exercise it to waive both the young man who suggested he just took the teacher test, and the gentleman who's had 30 years experience. If done right, the question would be: Are there ways to use this instrument to allow us and individual teachers to be able to assess their abilities and therefore improve. This is a good thing for our students.

I've suggested the Accu-placer test not only because I know it will work, but because it is a testing system that can be customized. It allows teachers to be tested at the levels of mathematics knowledge that they need to perform their duty. We don't have to test middle school teachers in calculus. At the heart of this particular proposal is the ability of teachers to address their own self improvement based on a diagnostic tool. It doesn't have the negative consequences conjured up by comments such as it being the scarlet "I" or whatever. Some of you said, "We want to work together." If this gets voted and we need to implement it, that's what I would like to try to do. Work together to see if we can design a system that teachers would see as non-threatening and helpful to them and therefore their students. That's what it boils down to for me. That's what I intend to do, should it pass. Thank you.

DR. THERNSTROM: I just want to say that I think every member of this Board has taken very, very seriously the comments of the critics. The Chairman has responded to the central concerns that teachers have raised. Everybody in this room must know that we have a special problem with respect to math performance. The student failure rate on MCAS is 66 percent higher than the failure rate in English. If we find little or no correlation between student failure rates and teacher performance on the proposed test, then all of us will be better informed as we proceed in implementing Ed Reform. I would urge teachers to work with us in finding out precisely what we need to do in order

to move forward and address the disparity in student performance between the two subjects which is, indeed, very troubling.

DR. SCHAEFER: I'd like to echo what Dr. Thernstrom said about taking comments seriously. As Mr. Brophy said, I met with about 40 math teachers for several hours and listened carefully to what they were saying. I think we are aware that there are multiple factors contributing to the problem of the high failure rate and we are trying to address them in a systematic way.

I'd like to refer people to the letter in the Board book from Dr. Mandell who is a dentist. He is writing on behalf of the parents of Reading talking about the kind of curriculum that his daughter had in math in contrast with his son's, and how the math curriculum did not focus on computational skills. He describes that her math skills are poor, and so on. The parents of Reading are addressing the need to change the frameworks. As you know, we are in the process of doing that. We have to look at whether the mathematics framework and the instruction in the schools have contributed to that failure rate. We are aware of the multiple problems.

Another issue that was raised in my session with the math teachers was the lack of parent involvement, particularly at the middle and high school levels. It appears as if parents don't care and as a result, the students come to school not caring. As I said, we are aware of the multiple factors. We are trying to isolate these things which, of course, is very difficult. This is one step in trying to do that without penalizing the teachers involved.

MS. CRUTCHFIELD: I'm looking at the professional development portion, 44.04, of the proposal. David, if this passes today, I'm very concerned that the Department work very closely with schools at the local level to make sure that math teachers who do need additional professional development are supported so that, in fact, this does become a diagnostic tool.

DR. GILL: I'd like to respond to the comment that was made by Ms. Hanlon regarding the issue of tuition remission. This is an issue that belongs to the Board of Higher Education, not to the Board of Education. Indeed, the Board of Higher Education has granted tuition remission to a certain group of individuals. I would like to state that tuition remission is not a waiver of tuition for any individual to take any course, but it provides an individual with the opportunity on a space-available basis for daytime courses to have tuition remitted. That said, however, I think that there is a responsibility on the Board of Higher Education to assist on this issue.

As several of you may know, the Governor asked the Board of Higher Education in January to work on a plan that would have the community colleges assist the students who were not able to pass MCAS. The Governor and I have talked recently about the fact that it should not be just the community colleges but also the four-year institutions who become involved in issues that relate to MCAS. One of the reasons for involving the four-year institutions is to have the schools of education and the arts and sciences programs assist in many different ways. We want them to help in ways that are appropriate for the teachers in the schools on issues related to the teaching and skills of math and English. We are currently working on this plan. The plan hopefully will be prepared within the next month or so. We have worked with the colleges and with staff at the Department of Education. We see this as an area in which we want to help. We feel it is our responsibility to help with professional development issues.

MR. LaFLAMME: We have heard one assertion raised again and again, in various forms, during the public comment that I think is true: Low math performance in Massachusetts is not the result of teachers without subject mastery. I would even say that I don't think it's largely a result of teachers without subject mastery. Whether or not there is a scapegoat syndrome is subject to interpretation. I was really impressed with Mr. Tarzia's list. He's absolutely right in talking about attendance, parental involvement, and this host of other things. But in his thesis statement he says this test creates a connection by inference that teachers are responsible for low student test scores. Are teachers always responsible for low student test scores? No. Just look at the list of seven possible factors right here and I'm sure that we could double that list with other concerns. What this test does say is that a teacher who does not have subject mastery cannot reasonably be expected to raise student achievement. I don't think that's prevalent, and I don't think the test is a cure-all for the situation in mathematics education, but it is one factor. I really like the cooperative approach that the Commissioner is taking with this issue. I think it's something that is worth exploring and I think that doing it in that way makes the most sense.

CHAIRMAN PEYSER: The only thing I'd add is that through the school and district evaluation process we will be giving special attention to math programs in particular. We'll be looking at not only the factors that are listed here, but other factors as well that may contribute to poor performance or lack of improvement in math in particular. And so I want to reinforce this point-- the assessment of subject mastery is only one element of a broader program of trying to understand what it is that is leading to the disproportionately high level of failure rates on math. And again, in the context of the school and district evaluations, we should be developing some very interesting and hopefully useful information on this very point.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with G.L. Chapter 69, Sections 1B and 1J, and Chapter 71, Section 38G, and having solicited and reviewed public comment in accordance with the Administrative Procedure Act, G.L. Chapter 30A, Section 3, hereby adopt the regulations on diagnostic assessment of certain mathematics teachers, as amendments to the Regulations on Under-Performing Schools and Districts (603 CMR 2.00) and Recertification Regulations (603 CMR 44.00), as presented by the Commissioner.**

The motion was made by Mr. LaFlamme and seconded by Ms. Crutchfield. The vote was unanimous.

COMMISSIONER DRISCOLL: Mr. Chairman, I must emphasize that any decision that we make is not being done in a vacuum. We have had a year filled with a number of Board and Department-driven initiatives. To some extent that's to our credit, because there's an awful lot of work that had to get done: school and district accountability, the graduation requirement -- you know the litany. With all the public comment periods, newspaper coverage, and publicity around our meetings, one might say that the field should be able to keep up with us. That's easy to say, but if you're trying to teach five classes and do all these things, it's very hard to keep up. Frankly, the field feels like they are drinking from a fire hose with respect to all the regulations that seem to have been promulgated over the last year.

We have the frameworks before us and we need that to get done. We have the certification regulations, which everybody has agreed should be redone. When we get those done, which should be early in the fall, we have got to start to find ways to partner with districts, to partner with schools. Enough with imposing things on them, which is what they are feeling. I've said this time and time again, and I've never had anybody challenge me: As I go across this Commonwealth I see people working harder than ever. As Commissioner, I feel very fortunate to have the wonderful people we have in our schools trying to do what's best for kids.

I understand that this is one more imposition, but I'm going to do my best to implement this test in as positive a way as I can. The key to it, of course, will be to find a way that is truly confidential, that would be between the teacher and themselves. Perhaps they could somehow present at the end of whatever they do, when they've reached a certain proficiency or whatever. But I must say, I understand. Just because we don't agree doesn't mean we don't listen. I want to implement it in a cooperative way but I understand. I heard it at the forums. You're not only going to sue us, you're going to boycott us. I understand the reality of the opposition that will be there. But I've been given a charge today by the Board of Education, we have been given a charge by the Governor, and I intend to do everything I can to make that a positive things for our kids. Thank you.

MR. BAKER: There was a lot of compelling testimony this morning, but the one piece that I think requires a lot of thought is the recruitment and retention issue. From both a perception and a reality point of view, in a 2 percent unemployment economy where people with these skills have lots of options, the testimony today, if nothing else, makes clear that this is a major consideration. The burden is to come up with ways to deal with the recruiting and retention issues in the atmosphere that is be created out there, particularly for people with these kinds of skills. I think that's a very big and very significant issue in the context of this.

DR. SCHAEFER: I do hope that the Joint Commission recommendations will bear some fruit in that arena.

PROPOSED REVISIONS TO CURRRICULUM FRAMEWORK IN ENGLISH LANGUAGE ARTS - Discussion and Vote to Seek Public Comment

MS. STOTSKY: I'm very pleased to be able to present to you the English Language Arts Review Committee's suggested revisions for the English Language Arts Reading Framework. Let me introduce first the person who has done the most work in helping to organize these meetings from the Department, Susan Wheltle, and she will introduce the members of the staff from the Department who helped. Susan?

MS. WHELTLE: It's a pleasure to bring the English Language Arts framework back to you for another look. I want to acknowledge the tremendous work that our staff has done on this. Holly Handlin and Janet Furey, who are two of our content specialists in English Language Arts, did yeoman work in working with our committee in pulling the framework together. Linda Martin and Cynthia Rizzo worked a great deal on the reading section that you see, which is a large part of what's new and revised in this framework. And Barbara McLean, who is our library media content specialist, has also done a great amount of work in helping us think through the role of the library media specialist in English Language Arts.

MS. STOTSKY: I just want to describe briefly who the members of the revision committee have been. First, we have David Roach who is superintendent of schools in Millbury. He was a member of the first Grade 10 Assessment Development Committee and respondent to the 1997 framework. Anne Graham is sitting over there, she's a grade 5 English teacher at Galvin Middle School in Wakefield. She's been involved with state assessment since Basic Skills and served on the writing committees for Basic Skills and MEAP as well as three years on the English Language Arts ADC committee for MCAS. I have more acronyms here that I'm trying to get through. Then we have Jim McDermott next to her. Dr. McDermott is the English Language Arts liaison for Worcester, preK-12. Jim is also the 1988 Massachusetts Teacher of the Year, and he teaches English at South High Community School. Then we have also had Anne Steele over here, who is a former English teacher and director of English for 28 years. Currently, she's the Assistant Principal for Curriculum and Assessment at Shrewsbury High School. She's a member of the Board of Higher Education's Writing Task Force, to keep the committee informed on the English Language Arts framework, and is also a member of the MCAS Development Committee since 1995. Then on my left we have Bill Irvin who is Director of Curriculum and Assessment for the Pittsfield Public Schools. He is responsible for curriculum in English Language Arts, History and Social Science, Mathematics, and World Languages, and for development and evaluation of district tests. He's also been a teacher of English at the college level for 13 years, high school for seven years, and he plays the bagpipes, krumhorn, cortholt, recorder, and violin -- some better than others. Then we have Lorraine Plasse who's the Director of English Language Arts for the Springfield Public Schools, as well as supervisor of all the school libraries in the city, which I didn't know. She also taught in the city before moving into administration. She's been on the ELA Curriculum Framework Committee since its inception, and was on the Assessment Development Committee for the first three MCAS tests. And in the middle we have Bob Zeeb who's been coordinator of English for the Newton Public Schools for over 30 years. He has taught at all levels from the elementary grades through the college levels. He has done staff development in the teaching of literature, writing, and language. He was a member of the committee that set up the writing tests for the MEAP test and of the Test Development Committee for MCAS since its inception.

There are three members who are not present, and I do want to mention them. Vera Johnson teaches 1st grade at the Joyce Kilmer Elementary School in Boston. Her contributions to the new Early Literacy standards of the document were invaluable. Anne Perham has been an educator for 14 years, nine as a classroom teacher and five as a library/media specialist. She is the library/media specialist at Medfield High School, and she helped to revise the media strand and helped to develop our new standard on Research. And, finally, George Viglirolo is a veteran teacher at Brookline High School. He was a member of the original framework committee, and has been on the ELA Assessment Development Committee. So there you have the array of talent that we drew on for our suggested revisions, and now David Roach will make a few remarks about the work of the committee itself for all of us.

MR. ROACH: Thank you, Sandra. Good morning, Dr. Driscoll, Mr. Peyser and members of the Board. Before I begin these remarks, I just want to say that there are copies of the report available in the back of the room for folks that have not seen it at this point, and perhaps I can get it, either have it passed in to them, or they can get it as they leave the room.

This committee began its process with three goals in mind. First, we wanted to affirm the essential soundness of the 1997 English Language Arts framework. This framework has been reviewed favorably by external reviewers such as the American Federation of Teachers, the Council for Basic Education. It has been used as a model for other state's frameworks and, most importantly, it has received broad acceptance within Massachusetts' schools. Because this is so, we would determine that a report on its content should be measured and clear, recommendations for adjustments should be limited and include with clarity what is to be changed, why it is to be changed, and how it is to be changed. Finally, we wanted what is presently at the core of our report, the recommendations on revisions to the standards, to be developed at the earliest possible stage of our deliberation so that we could have a legitimate public comment process. A process that invites thoughtful contributors to provide comments in a way that would, and I stress the word, influence the final product. We have done these things. There are four recommendations for revisions to the standards.

First, this report recommends revised standards that call for greater emphasis on reading and writing in the early grades, that is standards 4, 7, 8, 9, 19, and 22. Specifically, dealing with vocabulary (standard 4), concepts of print, phonemic awareness, knowledge of letter and sound correspondence (standard 7), comprehension (standards 8 and 9), writing, (standard 19), and use of standard conventions (standard 22). All with a clarity and a specificity that responds to concern from practitioners in the elementary grades claiming that the present standards emphasis and literature study contained too much of a secondary sensibility and provided too little guidance to teachers engaged in teaching young children to read. Second, the report recommends revised standards that narrow the gradespans to preK-2, 3-4, 5-6, 7-8, replacing the pre-K to 4 and grades 5 to 8 spans in the existing document. The high school clusters remain unchanged. We believe this new arrangement provides for greater specificity consistent with the grade clusters in the second editions of the other frameworks.

Third, this report recommends that each standard have a title so it can be referenced easily. And fourth, the report recommends that each standard include a rationale which connects the standard to the Guiding Principles contained in the framework which continue to provide strong and effective direction for instruction in reading and writing in Massachusetts schools. These rationales also serve as a reminder that the standards are a means to an end and serve a larger purpose, which is to teach our students to read and to write. Because, as Benjamin Dumont has written, "We write and read in order to know each other's responses, to connect ourselves more fully to the human world, and to strengthen a habit of truth telling in our midst. No natural resource is more precious, more essential to our promise and our true security than this habit." It has been this larger purpose that hopefully has informed the work of this committee, and it's this larger purpose we hope will continue to inform the work in English instruction in Massachusetts schools.

Now, I just want to very briefly point to some specific things in the document that tie into the summary that I have just given you. Again, the summary, in essence, appears in the first couple of pages. The titles for the standards appear on pages 4 and 5. Each of the recommendations -- and I will just point to one on page 14. There is a standard there on vocabulary. It's one of the ones I mentioned that has been expanded in terms of grade level standards. In each of the pages there is a standard, and if you will look on page 14, you will see there's a box at the top of the page. What that box contains is if there is a change, what the change is, and why the change was made. Then, anything that is new is in bold print so it can be very clear to everybody who reads this report what the changes are, and what the reasons for the changes were that the committee advanced the change with that particular reason in mind. Also, under the standard are the rationales that I just spoke to that, again, are designed to tie the standards back to the Guiding Principles of the document which remain essentially unchanged. So, that's a very concise review of our work, and we have a lot of people here that are far more capable than I to answer any questions you may have.

CHAIRMAN PEYSER: I'll just start off with a couple of questions. One is: You make reference to the fact that these revisions will result in minimal changes to the grades 9 and 10 learning standards. I wonder if you could expand on that just a little bit, specifically in terms of those things that have changed.

MR. ROACH: I would defer to anyone on the committee to respond to this after I've finished to improve on my response. If the question suggests that somehow this may affect assessment, there's nothing we are recommending that would affect assessment. That's true at grades 4, 8, and 10, and particularly true at grade 10 because, again, the

major emphasis was to respond to a concern from the field on the need for clarity and specificity in terms of teaching reading in the early grades. The literature strands and standards are essentially unchanged and, of course, as you move into high school, then it's the study of literature that is the thing that's primarily assessed. So, really, there's nothing that has changed regarding the 9 to 10 standards and, in fact, those grade level spans under each standard are unchanged.

CHAIRMAN PEYSER: When we talked about revisions to the math framework we explicitly discussed deferring any impact that might have, however minimal that might be, on assessments through the year 2003. I just want to make sure that after this goes through the comment period and comes back, we address that issue explicitly as well.

MR. ROACH: I think that was our sense, Mr. Peyser. That was something the committee felt very strongly about as well, and we would expect that the same would certainly be true for this.

CHAIRMAN PEYSER: Because of the narrowing of gradespans and because of the increased clarity and specificity in the description of some of the learning standards there appears to be more changes than, perhaps, there actually are. It might be worthwhile in putting this out for comment, to try to have a cover memo or something that directs people's attention to those things that are substantively different as opposed to those which are more formally different.

MS. CRUTCHFIELD: I agree.

MR. ROACH: In response to that, Mr. Peyser, in each of the standards section, there is a summary page. Pick a strand --

CHAIRMAN PEYSER: Reading and literature.

MR. ROACH: Okay. Let's look at page 20. That's a summary of the reading and literature strand revisions, at the bottom of that page there is a paragraph which really does give that direction to folks who begin to pick that up to look at it.

CHAIRMAN PEYSER: I had a hard time picking out what was actually new as opposed to what was merely described in a more coherent or clear way.

MR. ROACH: Everything that's bolded is new.

CHAIRMAN PEYSER: I'm aware of that, but some of the things that are bolded are bolded because you've moved it from four standards into two different standards for each of the narrower gradespans. My only comment is that the document gives the impression that more changes occurred than is actually the case on a substantive level. I just want to make sure when people are presented with this for comment, that that misperception is corrected.

MR. ROACH: If that is an impression, it directly relates to the issue you just talked about, the expansion. Grade level spans at the early grades and really nothing else.

CHAIRMAN PEYSER: Okay, just one other comment. This does indicate that the comment period will stretch through October and that this is intended to come back to the Board in November. I want to confirm that that's the schedule that you all anticipate.

MS. STOTSKY: Yes.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with Chapter 69, Section 1E of the General Laws, authorize the Commissioner to solicit public comment on the proposed revisions to the standards of the Curriculum Framework in English Language Arts.**

The motion was made by Ms. Crutchfield and seconded by Dr. Gill. The vote was unanimous.

CHAIRMAN PEYSER: This will go out for public comment that will last until October 2, 2000, and it will come back to the Board in November 2000. Thanks very much.

REVISED CURRICULUM FRAMEWORK IN MATHEMATICS - Discussion (Vote in June)

COMMISSIONER DRISCOLL: I have a couple of representatives from various groups coming forward, I think three of them. As they come forward, let me first of all say, we're getting there. And also thanks to the Board for allowing me to make the recommendation that this not be voted today. I think we learn each time that this is a somewhat complicated issue. Even the panel had difficulty, scrambling at the last minute. Some of that occurred here as well, so we do need some time to go over parts of it.

Let me say quickly that we certainly lived up to the faith of the Board's directive. We involved the Assessment Development Committee and we did send the document to a number of mathematicians that were recommended by a number of people to look over the mathematics part. We involved the Superintendents Association. Chris Martes, the executive director and Joan Connelly, superintendent from Winthrop are here. During public comment, you heard from the Mathematics and Science Advisory Council co-chair, Claire Graham, on the subject of math teacher testing. Jim Hamos, the other council co-chair is also here. ATMIM and Mathwest were involved. I think Ruth O'Malley was there, and Mike Clancy, and, of course, Peg Bondorew has been a long time member. We also had the release of NCTM 2000 and, in fact, they were kind enough to send us an advanced copy. In fact, Peg has brought copies of the summary part of the expectations for the Board. So, as I say, we're getting there.

I want to obviously thank the Department staff, Sandra Stotsky, Tom Noonan, Barbara Libby, and it's ironic that she's standing, I want to particularly thank Beth McBride. Beth was teaching high school mathematics a year ago today when she answered our ad to become a sabbatical teacher. What a year for a math sabbatical teacher! I want to thank Beth McBride, in particular, for the work she's done.

At this point, Mr. Chairman, we're going to continue working and meeting. We think we've made great progress. I was able to meet with a number of teachers out in the South Hadley area. Also, the urban teachers from Boston and Brockton came together for a full day to help us, and the math coordinators group met. I can't say enough about the tremendous hard work that people have put in. They haven't had a lot of time, they are very busy people, and this is not easy. They got the document last week on Thursday and, as I said, we'll begin to work with it. If you don't mind, I'd like to turn it over to Jim Hamos.

MR. HAMOS: Nice to see everyone again. I'd like to give you a perspective of where we have been over the last few months, then open it up as much as you'd like for dialogue. As you know, in your Board motion of February 23, we were asked to convene a group that would provide recommendations on specific standards in the February 23 document. This was to represent the Mathematics and Science Advisory Council, the Superintendents' organization, and the mathematical organizations of the state. We have lived up to that quite intensively over the last three months.

As the Commissioner has mentioned, we have kept the process very, very open. Many eyes are watching us right now not only for the testing of math teachers, but certainly about the framework which impacts educators and what they teach in schools. We went and found 20 of the top educators that have been a part of the reform over the last decade, and they have worked incredibly, unbelievably, in this short amount of time, to provide recommendations. We brought the work to roughly 80 teachers at a couple of conferences, and on different occasions we have again tried to share these recommendations. We always had communication with the Department, as well. It's been a very open process over these couple months.

Finally, we brought these recommendations of this group and this activity to the Department to help inform this May draft that you now have in front of you. Now, we, like you, have only had the document for five days to begin to review it, and an analysis is going to continue over the next couple of weeks. I have shared some of my first

impressions with the Commissioner, I've tried to be honest about this, and we plan to continue to work with him, certainly, and I'd like to share really where we are at right now.

Regretfully, the working groups and steering committees remain very dissatisfied with the document as it currently stands. We heard, certainly, the Board's conditional endorsement on February 23. We did not violate what we believe you tried to do. There was no attempt to dramatically change the standards, no attempt to alter the specificity. So, we understand that these standards are to be something that leads to MCAS, and there's no attempt to go back to a 1995 document that's much broader. In reality, I'm amazed how much specificity there is. We believe that the current document remains conceptually weak, that it continues to emphasize the most simple computational skills. The working groups worked standard by standard to try to build concepts as well as basic skills. Most of these were ignored in the document that you have in front of you. We have a quick visual of this.

Blue dots are the standards where the committee would say they followed the advice that we gave. We can see there are very few of those. One of the things we're going to consider over the next couple of weeks is the reason behind those and what it might mean in the classroom. The view of the working groups is that this set of standards, in the document in front of you, continues to be dumbed-down standards, working at the most rote basic level. Rather, what we argue for is rigorous, comprehensive, and thoughtful standards. For example, I could take one that was a recommendation. The standard that says something about count by 1's to at least 20.

CHAIRMAN PEYSER: Point us to where this is.

MR. HAMOS: This is in number sense. It's the very first one. I selected one. We could do a lot more of these. But it's on page 19. Page 19, the third standard.

COMMISSIONER DRISCOLL: PreK-K. So pick out one.

CHAIRMAN PEYSER: Page 17.

MR. HAMOS: The document changes daily. I grabbed the one in back. But, it is the learning standards. Look at number 3. It says, "Count by 1's to at least 20." Pretty straight forward. The recommendation of the committee was, Count by 1's with understanding to at least 20. Why that's not accepted we don't understand. Why would one care about the words "with understanding"? The standard you have in front of you is certainly testable, certainly. The second one is much harder, but is the one we believe we want.

DR. SCHAEFER: Can I ask a question? Could you explain what that would mean? What is the practical difference in a classroom?

MS. BONDREW: One is rote, as in a sing-song sort of -- the same thing as memorizing nonsense words, as opposed to putting the one-to-one correspondence with it.

DR. SCHAEFER: What does that mean, one-to-one correspondence?

MS. BONDREW: That's a mathematical term --

DR. SCHAEFER: I can compute, I just don't get the technical terms.

MS. BONDREW: It means a matching with the number and the numeral with one thing, one object.

DR. SCHAEFER: So you're saying one, one, one.

MS. BONDREW: Right.

COMMISSIONER DRISCOLL: I'm glad you gave the example, Jim. It shows how hard this is.

MR. HAMOS: Right.

COMMISSIONER DRISCOLL: When it says count by 1's to at least 20, and the former document had the standards listed without the broad concept, one could conclude that it was just rote. I only point that out, not to disagree, but only to say, "This is what we are trying to do." As for the ones you don't have blue dots on, I want the opportunity to go through those, because in some cases I felt and others felt that they were subsumed elsewhere. As I say, my most important consideration is any omissions. I don't want any omissions. You worry that it's conceptually weak. If there are concepts that are not there we need to discuss it. I certainly agree with Peg that there are some attributing quotes that we need to be sure are within the context and not chopped off. There is some work for us to do, but this is an example of what happens when you pour over it.

CHAIRMAN PEYSER: There is something called exploratory concepts and skills which includes the following: "Begin counting with understanding in small sequences gradually increasing, e.g., 1 to 10, 10 to 20, 20 to 100." Some of this, it seems to me, falls into either category of form versus substance or simplicity versus complexity. So it certainly appears to me, just in looking at this page, that your point is included in other parts of the document but perhaps not explicitly under learning standard number 3. I don't think there is a substantive difference, but there may be a form question.

DR. THERNSTROM: We've heard an awful lot of complaints this morning about bashing teachers. But it seems to me that you are bashing teachers to suggest that math teachers teaching students to count, wouldn't say, "Students, you understand, 1, 2, 3." Of course teachers do that; it's built into the profession. It's part of what doing a good job is. I just don't understand.

COMMISSIONER DRISCOLL: Maybe another example might help, Jim.

CHAIRMAN PEYSER: The intention, of course, was to illustrate your point, not to make it or break it.

MS. BONDOREW: The point is that phrases like, "apply the rules", occurs over and over again -- I'm looking now at the so-called single discipline course, although it's hard to know how that is a single discipline when you take standards from three strands and put it in there, --but I'm looking at Applying the Rules for Operations: *determine if a point lies on a line*. Applying the rules for operations with roots and integral exponents should be part of developing a number sense around irrational numbers. In applying rules the students develop that sense more than by learning rules. It gives a sense to the algebra teacher that they are supposed to somehow show the students the rules and then have them learn how to apply them. So, it is a very different from developing a sense of what the cube root of 27 is and the various ways of obtaining that. It's just a concern that runs throughout.

I would recommend that we continue to have the groups work. We would bring in those who have maybe some opposing points of view. I would actually like to recommend a special meeting of the Board of Education so that we could have some open dialogue around these important issues because, as it stands now, the document really isn't aligned with NCTM. One of the reasons is that the working groups themselves did not have the document. They had a list of standards, they had a checklist, and some words may not have appeared in that list, and so there may have been some places where they made a recommendation to delete because they did not have the advantage of having this wonderful document. So I would recommend that all members of the working group be given copies of the full document that they could work from, and what I've brought --

COMMISSIONER DRISCOLL: You're talking about the NCTM document? That's out and published.

MS. BONDOREW: I would think they would not have to provide their own copy.

COMMISSIONER DRISCOLL: You want us to pay for it.

MS. BONDOREW: I know NCTM is sending copies to the Board of Education. We had hoped that they would be available today. But in lieu of that, I do have a copy of the overview of the principles which adds to that list of standards. So, I have that for you.

MR. HAMOS: If one looks at national data of what kids can do, computational skills are not the issue. 90 percent plus of any different group, I have national data from National Center of Education Progress, has the ability to do the basic numerical computations. Among different variety of data, even TIMSS, so international comparisons, on basic computational skills, kids do very well.

COMMISSIONER DRISCOLL: The one thing we can agree on, and I found this with 95 percent of the people that I talked to, is that we don't want drill and kill nor do we want kids on the floor doing popcorn and never getting a right answer. Those are the extremes; the great majority are in the middle. They all agree that we need a combination of skills and understanding. One without the other is not going to do it.

MR. HAMOS: Right. So it is always a look at the standards as to whether they allow both. I will bring up one other point that needs to have a large discussion. We believe this document continues a policy that runs counter to classic ed reform which was to set high standards for all students. So where do we see this? Especially, in the artificial separation of standards into something called multistrand courses. It's not a title that exists anywhere, compared to single content courses. Often many of us discuss Algebra I as an example, but it's only an example. The single-course description that you would see that Peg referred to is on 56 in the document you have.

In that kind of a description, what you see is a set of standards that are considered grade 9 and 10 standards, so they are listed in the 9th and 10th grade standards. In some, not all of them, these are offered or suggested to be part of a course for 8th and 9th graders. So there's something there. Then there are whole additional sets of standards that are only on that one page and not elsewhere in the document so that you have this different sets of rules for different kids. And again, this approach is what we believe is directly counter to what the work of teachers is about. This is not to say that no one wants algebra. The goal is algebraic thinking for all and not simply this narrowly defined course.

CHAIRMAN PEYSER: I guess, we've had this discussion before and we are probably not going to come to agreement on it. But is your point that all students should be in class together regardless of their ability or talent with respect to math?

MR. HAMOS: No.

CHAIRMAN PEYSER: So some students will proceed in math through algebra, geometry and on at different paces. And maybe in different classes.

MR. HAMOS: Every kid learns at different paces and in different ways.

CHAIRMAN PEYSER: So it would not be inappropriate for students to be taking 8th grade algebra and moving on towards calculus, let's say, in the 12th grade.

MR. HAMOS: Absolutely. That's not the issue at all.

CHAIRMAN PEYSER: You have no objection to the distinction that's made between the multistrand and the single content conversations per se?

MR. HAMOS: I'll pass this over to Peg.

CHAIRMAN PEYSER: It may not say exactly what's included in them, but in terms of the single content --

MR. HAMOS: The disagreement is having separate sets of standards for different kids.

COMMISSIONER DRISCOLL: Is that a yes to his question? You don't object to having a single course along with multistrands as an option for districts. You don't object to that.

MR. HAMOS: I'm going to watch my words. Again, the sense of standards all along the way in the two disciplines, I work in both math and science, were never set to describe single courses. They were set to what are the goals for all kids at different levels through their educational spectrum. The goal, as I've see it from the beginning, the task that was given from 1992 on, since we started this process, was to define what all kids should know and do in different disciplines. Not to define the courses, not to define the curriculum, not to write different ones for different students. Whatever it might be to Jim Hamos is not so much the issue. It is when it's laying out different options. Not necessarily different options, but it's specifically defining courses and writing different things for different kids.

CHAIRMAN PEYSER: I think this is an important distinction. The issue is the extent to which the single discipline courses contain learning standards that are either not present or otherwise different from the learning standards that are in the other parts of the document.

MR. HAMOS: Absolutely.

COMMISSIONER DRISCOLL: That's the issue.

MR. HAMOS: Absolutely. You see eight or nine things here and, interestingly enough, most of them are, again, mostly rote. So they are the ones that are the lowest level really required for high-level algebraic thinking.

DR. SCHAEFER: Maybe this is not a question that you can answer now, but I would likes to know how you would respond to the letter from the parents from Reading that we have received, and to all the hundreds of parents I've heard from over the last few years who say that their students are not learning how to compute. And that the math is not mathematics as most people understand it.

MS. BONDREW: I'm very happy that you brought that up, since you had mentioned it in the previous discussion. There is an agenda here to undermine the standards-based programs like the ones they have been very successfully implemented in Reading, Massachusetts. There is forthcoming a study by the Noyce Foundation looking at schools who have been using both the Connective Math Program and the Every Day Math Program. I believe Reading is one of them. Studies are done with comparison schools which are using non-reform-based programs. The study goes from 1992 until 1999. It's based on standards with the MEAP scores and goes through the MCAS scores. It shows significant increases in gains.

DR. SCHAEFER: Where?

MS. BONDREW: For the schools using the standards-based programs. That's an argument that I think is outside the realm of this discussion because what you're doing now is attacking -- you're bringing something from the Mathematically Correct. You can find all of this discussion on the Mathematically Correct website. These are a few parents who, three years ago, tried to do away with the program in Reading. They were unsuccessful. Reading has a very strong implementation, they are very successful, and I urge you to look at the disaggregated scores in Reading, Massachusetts.

DR. SCHAEFER: First of all, I don't know what the agenda is. I mean, you refer to an agenda, so I'm not familiar with the agenda. But the people in Reading are not the only ones that we've heard from. I'm telling you that over the last few years I have heard from literally hundreds of parents across this state who have said the same thing, and I think it's legitimate to ask what the response is to those parents.

MR. HAMOS: Dr. Schaefer, my response to this is to continue to look at where the students in Massachusetts are performing on other indicators. MCAS is a driver of this that's evolving. One looks at SAT scores improving. We need to bring parents together to have these discussions and not only bring up the individual cases. I mean, we've always had these discussions. What you have here is the mathematical organizations, the ones that live and die with what they teach within classrooms --

DR. SCHAEFER: You're not getting my point. I'm not talking about parents who are organized. But I have heard from individual parents who are telling me that they have to spend evenings working with their children to get them

up to speed in terms of the basic computational skills. These parents are not part of anything, they don't have time to be part of anything. They are working with their kids at night. That's what I'm asking you about.

MR. HAMOS: The issue there should be going back to what is being taught in classrooms. Those are always issues of schools.

COMMISSIONER DRISCOLL: You can see how hard this is, Mr. Chairman. Let me suggest again that my approach is to try to develop a balance. To suggest we don't have a mathematics problem is to avoid the obvious. Tutoring is a cottage industry in Massachusetts, especially the suburbs. Now, it may be just because people are nervous and they have the money and they want their kids to get high SAT's, et cetera. My approach is to make sure we stay with it with respect to the balance of the skills and knowledge kids need along with the basic understanding. I don't see an agenda with adjusting as we go down the road.

I would agree with you in theory that the idea was, in 1993, to promote what kids should know and be able to do at various levels. All kids. As you well know, Jim, despite all the work you've done in science-- biology, chemistry, physics courses keep springing up. So I believe our responsibility is to both lead and recognize what's there. In that sense, establishing an individual algebra course, for example, is a good thing.

The answer as to why kids aren't learning mathematics, if that's what parents are saying, has to be given by the local district. If they adopt the standards-based approach that they know and understand will work and stick with it, I agree, it will show positive results over time. In the hands of the wrong teachers, however, a standards-based approach that isn't carefully crafted results in gaps, and that's what we can't afford. We've got to develop the balance. We're going to continue to talk. I think we are close to a document that can work and we've just got to keep talking. I haven't heard from the math coordinators who focused on these standards, so I'm interested to hear from them as well.

MR. HAMOS: They were part of the group. Dr. Schaefer, I would like to continue to answer this question. I believe individual families making decisions about tutoring kids has always been there, so there's always dissatisfaction. I think those families will always be out there. This imparts much discussion as a family member about where my kids are. We are always worried about what is it that they are learning in school. And I think that that's what that letter alludes to. That family or maybe ten families, however many it is, are families that say they believe that what they are seeing is somehow different than what they knew and not teaching some sort of skills to them. I think those families are always out there.

DR. SCHAEFER: This is not an isolated case, though; it's very widespread.

CHAIRMAN PEYSER: We have several other things on the agenda and we have a vote we need to take before we lose any Board members. I want to thank you for being here today and for the work you've been doing in this process. I want to thank the Commissioner also who has devoted many hours over the last few months to this particular task. I don't think that was part of the plan. And I do think that we are making progress. I hope that we are closer to the finish line than perhaps this discussion may suggest. Again, I want to thank you all for the effort that you put in.

MR. HAMOS: I appreciate that part. I think this is going to be a very intense couple of weeks. I really do. Many eyes are watching to figure out where this is going to go.

CHARTER SCHOOLS

a. Renewal of Charter for Martha's Vineyard Charter School - Discussion and Vote

CHAIRMAN PEYSER: I'd like to skip out of order because we do have a vote to take on charter renewal. If the folks from the Department are here, could we move to item number 5 on the agenda? This is a discussion of the renewal of the Martha's Vineyard Charter School and a vote and a discussion based on a report of the Atlantis Charter School.

COMMISSIONER DRISCOLL: Start with Martha's Vineyard Charter School. I must say, Mr. Chairman, I had the opportunity to visit this school myself and was very impressed with what I saw.

CHAIRMAN PEYSER: Can you give us a summary of the report on Martha's Vineyard Charter School?

MS. BARKER: The Martha's Vineyard Charter School in West Tisbury provides education to students in grades K-12, and they provide each of their students with an individual learning plan which outlines the academic goals for that student. In addition to showing adequate progress in things like the MCAS and Iowa scores, the Martha's Vineyard staff has done some incredible work on its internal system and linking it very closely to the Massachusetts curriculum frameworks. It also enjoys Grade A community support, and has a fine and dedicated Board of Trustees and staff members, some of whom are here today. So, it's been a very successful school.

CHAIRMAN PEYSER: The only thing I'd add, and it picks up on the point you made about the school-wide assessment tool, is that this is a good example of a charter school taking advantage of the flexibility that comes with the autonomy that's inherent in the very nature of charter schools. It also shows the kind of creative response that's possible to external accountability systems. In particular, the school-wide assessment tool, which I don't think was part of the original design of the school, but it has become effective.

I'd to reference a quote from the report itself, "Infusing standards into the day-to-day work of teachers and students," which also refers to your comment about the underlying school design and the way they've created the assessment tool and implemented it. It tends to mediate the healthy tension, healthy in my view, between standards-based education and individualized instruction and learning plans. This sort of flexibility given the autonomy that the school has been granted, as well as its creativeness in responding to the accountability systems, really argues well and strongly for renewal of this charter.

On a motion duly made and seconded, it was:

VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89 and 603 CMR 1.00, and subject to the conditions set forth below, hereby grants a renewal of a public school charter to the following school for the five-year period from July 1, 2001, through June 30, 2006, as recommended by the Commissioner

Commonwealth Charters:

- 1. Martha's Vineyard Public Charter School**
Location: West Tisbury

Said 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 conditions as the Commissioner may from time to time establish, all of which shall be deemed conditions of the charter.

The motion was made by Dr. Thernstrom and seconded by Dr. Gill. The vote was unanimous.

CHAIRMAN PEYSER: Congratulations, Bob, and the folks from Martha's Vineyard.

COMMISSIONER DRISCOLL: I'd like to introduce Bob Moore. Bob, please introduce the people you brought from the Vineyard.

MR. MOORE: I'd like to introduce two founding members of the charter school on Martha's Vineyard, Paul Karasik, President of the Board, and our business manager, Seth Mosler. And I want to thank you, Commissioner, for taking the opportunity to come visit our school. We are really proud of the work we have been doing and we acknowledge the responsibility that we will continue to have through the year 2006. Thank you very much.

b. Report on Atlantis Charter School - Discussion

MS. BARKER: As you recall, when the Atlantis Charter School was brought for renewal on February 23, the Board voted to renew that school based on number of conditions that were included in your packet. And if you would like me to go over them specifically, I can.

COMMISSIONER DRISCOLL: I think the main thing is that we are pleased with the progress that's been made, particularly in the governance. We will be reporting back to this Board in November. They have a facilities issue, they are getting support from the Mayor's office, in Fall River, and they are working on that. So the kind of progress that we had hoped to see is occurring, and the leadership is there and they are getting the rules and responsibilities squared away. The easiest thing to say is that we'll be back in November with a clear report. Hopefully, they have met all of our goals.

CHAIRMAN PEYSER: I appreciate that comment and would note, reinforcing what you said, that the conditions that we placed on the charter renewal really had to do with establishing preconditions for success and improvement in the school. In terms of going back and looking closely at what's going on in the school, the question then will be whether, in fact, these preconditions have had the desired effect on practice in the school. Obviously, we hope that they will, but I think that's something that we need to hear back on from the Department in November.

MS. BARKER: I'm happy to do that.

CHAIRMAN PEYSER: Jumping backwards, we are at number 4, which is the School Building Assistance Regulations.

PROPOSED AMENDMENTS TO THE REGULATIONS ON SCHOOL BUILDING ASSISTANCE (603 CMR 38.00)
- Discussion (Vote in June)

COMMISSIONER DRISCOLL: I do want to introduce our staff. This, as always, has been a very lean staff over the years, tremendous responsibility with very few people. One of the results of the legislation will be that we are taking them away from the Department to establish a new entity. Even if they stay within the Department, I think clearly the recommendation is that we need to significantly increase the staff. You basically see it before you. Chris Lynch and Jay Sullivan do an absolutely fabulous job, as Jim Anderson did before. I dare say there aren't any Department people that are as well known by every district in Massachusetts as these two are. I might just add that the legislation as filed by the Governor as part of the budget was endorsed by the House. The Senate has a slightly different version. We'll see what the Senate does and then we'll see what the Conference Committee did. But Secretary Natsios, before he left, urged us to go forward with our regulations, and so we put them out for public comment. We are now here today and hope to have the Board vote in June.

CHAIRMAN PEYSER: Just to make sure everyone understands, we are not voting on these today. They, as you know, only just arrived and they are going to take a little more time for us to digest. The purpose is to get some of the discussion out of the way now so next month, when the time comes to vote, we'll be ready. This has obviously been before us several months earlier, before they went out for public comment. Rather than summarize the basic elements of the regulations themselves, perhaps Jeff, or one of the other panelists, could just highlight the major changes that have occurred since this was last before the Board.

MR. WULFSON: Yes, we have received a lot of comments on these proposals and have made some substantial changes. This is one of the reasons we've asked to have the discussion here with the vote postponed until June. Also, recognizing that any of these changes would not take effect until the new fiscal year, July 1, and in June, we'll also have the benefit of knowing really where the legislation is going at that point. We have made a number of changes that are described in your packet. I'm just going to talk about a couple of the more significant issues.

Perhaps the most focus was on the whole nature of the scope of the renovation projects. As you may recall, one of the proposals that we made back in the original submission in January was to try to draw a brighter line than we had in the past between what the local responsibility was in terms of maintaining older buildings, and the state's

responsibility for building capacity and ensuring compliance with code requirements and changing educational needs. Understandably and predictably, a lot of local officials were concerned that this is going to result in a cutback of support for total renovation of projects, particularly for buildings that are 20, 30, 40 years old. We acknowledge in our original proposal that once the building had reached 50 years old, that the state should probably have a larger role, but that we were perhaps unwilling to commit to the same level of support for renovating newer buildings. There was a lot of concern about this, fear that by doing this we would force people into choosing new construction rather than renovating existing buildings. I'm not sure that that would necessarily be the case because nothing would require us to necessarily approve a new building in lieu of that. But there are also some legitimate comments that say, "Hey, we have gone through a period of time, many, many years of underfunding of building maintenance at both the state and local level."

We know localities have funded maintenance through the lean years with Proposition 2 1/2. We know the state has not done its share through failure to fund the major repair provisions in the SBAB provisions in the last several years, so we both share some responsibility for the condition our buildings. But now the question is, going forward: Is it going to be just on the state now to make up that difference and how much can we expect the localities to do? We've softened the rule a little bit in the proposed changes. It would give more discretion to the Commissioner to make qualitative judgments. For example, we're not going to invest more in a hundred-year-old building, while with a 30-year-old building that has not been painted, broken windows haven't been fixed, plumbing problems haven't been fixed, we're going to tell the community that it's their responsibility. We are not necessarily going to be paying to renovate that building to cover up for those mistakes. I'm a little concerned, as the Commissioner alluded, we traditionally have been very short-staffed in this program. That type of decision-making will require some additional staffing that I think both the Governor and the legislature have indicated would be appropriate. Hopefully, that commitment will be made.

Another major area that we are looking at and continue to look at is the whole issue of the application schedule and the approval process and the waiting list management. We are constantly forced to react in time frames that I think are much too unrealistic to both develop the applications at a municipal level and do the approvals at the state level. Right now, under our current process, a community could come in on December 31st, first time we have seen them, and say, "We are interested in doing a project," and by June 1 they could have all their paperwork in and expect a decision from this Board at the June meeting. That's absolutely not a realistic timetable. It puts tremendous pressure on us to keep the process going and to push the paperwork through. This puts tremendous pressure on the municipalities to cut corners in the planning process. One of the things we are exploring in part of these proposals, certainly looking for some feedback on, is whether we should really try to move away from a mixed schedule to begin with and really allow the planning process to go forward at its own pace and, as a community is able to meet the various procedural steps, we'll proceed with our review and that should take as little or as much time as it requires.

Ancillary to that issue is really the question I posed to the Board and the Commissioner posed to the Board, which is: What should the role be in reviewing individual projects? Right now we do come to the Board in June to put projects on the waiting list, but I've suggested in the memo that perhaps that doesn't make a lot of sense. If we want to strengthen the planning process, we should strengthen, in effect, the hurdles that a community has to go through to go forward in terms of really pinning down their enrollment projection, really identifying the options that should be studied in the feasibility study, making them go through the MEAP process on the early side if that's appropriate. They have to go to the voters, get their funding in place. To make a community go through all of those hurdles and then come to the Board and have the Board say they disagree with the Commissioner's determination, I'm not sure that makes a lot of sense. Like a typical grant program where a community spends some amount of effort but nowhere near the amount of effort you spend in putting together a school building assistance grant application. I think we are suggesting that either at the waiting list stage the Board should be willing to delegate this to the Commissioner and reserve its approval to the final grant award. Alternatively, if the Board wants to be involved or some subset of the Board, that we need to institutionalize that earlier in the process, perhaps in conjunction with the advisory committee that we are proposing to establish. And that really should be the arena for the tougher questions and the close analysis of individual project applications, at the front end rather than at the back end.

The last item I will just comment on is something that we receive a lot of comment on but that we have proposed not to make a change on, is the retroactive funding for the major repair projects. A lot of this will depend, of course, on

what the legislature decides to do. There are various different approaches. If the legislature does not act, our regulations propose that we resume funding for major repair projects moving forward, but we don't believe it would be appropriate for the Department or the Board, to retroactively fund the past 12 years of repair projects that the legislature chose not to fund. Clearly there is some amount of unhappiness from those who had projects done during that period of time, and I just call your attention to those comments. I think those are the highlights, I think the memo sets forth some of the other significant changes, and you're welcome to air your comments or suggestions either now or in the upcoming weeks before we finalize.

CHAIRMAN PEYSER: I do think that the idea of delegating more authority to the Commissioner is appropriate given the fact that Board approval historically has been a pro forma one, and is therefore more of purely a procedural than actual substantive contribution. However, it raises two questions in my mind. One is: When in the process will the advisory committee be given the opportunity to review applications? For this to work, the advisory committee ought to be brought into the process earlier than when the Board has historically been brought into the process, which is really when it's kind of too late to do anything about it. I don't know if this is something that needs to be specified in the regulations.

MR. WULFSON: I think the intent is to address this -- assuming the regulations are implemented and the program stays here. The intent would be in July to issue a new set of application procedures. We certainly have heard that criticism from other agencies, to some degree it's true ourselves, that when communities come in for their building needs conferences, many times they already know what they want to do. What we are going to encourage communities to do is come in for their building needs conference when they have an idea of the problem: We have overcrowding in this building, we have new housing developments going up here, we have enrollment projections that are going to exceed our capacity. But before they have really determined what the alternative is. We'd like them at that point to come in with their enrollment projections with an inventory of existing facilities and a list of options that they'd like to look at. Have them really put together a precis of their situation. The intent would then be to circulate that to the members of the committee and allow the committee to say, "Here's another option you haven't considered", or "We are concerned about this, we want to make sure you look at this issue."

Clearly, we know whenever there's going to be a new building constructed on previously open space, that's going to raise a lot of red flags that need to have questions asked. To go back to the community and basically say that we understand your needs, now here are the different options that you need to study and you need to come back to us with a feasibility study. Not just these simple signoffs that we have required in the past saying there is no other option or there is no space available some place else. We want to see them invest the time and money and get the expertise to put together a feasibility study that would then go back to the advisory committee to look at the results. The notion being, at that point we would either accept or reject a proposed concept for the project. This is before you get to final design, before you arrange your financing, before you even go to the voters, which, you know, can be tough because you may come up with something that the voters will ultimately reject.

CHAIRMAN PEYSER: Let me interrupt you for a second. There's one point about additional building construction alternatives which is, I'm quoting from section 4, 38.10.4-- Does that include nonconstruction alternatives such as leasing or modular classrooms, that sort of thing?

MR. WULFSON: The regulations would allow us to consider modular construction if it was consistent with the -- and I think we've clarified this -- consistent with the enrollment needs. Nonconstruction, like leasing or subsidized tuition arrangements, we do not have authority under the current statute.

CHAIRMAN PEYSER: I understand, but in terms of a proposal that's coming forward for construction or renovation, my take on the regulations is that in our determination or the Department's determination of need and whether the solution is appropriate, that other nonconstruction alternatives ought to be also on the table, whether or not the state will pay for it.

MR. WULFSON: I understand.

MR. LaFLAMME: As it relates to your previous battery of comments, it seems like that tremendous shift of a decision-making process in terms of -- I understand that the whole creation of this advisory committee thing is new already, but, I mean, is that logistically realistic to have the advisory committee screening all applications twice?

MR. WULFSON: Of course, the devil is always in the details, but my guess is a large number of projects will not be of interest to a large number of members of the advisory committee. And, for instance, you know, the proposal to add the Department of Public Health to deal with some of the air quality issues and construction mitigation, they are going to be more concerned if we are renovating an existing building. Environmental Affairs, Housing and Urban Development, is going to be more concerned if we are building a new facility on previously open land. Really, using e-mail, I think we can facilitate the process to give them the opportunity to raise their issues. They are going to raise them anyway further down the road, so we might as well hear from them up front and let the community respond.

MR. LaFLAMME: So would this --

MR. WULFSON: Will it add some time? Yes, it probably will add some time, and that was a criticism of the advisory committee concept, and I think the Department's position is if it adds some time to get a better project, so be it.

CHAIRMAN PEYSER: The other thing related to the role of the Board, or its diminished role, has to do with those projects that come into the Racial Imbalance Act. In particular, we have adopted a policy in recent months which suggests that the Board will evaluate, on an individual basis, school projects within communities that have been designated under the Racial Imbalance Act. But it seems to me that that's a decision that needs to be made earlier in the process rather than at the time for grant approval. So, I think for those particular categories of projects where the reimbursement rate is subject to some decision on the part of the Board itself, that we probably need to have some earlier role to play.

MR. WULFSON: Of course, both the House and Senate have input on that.

DR. THERNSTROM: I thought we were really at the end of that process in the sense there were not more communities out there likely to come in.

CHAIRMAN PEYSER: Well, we don't know that that's true. They keep trickling in. Take Boston, as an example.

DR. THERNSTROM: Except for Boston, I was to say.

CHAIRMAN PEYSER: All the 23 districts, or whatever the number is, are going to have ongoing building needs through the years, and as long as they are designating, those buildings are potentially reimbursable at 90 percent.

COMMISSIONER DRISCOLL: I believe both the Governor's budget and the House and Senate language is consistent, so that may be resolved by the legislature.

MR. WULFSON: Actually, the Governor and the House proposed changing 90 percent to a poverty-based measure, and the Senate proposes eliminating the automatic 90 percent and just building poverty into the new formula for reimbursement rate.

CHAIRMAN PEYSER: That is why it makes a little sense to hold off on voting on these, because that may change significantly. But if the status quo prevails, I think the Board needs to be involved earlier.

COMMISSIONER DRISCOLL: That's exactly right.

CHAIRMAN PEYSER: There are some kinds of buildings that are excluded, such as skating rinks, swimming pools. There was language about field houses, which has been changed, which I understand, but there's another phrase called "similar community recreational facilities" which was also deleted. I wasn't quite sure why that was deleted. It's not a swimming pool, it's not a skating rink, but it's -- I don't know, it's a professional football stadium.

MR. WULFSON: I can't think of anything.

CHAIRMAN PEYSER: I thought perhaps that should go back in. And then the last thing that's on page 7, section 2, 38.11 section 2 talks about bid documentation that needs to be submitted to the Department. I'm a little bit curious about what that is exactly. I'm wondering whether it's documentation sufficient for the Department or for an auditor or for some other reviewing agency to determine whether the bid process itself had been fair and open and led to the most cost-effective selection. Have you found where I am?

MR. WULFSON: We haven't made a change in the documentation that we have required. I think one of the things we'd like to pursue is that the whole issue of the audit of actual expenses is a very time consuming process. In fact, we fell years behind and we were catching up before the whole staff decided to retire last year. One of the things we talked about is perhaps devolving that responsibility to the community and requiring them to basically hire an auditor who, using a protocol we develop, would submit the documentation.

CHAIRMAN PEYSER: The issue here is that the context of this section has to do with cases where the original estimate exceeds the actual bids. It's sort of returning the money back into the pool for other districts to use. Of course, the opposite could also be the case where the bids exceed the original estimate. And in those cases in particular, it seems to me that some evaluation may be necessary, depending on the circumstances, to determine whether or not the bid process itself was flawed rather than simply things being more expensive than people expected because of special circumstances. My only point, and this may not be a regulatory issue as much as a guideline issue in implementing it, is that it seems the documentation itself should provide enough information so that the Department, or some other outside agency, could determine whether or not the process was open, fair and cost-effective.

Are there other questions or comments? If not, thank you very much and we'll see you next month. I believe the last item on the agenda, if I'm not mistaken, is approval of grants. Commissioner, do you have any comments?

COMMISSIONER DRISCOLL: No, except that Bob Bickerton is here and I do want to note this was a phenomenal undertaking to redo the adult education grants across the state. I think they did a terrific job. Unfortunately, some who were funded before are not being funded again. But I strongly support the recommendations.

On a motion duly made and seconded, it was:

VOTED: that the Board of Education approve the grants as presented by the Commissioner.

The motion was made by Mr. Peyser and seconded by Dr. Gill. The vote was unanimous.

The meeting adjourned at 12:30 p.m.

Respectfully Submitted

David P. Driscoll
Secretary to the Board