

**COMMONWEALTH OF MASSACHUSETTS  
BOARD OF EDUCATION**

**\*\*\*REGULAR MEETING\*\*\***

**MASSACHUSETTS DEPARTMENT OF EDUCATION**

**350 MAIN STREET  
MALDEN, MASSACHUSETTS  
TUESDAY, SEPTEMBER 28, 1999  
9:00 a.m. - 1:00 p.m.**

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

Mr. James A. Peyser, Chairman, Dorchester  
Dr. Roberta R. Schaefer, Worcester, Vice-Chair  
Mr. Charles Baker, Swampscott  
Ms. Patricia Crutchfield, Southwick  
Dr. Edwin J. Delattre, Boston  
Dr. Stanley Z. Koplik, 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:**

Mr. William K. Irwin, Wilmington

**ALSO PRESENT:**

Nancy Catuogno Varallo, Registered Diplomate Reporter

**COMMENTS FROM THE CHAIRMAN:**

CHAIRMAN PEYSER: I want to welcome all of you back who were here yesterday afternoon and for those of you here for the first time this week, welcome.

We are now going to begin the business portion of our monthly Board meeting. What I'd like to do, especially for the benefit of those folks who weren't here yesterday, is give a quick summary of the discussions we had. I want to reinforce that we did not make any decisions yesterday. We simply introduced the subjects, began our deliberations, and tried to get some sense from the Board members of their perspectives on several issues related to the "environmental issues" around establishing the competency determination. There were basically six issues that we dealt with.

One had to do with the subject areas that would be included as part of the competency determination. (1) There was general agreement that the five subject areas called for in the statute are not all in the same place at this time. Therefore, with respect to history/social science, science/technology, and foreign languages it would make sense to omit those subjects within the context of the first competency determination applying to the class of 2003. (2) There was also general agreement that, especially with respect to English and math, the common standards should apply to all categories of students, including special education, bilingual education, and voc-tech students. There was discussion that when other subjects are ready to be added, we might revisit this issue and consider alternatives. (3) With respect to averaging or combining scores to arrive at the competency determination, there was general agreement that students should demonstrate competency in each subject area required and that a poor performance on one should not be offset by an adequate or a sufficient performance on another.

(4) Similarly, there was agreement that local overrides, in terms of using local student performance data or other data as a means of overcoming inadequate performance on MCAS, would not be considered appropriate. (5) There was also discussion that the threshold we establish would be an initial threshold which would move up over time reflecting our rising expectations for student performance and the capacity of schools to elevate student performance. (6) Finally, there was a discussion about an appeals process. While there was less agreement and even less understanding of what an appeals process might include, there was general agreement that the Department ought to investigate the issue of individual student appeals. Staff would come back to the Board with some narrowly crafted alternatives for how we might implement an appeals process. Would any Board members like to elaborate or clarify on anything I've said up to this point?

DR. DELATTRE: In light of news coverage this morning, I would like to say that to my knowledge no member of this Board has ever advocated lowering standards for graduation as some of the media reported. It is certainly false that the Board ever advocated or considered the step of lowering standards for graduation.

### **COMMENTS FROM THE COMMISSIONER**

COMMISSIONER DRISCOLL: I will be very brief because this is a long and packed agenda with many important issues to consider. I want to point out that there was a very smooth opening to the school year across the Commonwealth of Massachusetts. Parents, students, administrators, and teachers ought to be congratulated for the way in which schools opened with a very purposeful focus.

We have received permission from the Department of Assets Management to expand our offices, about a block from here, in Malden. We will be expanding sometime around the first of the year. This is a very necessary expansion for us. Finally, I want to introduce a new staff member at the Department of Education, Ann Hess, who is going to work directly with me, the Chairman and members of the Board to do special research projects. We are very, very pleased to have Ann. Ann, if you would stand -- Ann Hess, thank you.

### **STATEMENT FROM THE PUBLIC**

CHAIRMAN PEYSER: We do have a rather long list of people who have come forward to make public comments today, I think we've got nine people scheduled to testify. I don't know if they are all here, but we will call them in no particular order. I would insist, given the number of people we have testifying and given the agenda before us, that the three-minute rule be enforced strictly. So is Steve Gorrie ready to testify?

The first is Steve Gorrie, President of Massachusetts Teachers Association. If you do have written testimony, please give it to us, we will read it. To the extent that it allows you to be briefer, all the better.

#### **Stephen Gorrie, President, Massachusetts Teachers Association:**

MR. GORRIE: Good morning, Mr. Chairman, and members of the Board, and thank you for giving me the opportunity to speak on school and district accountability. As we stated in our written comments, we unequivocally support establishment of school and district accountability standards and we believe that schools should be regularly and thoroughly evaluated. If a school consistently fails to meet fair and reasonable performance standards the state must intervene. With that said, we strongly oppose the plan to rank and label schools based solely on MCAS scores. Since some people are better visual learners than oral learners, I brought along a visual aid to explain why we oppose plan.

I was a 4th grade teacher for 27 years and I have a lot of experience in grading and evaluating students. In determining students' grades, I would look at many demonstrations of achievement as represented by this collection of work which does include homework, projects, records of classroom participation, in-class quizzes, and exams. I would never judge a student on the basis of a single battery of tests. Schools, like students, deserve to be evaluated based on multiple criteria. Performance indicators should include attendance, dropout rates, percentage of students enrolled in advanced placement, SAT, ACT data, post-secondary college plans and post-secondary work experience, especially for vocational and technical schools. They should be made in the context of student characteristics, not just on the basis of a single MCAS scores. They should look at family income, student mobility, student proficiency in English, and socioeconomic data, all of which need to determine how far students have come and what they need in order to progress. Finally, they should be evaluated in the context of school resources including class sizes, technology,

textbooks, library buildings, building quality, programs for disruptive students, and mentoring for new teachers. This data is extremely important in helping to fashion a plan for improvement which should be, after all, the purpose of all our measurement and evaluation.

A second concern about the school ranking proposal before you, which I will also relate to my experience in evaluating students, is that I would never make an important decision about a student on the basis of a new test that measures achievement relative to state standards that have not even been finalized. No high-stakes decisions about school issues should be made on that basis either. I do not need to remind you that even today, this Board is considering revisions to the math frameworks, revisions few teachers have yet seen and certainly have not incorporated in any school curriculum. Science and technology is going to be revised in the next few months and every history teacher I have talked to thinks that history and social sciences need to be substantially changed.

In summary, schools, like students, deserve to be evaluated based on multiple criteria. Any test used in such an evaluation should be on a fair, valid and reliable basis and able to be based on stable learning standards. We urge you to go back to the drawing board and develop a rational evaluation system, and we emphasize system, that can give us information that we need to help all students achieve. We urge you to reject a system that will instead simply burden disadvantaged students and schools by unfairly labeling them with a scarlet F for failure. Thank you.

**Cheryl Metthe, School Nurse in Stoughton:**

MS. METTHE: Good morning Commissioner Driscoll, Chairman Peyser and members of the Board of Education. My name is Cheryl Metthe and I'm a school nurse who's been employed in the Stoughton School District four years. I would like to thank Commissioner Driscoll and Karen DeCoster for inviting me to speak to you today about school nurse certification.

I'm one of many school nurses hired after 1993 subject to the requirements of the Education Reform Act. During the interview process, my qualifications, including 16 years of professional nursing experience, were presented and reviewed by various members of the school administration and I was offered the position of school nurse. No mention was made of the Education Reform requirement which includes certification for school nurses and a master's degree. A master's degree requires a significant investment of time and financial resources. Had I been informed of this requirement, I would not have resigned my hospital position and accepted the school nurse position for the personal reasons and commitments stated in my letter to Commissioner Driscoll.

In the last few months I have met other school nurses who were also not informed of these requirements. Many of these nurses and their families, including myself, will suffer a significant loss if we are forced out of our jobs because of this. Under the current regulations, many districts throughout the state will lose nurses with valuable experience. Examples include a nurse from the South Shore with a 15-year career at Children's Hospital caring for children and their families. Although highly qualified and advanced through professional development well beyond the master's degree, this experience would be lost to the district. Another example involves a large metropolitan district with a tremendous need for multi-lingual individuals. A school nurse fluent in three languages will also be affected. My goal in speaking before you today is to offer a solution for the nurses that were not provided with all the information and therefore not given the opportunity to make an informed decision about accepting the school nurse position.

Due to our unusual circumstance as experienced school nurses, we ask that you waive the master's requirement or include us in the grandfathering already available to nurses employed by the districts before 1993. If this is not possible, another solution is for the DOE to adopt a definition for equivalent district option. The Education Reform law as written includes language that states a master's degree or equivalent district option is required for standards certification. Upon pursuing the equivalent district option with the DOE and with my district, I was told that it has not yet been defined for nurses. It is my belief that equivalent district options for nurses should provide flexibility and take into consideration the fact that, unlike most teachers who come directly from college into the school setting, the average school nurse brings maturity and a wealth of experience to the job. Most nurses enter school nursing only after years of working in community health, pediatric and hospital settings. Also, in order to be licensed in the state of Massachusetts, Registered Nurses are required by the Mass. Board of Registration to pass a comprehensive Nursing Board exam. Nurses are also required to successfully complete 15 continuing education units every two years in order to renew their ranks. My proposal is for the DOE to adopt a definition for equivalent district option which

acknowledges our years of professional experience, our state registration and our existing requirement for continuing education.

In closing, I ask you to remember that we are requesting a consideration based on the following facts: We were hired based on our existing qualifications with no mention of the additional requirements of the Education Reform Act; we all possess a Bachelor of Science degree which is a qualification not required of nurses who are already grandfathered; we bring many years of professional nursing experience to school nursing and as registered nurses continuing education has always been required as the key element in our professional development. My colleagues and I welcome any opportunity to assist the Department in their efforts to resolve this issue.

DR. DELATTRE: Might we have this on the agenda for action by the Board?

COMMISSIONER DRISCOLL: I believe this does call for a follow-up. There's some history and information I would like to share with the Board so I think this should come before the Board for action.

CHAIRMAN PEYSER: At the last meeting I indicated there were outlines put forth that would address some of the alternative certification and non-master's-based certification issues not just for nurses but across the board, and so it is possible that there is a longer-term solution for this particular issue.

**Walter Behringer, retiree from Newburyport:**

MR. BEHRINGER: Good morning, Mr. Chairman, Commissioner Driscoll, and Board members. It is an extreme honor to have been invited to speak before this Board today. I do have extra handouts for press members or interested parties. With your permission, Mr. Commissioner, I'd like to request an extra 10 to 20 seconds. I'm going to read bullets very rapidly.

I am but one voice representing the small community of Newburyport, Massachusetts. I'm honored to be that one voice because I am a former public school teacher. I'm now retired. I was recently inspired by Rosie O'Donnell's suggestions when she was concerned about gun control. She said if every citizen contacted their state officials, one voice could make a difference. Here are my suggestions about education:

I have known veteran teachers of 30 years who were completely dedicated and creative every day they came in to teach. There were, however, perhaps 20 percent who complained, became complacent and then lost all sense of creativity. How do we keep a tenured teacher enthusiastic and creative if they feel complacent? I have come up with the following suggestions. Consider merit raises for productive teachers; for the less-productive teachers, a polite letter should be drawn up. It should say, "It has come to the principal's attention that you should be observed more often than you are accustomed to. "

Also, have all principals or superintendents select approximately 15 students on a monthly basis for a group talk about their teachers, their learning experiences, and anything which is bothering them. Commissioner Driscoll told me himself that he sits with students as I did when I was teaching and is amazed at the feedback he receives.

Focusing on safety issues as Commissioner Driscoll suggested, we should have every school, where possible, create clubs to keep children safe and off the streets after school. Where I taught I headed a drama club and a debate club where we held matches in the off season. We had poetry clubs, drama clubs, newspapers of course, chess teams. This worked wonders in our school system.

A safety tip that will be adopted in Newburyport, I'm proud to say, thanks to the Honorable Mayor Carrier, who got me here today and the honor to meet Governor Cellucci, is about crossing guards. While working as a teacher I was driving home one day and noticed crossing guards in the wintertime wearing white gloves. Unfortunately, I was once in line as a young man crossed the street as a guard put her hand up and in a blizzard. It blended with the white and I saw a child struck and severely injured by an automobile. I acted immediately. One week after I had witnessed that, orange gloves were given to every guard. I have been told this will also happen in Newburyport this year. Finally, most important, have student volunteers or teachers, one or more afternoons per week, from four to seven p.m. to take phone calls on a school hotline number where students may remain anonymous. They can talk about witnessing drugs, guns, harassment, whatever is on their mind, but it will allow a type of communication you may not have otherwise, a

safety tip-off to possibly avoid a terrible tragedy. I think the state slogan should be, "Parents and teachers, listen to your children." And I thank you for your time.

**Mark Brophy, Educational Association of Worcester:**

MR. BROPHY: Good morning, Commissioner, Mr. Chairman, and Board. Mark Brophy, from Worcester, and I'm here not to whine nor to complain. However, I do come for you to consider the following positions regarding the accountability system and especially standards. Over the past year I have worked along with superintendents and other association presidents to form various positions. This was submitted to all Board members and I hope you've had an opportunity to read it. I will not read this to you but I want to highlight some positions that I would like to comment on and thank you for the time. We want and welcome a fair, educationally sound and responsible accountability system with multiple measures to be part of a comprehensive system for urban, rural and suburban districts. We need to make sure we also look at those because we speak for all children and have different types of systems within our Commonwealth.

It appears the Board, with all due respect, wants to use only MCAS scores to brand districts with a scarlet U for underperforming. The MCAS itself has not been stabilized. Different tests have been used in '98 and '99 and you are considering other changes relates to the math framework. We have more than one grade in a school. Grade 4 is only one grade in an elementary school. Same with 8 and 10. Performance in one grade does not tell us what we are. I also believe the frameworks are not stabilized. Is it fair to hold us accountable when things haven't been truly set?

I'd also like to comment on the phrase "up-to" as in up to grade 4. The MCAS test, is an "up-to" test. You're using one indicator that will not allow the Massachusetts child, to go through that program. Is that fair? We should learn from other states like Texas and Kentucky. The reporting period should be extended and was extended. Other factors are used such as dropout and attendance rates. I hope you will consider those.

There is also the term like communities because there are demographic issues. Continuous growth over time and equality means success. In Worcester, our scores are up, our dropout rates are down and our attendance is up. We are on the move in Worcester, and I think everyone here can attest to that. However, if we use one indicator with a scarlet U, we will have many schools that will be labeled underperforming. I ask you, is that fair? Please develop a system of fair accountability. Above all, we have a moral and ethical obligation to schools and districts, but especially the children before we label them the scarlet U for underperforming.

Thank you.

**Mr. Robert Coffill, OPIS:**

MR. COFFILL: Congratulations Commissioner, it's nice to see you at the top. I come to you as a taxpayer in Andover.

I come as a former teacher, elementary principal, middle school principal, high school principal, and a superintendent in four different states and four different almost receivership districts. I come to you today to encourage all of you to begin to look at this a little differently. Let's not just hold our hand on one thing, student assessment. Accountability is here to stay. Let's look at the need to get rid of the social/political agenda in schools today. Let's focus on student achievement. Let's look at bringing corporate America into schools to help teachers and leadership connect with students and learning. We need to get the kind of vision at the top where teachers and children and parents feel there is a connection between student learning and results. Teachers know best. Principals know best.

Look at this thing today in The Globe about a 10 percent increase to improve the scores in Lynn. You know, everybody is going to pay a price. Are students really going to improve? I now chair the American Association of School Superintendents Business Advisory Committee in Washington. I volunteer my services to get together a group of people -- superintendents, past superintendents, retired superintendents, current superintendents, educators, to look at ways that we can assist the Department of Education. When districts request, we can use that support in any possible state takeovers.

If Commissioner Antonucci, then Associate Commissioner Driscoll, and this Board had not interceded in Lawrence when the did, Lawrence would not be in as good shape today. Does it still have problems? Yes, it does. But I took

time to study that. I have done all kinds of research. Lawrence is better today because of the state's activity. But to do more of it we've all got to come together. My wife is a teacher. We have to stop the bark. I knew Dave when he was a superintendent. He doesn't stand for that. The time is right in this country; it's a national agenda. There's been excellent selection of the chairmanship. I'm going Thursday to a big power meeting in New York to look at education as the number one topic for the future.

My final remark is this: Let's look at how we spend monies. Look at the after-school programs. Look at the monies and federal monies that are being wasted that could go right to students. I spent the summer assessing that. So let's look at proactive ways where we can come together and look at ways where districts need help to use support. It's much larger than students' tests. I volunteer, Jim and Dave, to put a committee together and, on the Cape November 3, present a report to you of 10 to 15 items that districts should look at. We'll include bullet points for why schools need takeover besides test scores. You can do whatever you want with the information but it will be made up of people who have been in the trenches for more than one week. Last thing. Get administrators to teach one day a week. When I was a superintendent I taught one day a week. It hurts.

**Tim Collins, Springfield Education Association.**

MR. COLLINS: Good morning. My name is Timothy Collins, I'm currently, and was for the last two years, president of the Springfield Education System. For the previous 25 years I was a middle school teacher in Springfield. I'm here today to speak in support of the position paper that Mr. Brophy spoke about. We spent the last year with superintendents and presidents of larger locals developing that position paper. I also have an article here. A very unique thing happened in Springfield. The union and the entire school committee unanimously decided to support the principals in that paper. The thing I'm most concerned about, as I said to Commissioner Driscoll and Mr. Peyser this summer at Williamstown when they visited the teachers there, is that testing should be a tool that we use to help our children grow and progress, not something that can be used to punish children. I'm very concerned, after the first set of MCAS scores, when children were labeled as failures by a testing instrument that was considered, by your own actions in correcting the readability of the 4th grade test, a flawed testing instrument.

I'm also very concerned that the spirit if not the intent of the Education Reform Law in 1993 is not being followed. It called for multiple means of assessment. Your predecessors on this Board in 1993 put teachers all over the state to work on portfolio assessments. Every child does not do well in a paper-and-pencil test. The vocational schools do not even teach the same curriculum. If we hold vocational schools to the curriculum frameworks, they will no longer be vocational schools, and they provide a valuable function to many of our schools. I'm not afraid of being held accountable, the teachers that I represent are not afraid of being held accountable, either. Mr. Peyser said there would be some friction in the implementation of the MCAS. Don't let that friction be the grinding up of the self-esteem of students in the Commonwealth. After that first round of tests were published and the newspapers reported them, I was in the mall with a group of students sitting behind me ranging from middle school to high school and the high school kids were saying, "Boy, I'm glad I don't have to face that" And other kids were saying things like "Boy, you're really dumb."

This was a brand-new testing instrument. We have to remember the motto of Springfield College: body, mind and spirit. If we don't take care of the body and the spirit, the mind can't grow. This push for academic excellence has gone too far. We have to remember that these are young children with self-esteem and I'm sure you all know some people who did not perform well in their early years and became late learners. But I bet each and everyone of them can point to a teacher that they had that touched them on a spiritual or an emotional level. What I ask all of you to do is think of those children, be they your own or children that you know, and ask yourself the question: Would you risk their high school diploma on this cross of accountability you seem intent on building for the children of the Commonwealth of Massachusetts?

DR. DELATTRE: I'm perhaps more harshly critical of MCAS than anyone else on the Board. I believe that the tests have many deficiencies. But I will not bear in silence the false claim that the MCAS tests label children anything and they certainly do not label children failures.

MR. COLLINS: When a child receives the report on the test and it says failure, I consider that a label.

DR. DELATTRE: It doesn't say failure, it says failing, and it's about performance, not the child.

**Deborah Meier, Mission Hill School in Roxbury.**

MS. MEIER: I do have testimony that I could leave with you which covers some of the same points I'm going to make. First of all, greetings. This is the second time I've been here since I came to Massachusetts addressing some of the same points you've heard me address before. As they say in *The Last Show* -- I'm having a good time. It's fun to be back running a school and I'm sorry not to be in school this morning.

I have five points I want to develop in three minutes. (1) It's not easy to develop a single definition of what constitutes a well-educated adult, much less what marks the various stages to it. Folks have, I want to remind you, been trying to do this for centuries. (2) It's questionable whether it makes good sense for the state to take on the job of defining this precisely rather than leaving it to the various institutions closer to the action with all their nuanced differences. (3) It's not easy to develop an instrument that can measure the qualities that describe a well-educated person, no matter who undertakes it. (4) It's not easy to make sure that the measurement tools don't substitute for the real thing. That's more than any mere measuring rod can bear the burden of without being corrupted. (5) It's not easy to consider what kind and how many different high-stakes purposes any fallible instrument should serve. Ranking schools on this basis is surely the most far reaching.

Wisdom suggests going slowly and making decisions on all five of these dilemmas, using our own scholarly knowledge not just our impatient zeal to find the right solution. There may be urgency in your zeal to improve the education of all children, especially those furthest behind, but the wise adults in my childhood always warned me to be wary whenever zeal and urgency join together with the power of the state to drive the agenda. They lead us to believe in shortcuts that actually shortcut our hopes. The dream, a mere generation old, that we can educate all children to high expectations, once held just in my own childhood for a small elite, is surely a worthy one. It's okay to feel impatient on its behalf, but we need to act wisely on behalf of such a heady dream. I grew up, as some of you may or may not have, to witness close at hand what well-intentioned people of the right and the left do in pursuit of noble ends, justifying the measures they took as necessary in the interests of those too trodden upon to do the right thing on their own. If the measures seem ruthless, they defend them as no more ruthless than a continuation of past injustices and oppressions. They thought that things could never be worse. Besides, they said, and some you may remember the phrase, "You can't make an omelet without breaking an egg."

Every one of those five propositions I propose is itself tricky, not intended for a yes or no answer. They require careful balancing between them and caution about when and how they should be implemented. I take it as a simple fact, that we haven't got the first four right, and until we get those right we are in danger of compounding it by a big mistake on the fifth, using it in ways that cannot bear the burden.

Our children are not eggs, nor are our institutions. They can't, as the rhyme reminds us, easily be put back together once broken. And that's why revolutionaries of all sorts like to speak of breaking eggs and that's where prudent but true reformers, as I consider myself and I hope you, need a different mind set. I remind you, I'm not afraid of tough tests, I came to Boston after 25 years of practice as a developer of a very tough and very high-stakes system of assessment that has proven itself year after year. It was years in the making and yet from day one it stayed true to the educators' first principle: Do no harm, these are other people's children.

We are educating people to the use of wise judgment in the face of uncertainties; that's the whole point of this. We must make sure, then, that the instrument, the system, and the process involved in implementing it are living examples of such judgments. In the face of such uncertainties we must be open to questions and appeal to new interpretation, to new facts, and nuances -- in short, respectful of the kind of balanced judgment that democracy is in the end wrestling. I will come down to this. There's an interesting study I hope you look at in *Life Magazine* that reminds us 50 years ago today that 50 percent of the public didn't think academics was the point of schooling. That's too bad, but this belief has had a stronghold in this country because we have never respected what academics can do to liberate the mind. They are seen as trivial. The MCAS is a good example of what the word academics means to too many kids and too many of our fellow citizens. We can bludgeon them into it, but bludgeoning them into it will not develop respect for it, and until we can demonstrate that the academic disciplines are useful to the mind, are liberating of the mind, we will not unleash the kind of hunger and zeal that must come from inside kids. Kids will be well-served if we can get them over the long haul, not just this spring's test, but the long haul that will give them a chance to become well-educated adults.

Thank you.

DR. SCHAEFER: I guess if we were, as you categorize us or intimate, bordering Maoism or Naziism, we would not have allowed you to speak here before us, nor would the Board be deliberating so seriously about all these issues, which I think we are.

MS. MEIER: My definition of the left and the right doesn't only include such extremes.

DR. SCHAEFER: Well, the breaking eggs reference is enough.

DR. THERNSTROM: I do have a question here. The rhetoric is very lofty but I don't understand something. You seem to claim we disagree over the definition of well-educated. I challenge you to come up with a definition of well-educated that does not include the demand that kids understand that 2 and 2 are 4 and that they have some understanding of the causes of World War II, et cetera. I have looked at the recently released MCAS questions, I don't see a trivial question amongst them. I've looked at a lot of public opinion data and disagree with your reading of where the American public is on the question of standards and raising them for children. I'm just lost in the abstractions.

MS. MEIER: One, I absolutely agree with you, we want high standards. In fact, the word was invented in this recent reincarnation by people like me.

Central Park East was probably the first school that said we are only graduating kids on the basis of proclaimed and proficient standards, so it is not standards we disagree on. You and I disagree about the types of things kids need to be well educated. You have the power to enforce it, I don't. I think it's an unwise use of that power. I think there's a profound difference between you and I as to the kind of knowledge you need to graduate. So what? I think that's fine. But I don't think it's a good and wise use of the state's power.

I went to very good schools in my entire history, I ended up with an advanced degree in history. I never studied a single one of the subjects that the 4th graders are expected to know. Prehistory up to 500 AD? I never happened to take any such courses and certainly not in the advanced years, and I couldn't have passed that test. So if you're asking me is the coverage in the 4th grade test stuff that I think every well-educated person needs to know -- I don't at all. I think that's a test of triviality, not a test of whether people can use evidence well, can study something well, and have the kind of capacity for tackling good information.

#### **Karen Hartke, Fair Test:**

MS. HARTKE: Good morning, Chairman, Commissioner, my name is Karen Hartke, I'm representing Fair Test which is the National Center for Fair and Open Testing. We are a national nonprofit that works to ensure that standardized tests are used fairly and appropriately in K-12 public education as well as college admissions. We believe the use of the MCAS and the proposed school accountability regulations is a strong case of test misuse which will penalize schools and our communities for being poor and which will lower, not raise, standards of education and educational opportunities for students across the Commonwealth. Whether or not the MCAS is aligned or exactly matches the state standards, it cannot and should not be relied upon to provide an accurate measure of either student learning or school quality. The regulations propose using the MCAS solely to determine which schools will undergo intervention. Using MCAS alone to make this determination is a form of high-stakes test misuse which will also lead to misclassifications of schools, unnecessary intervention, and also do damage to the education offered to students in our schools.

MCAS scores fail to take into account a number of critical factors in schooling such as teachers' experience, availability of resources, the physical condition of schools, and the number of children in classrooms. But this will all be ignored our schools are lined up according to their test scores giving the false impression that the schools at the bottom are also the worst schools. The same results could be found by lining up our schools according to wealth in their communities. Our research conducted here in Massachusetts has shown this. This is long confirmed by research. But ultimately this means that the harsh penalties attached to the MCAS scores will fall unfairly and inaccurately on our least-resourced communities. Under this plan schools will face being labeled as underperforming if they don't get their test scores up. By the same account, no school will want to undergo the daunting, resource-consuming process of an investigation. The pressure to avoid all of this will ultimately drive schools to start to teach solely to the MCAS and disregard those



best practices which are shown to serve students in those communities. There is not a shred of research evidence showing that test-driven school reform works to improve education. And yet there is a very large body of research, including a study by Fair Test and recent testimony being provided under the Texas case against the TAAS, which also show that test-driven schooling works to undermine challenging, engaging and enriching curriculum.

Already our schools in Massachusetts are reporting that they are reducing their programs to drive curriculum toward the MCAS. The pressure to do this will be greatest on our least-resourced schools. MCAS-driven schooling cannot replace what real Education Reform is.

The effort to force all schools and communities to fit the requirements of a single standardized test is a misguided attempt to raise standards by standardizing all schools. The Education Reform law calls for a system of assessment. Such a system would include local assessments. The school quality review process, now being used for charter schools in the Commonwealth, is one such way to utilize comprehensive information about a school. It includes student achievement data to measure a school's progress, to provide feedback, to direct resources, and to make decisions about a school's continuation. Such methods of providing accountability require that schools meet standards, but still honor the diversity within our public schools. We recommend that such models be replicated and implemented in line with that called for in the original Education Reform Act.

Thank you.

DR. THERNSTROM: Has Fair Test ever seen a statewide test or comparable assessment?

MS. HARTKE: We don't advocate that most standardized tests be used. We disagree with the high-stakes sole reliance on these standardized tests to make decisions about students or school quality.

DR. THERNSTROM: Have you ever laid eyes on a test that you approve of?

MS. HARTKE: I think MCAS is probably one of the better tests across the nation. There are still some flaws that we and others across the state have pointed out. There certainly were problems with the level of the 4th grade reading assessment last year and others pointed to flaws in the science exam. There are still some issues that need to be worked out and we have no problem claiming that. Due to some of the open-ended and essay questions, it's better than most. However, no single test given in a one-shot performance is capable of providing enough information or accurate enough information about an individual or a school. That's accepted by the National Research Council and the psychometric standards in testing. You know, even the large national companies that make tests will tell you -- Never use a test to make a single decision about a school or a student.

MR. LaFLAMME: One of your specific points claims that ultimately the penalties attached to low MCAS scores will unfairly and inaccurately reflect on our low-income schools. Is there really a way that a standardized test doesn't in some way make that reflection? Is that something that's inherent to MCAS or is that something that's inherent to standardized tests? Don't schools with limited resources have additional challenges in meeting that standard?

MS. HARTKE: The history of use of standardized tests shows that there's a lot of correlation between a number of socioeconomic factors and test scores. If we know that, then using that puts a burden on us to define data about the education going on given those socioeconomic factors, resources and conditions. There are a number of schools that are doing quite well by the student population whose results will not be borne out by this test and we need to make sure that we know about those and encourage those to continue.

## **APPROVAL OF MINUTES**

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

**VOTED:           that the Board of Education approve the minutes of the July 20, 1999 Regular meeting.**

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

## **1. ELECTION OF THE VICE-CHAIRPERSON - Vote**

DR. KOPLIK: I would like to nominate Roberta Schaefer to be our vice-chairperson. If necessary, I have a 45-minute nominating speech.

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

**VOTED: that the Board of Education elect Roberta Schaefer as Vice-Chairperson.**

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

CHAIRMAN PEYSER: Opposed? Roberta Schaefer is reelected vice chairperson of the Board of Education.

DR. SCHAEFER: I thank my colleagues for their support.

## **CURRICULUM FRAMEWORKS**

### **1. Revised Mathematics Curriculum Framework and Assessment Plan – Discussion and Vote to Solicit Public Comment**

CHAIRMAN PEYSER: The next item is curriculum frameworks. There are two issues before us under this heading. The first is the revision to the math curriculum framework. Today we propose to have discussion on the draft that has been circulated to Board members and to entertain a motion for a vote to push that out for public comment. Would the representatives of the Department please come forward?

COMMISSIONER DRISCOLL: Let me introduce Deputy Commissioner Sandra Stotsky; next is the chair of the Mathematics Curriculum Frameworks Committee Associate Dean and Professor of Education at Boston University, Carole Greenes; and to my right is Tom Noonan, Administrator of Our Math and Science Office and head administrator of the PALMS National Science Foundation Grant.

MS. GREENES: Commissioner Driscoll and members of the Board of Education, I'm pleased to present to you today the September 1999 draft of the Mathematics Curriculum Framework for the state of Massachusetts. The panel began work on this document exactly one year ago and worked diligently to develop a document that would provide detailed guidance for school systems as they developed their own mathematics curricula for students pre-kindergarten through grade 12. At this time I would like to thank the panel for all of their contributions and introduce you to those who are in attendance today. I would like them to stand, please, and I will do this alphabetically.

First, Maureen Chapman-Fahey, followed by Barbara Haig, Dr. Margaret Kenney and Victor Steinbok. The others are in their schools teaching at this moment. On behalf of our committee, I would also like to thank Anne Collins for her outstanding work with the panel, Tom Noonan, and Barbara Libby for their guidance, and Hillel Bromberg for his extraordinary contributions to the editing and design of the document. Now for the draft of the Mathematics Curriculum Framework.

When faced with the task of revising the framework, the panel referred to numerous documents produced by professional associations, including documents from National Council of Teachers of Mathematics, the Mathematical Association of America, the American Association for the Advancement of Science, the American Mathematical Society, and the National Association for the Education of Young Children. We studied frameworks from other states as well as the 1995 Massachusetts Mathematics Framework and the MCAS Guide and Curriculum Materials including NSF-funded programs and textbook programs. We sought the advice of numerous mathematics education experts in the state including classroom teachers, mathematics department chairpersons, university mathematics education faculty, research mathematicians, faculty of the sciences, and members of the Massachusetts Science Framework panel. We reviewed comments about the 1995 framework that were submitted to the Board of Education. With the approval of this document for circulation, we will now seek the advice of the larger community of those concerned with the mathematics education of our youth.

The new mathematics framework has been designed to facilitate achievement in mathematics. Principles that should guide the teaching of mathematics in order to assure achievement are presented in the front of the document. The

learning standards form the centerpiece. These standards are organized by strand. The strands are the same strands as those that appeared in the 1995 framework, but they have been renamed to more accurately reflect what is in the document. The four strands are: Number and Operations; the second is Patterns, Functions, and Algebra; the third is Geometry and Measurement; and the fourth is Data Analysis, Statistics, and Probability. Within each strand the learning standards are presented by pairs of grade levels. Thus there are standards for pre-kindergarten-kindergarten, grades 1-2, 3-4, 5-6, 7-8, 9-10, 11-12. All learning standards are measurable. In addition to these measurable standards, there are concepts and skills to be explored, investigated but not assessed at each grade band.

In most cases, these exploratory concepts and skills, as they are referred to in our document, set the stage for concepts and skills to be further developed and assessed in later grades. The organization by pairs of grades provides greater specificity, greater depth, and a more obvious development sequence across grades than was seen in the 1995 framework. You will also notice that concepts that undergird two or more strands are developed in parallel to emphasize the connections among the concepts. These features of the 1999 framework not only will help teachers know what to teach, but also what to be expected from their students. In this sense, the framework will facilitate the assessment process.

In the document the strands are presented in several formats to facilitate observation and sequence and reinforcement of concepts among strands. In addition, standards are listed by course for algebra, geometry, and advanced algebra/precalculus. At the end of the document examples of problems and activities are included to illustrate and clarify the standards. Each of the problems or activities is coded to the standard or standards it elucidates. Some of the problems were contributed by the panel and advisors, some were taken from the MCAS guide. We are hopeful that when the document is released for public comment, that educators will submit additional examples to be included in the framework. At this time I would like to ask the Board to vote in favor of releasing this draft for public comment and I would be pleased to entertain any questions.

CHAIRMAN PEYSER: I think this draft of the framework makes more concrete and explicit much that was merely implicit in the existing framework. I think it's a great contribution in that respect. I think it also enriches the math content of the framework in a way that's consistent with some of the other documents that informed the development of the assessment, as well as what I perceived to be the dominant practice in the classrooms today. It helps bring the framework into alignment with good practice in classrooms and with many of the other initiatives that are underway outside the framework. It's a significant improvement rather than a departure from the course that we've set for ourselves. There are a couple of issues which I would like to ask you to comment on.

Questions were posed in the Comment Review Form, in the front of the framework, which I think are very good. I think some of the questions that are posed are exactly the kinds of things we ought to be getting feedback on. One has to do with algebra and its placement in the sequence of courses and its significance in building a foundation for more advanced work in particular. One of the difficult balancing acts in all these frameworks is figuring out how to create a document that not only ensures that all students have a solid foundation, but that there are opportunities for students to go well beyond those basic foundations. In creating such a system we must be careful not to create disincentives to finding pathways for more intense study. One issue has to do with the placement of algebra and its depth or breadth at the various grade levels. Let me stop there. Can you comment on that issue?

MS. GREENES: There has been a great deal of interest on the part of national associations and mathematicians about the evolution of abstract reasoning as it related to algebra and geometry. The concern has always been with the fact that when so many students begin the study of algebra sometime in the 8<sup>th</sup> or 9<sup>th</sup> grade, they have great difficulty with it. The feeling was that perhaps this difficulty arose because of lack of adequate grounding in some of the key ideas of algebra, grounding that could easily take place early in a child's educational career. So that, for example, the concept of variable, which is a major idea in algebra, could be introduced easily to children as young as six years of age. And indeed there are numerous materials out now and studies going on that are showing that children can in fact deal with this concept at an introductory level preparation for later study. So if children are exposed to these big ideas of algebra like function, variable, proportional reasoning induction, deduction, early in their careers and these concepts grow and become more robust, then it will be a natural transition into a formal course in algebra or geometry. So we started very early, as you can see in the document, exposing children to these ideas. It turns out in fact that most teachers already do a lot of this but what they don't do is they don't put the appropriate language to it. And that's a key factor in developing a solid developmental sequence algebra.

CHAIRMAN PEYSER: If you could explain just in this document where the first formal algebra instruction, or algebra course is most likely to occur? Are there subsequent algebra courses with concentrations for later and how do those two things fit together in what sequence?

MS. GREENES: The framework was developed in such a way that it would accommodate the interests of educators who wanted to present the content of mathematics in an integrated fashion. It also accommodates the goals for those people who wanted to have stand-alone isolated courses. Now, calling it an isolated course is rather a funny thing to say despite that if it's called algebra. If you look in algebra books, you will see topics from probability, statistics, even geometry. And if you look in a geometry book, you will see big chapters entitled Geometry from an Algebraic Perspective. Despite the fact that we have these stand-alone books, these books entitled Algebra or Geometry, in fact the contents of those books suggest an integration. In either case, the 9th-10th grade span contains all of the learning standards that you would expect from a solid course in algebra and a solid course in geometry.

CHAIRMAN PEYSER: There are some districts that offer, I don't know if Algebra I is the right term, but they offer an algebra course prior to the 9th grade. I guess my question is to what extent does the framework and the assessments that might follow from it provide permission for or to some extent even incentive for districts to continue to expand that practice?

MR. NOONAN: In 1998 my office did a survey which shows 31 percent of the students in the 8th grade have completed a formal algebra course. And when we asked the administrators of the districts also in 9 to 12 how many students have taken algebra in that time span, we had a figure of about 64 percent. So this framework doesn't preclude those students having it in the 9th grade-10th grade or even pushing it down to the 8th grade, as we see that number increasing more and more. We do start with some algebraic concepts, as Carole said, in grade 1 and then we progress all the way up through the 8th or 9th grade whereby student have had the standard algebra course as we know it. So it didn't preclude any one of those grades.

CHAIRMAN PEYSER: I'm glad the question is in the form. I hope we get some good feedback.

DR. THERNSTROM: Can I just piggyback on that? If you don't get algebra in the 8th grade, is it correct to say you will not get to calculus by the end of high school?

MS. GREENES: No, it's possible to get to calculus if you think of a three-year sequence for the algebra, advanced algebra, precalculus course and geometry, three years. You would then have your fourth year as a calculus course or some other capstone course for high school.

CHAIRMAN PEYSER: This is normally a trigonometry course or something like that isn't there?.

MS. GREENES: There are other courses that are offered. The College Board has a pathway course that is a very interesting one that takes students beyond advanced algebra in preparation for more advanced study of mathematics. It's not called a calculus course but it introduces many of the concepts that are necessary or prerequisite to calculus.

DR. SCHAEFER: Can you go through this again? It's my understanding that the sequence generally is two years of algebra plus geometry, precalculus and calculus. So would you have to have Algebra 1 in the 8th grade in order to complete that sequence to get through calculus?

MS. GREENES: Not all schools have a separate course, advanced algebra and precalculus. Sometimes the advanced algebra course is offered and it covers almost all of the key topics from precalculus that are prerequisite for study of calculus.

DR. SCHAEFER: Have you done a survey of that sequence, Tom?

MR. NOONAN: We know about 18 percent of the students take calculus by the time they graduate from high school so we are tracking some of the numbers and have some trend analysis data.

DR. SCHAEFER: So the point is how do you get there? What is the sequence prior to that that only 18 percent are doing ?

MR. NOONAN: I think the panel was careful not to lock anyone out of those pathways so that students could take any of those courses in junior or senior year.

CHAIRMAN PEYSER: I think this gets to the comment issue in particular. We need to make sure that we get some feedback on the effect that this instruction might have on districts that are trying to accelerate the introduction of algebra to an earlier level, say the 8th grade for sake of argument, in order to accommodate higher-level coursework. We know that some of that is happening but there are multiple pathways, as you've described. The question is -- To what extent do the frameworks constrain those pathways and especially to what extent does it create some type of barrier towards providing a path for students to take a more accelerated set of math courses?

MS. STOTSKY: We really don't have the data at this point to know whether those students who are taking a true calculus course in grade 12 began with an Algebra I course in grade 8. Those are the kinds of data that we need to gather to make clear whether the sequence that ends in calculus by grade 12 should begin with an Algebra I course in grade 8. We don't have that.

DR. THERNSTROM: Sandy, it seems to me that is absolutely essential data. Can we collect it? We need to know the answer to that question.

MS. STOTSKY: It is collectible but we don't have it.

CHAIRMAN PEYSER: It might be worth investigating, certainly in terms of the anecdotal information, from the comments we receive. We ought to encourage schools to respond to this basic question. I don't know if it requires amending this, making phone calls to folks or some other document to ensure we get responsive feedback from districts as to the effect this formulation might have.

DR. THERNSTROM: If we've got 18 percent of the students arriving at calculus by the end of their high school career, surely we could take that 18 percent and find out something more about them.

MS. STOTSKY: Right. We have to work backwards from that 18 percent to at least see what they have done as a path to get there. It may not be the only path, but at least we could find out.

MR. NOONAN: That's AP calculus. There are different kinds of calculus. We have got to differentiate.

MS. CRUTCHFIELD: Is the 18 percent associated with AP?

DR. DELATTRE: This is not about data, it's about showing people how to get to calculus by the 12th grade by a variety of different routes only one of which requires algebra in the 8th grade.

CHAIRMAN PEYSER: Let me go into the second issue I wanted to raise about the questions on the comment form. I'm looking for an explanation more than anything else. Question 16 and 17 have to do with standard algorithms and nonstandard algorithms. Could you explain for those of us who are not math teachers what this means.

MS. GREENES: It is an issue that arose in conversation with Dr. Stotsky and the concern about how students should perform on various computational algorithms which, let me point out, is a small part of the study of mathematics. It is not the central piece.

CHAIRMAN PEYSER: Could you explain the terminology?

MS. GREENES: An algorithm is a step-by-step procedure for solving a problem. The algorithms that we were referring to are the algorithms for computation with whole numbers, the basics -- addition, subtraction, division, multiplication -- that students learn in their elementary years. There are a variety of ways that students can go about solving problems. There are what some people refer to as algorithms which were the ways that all of us here learned to do, for example, multiplication. You carry and you cross out and all sorts of things with the numbers, you perform some kind of little magical thing and you come out with the right answer. There are other algorithms which are not referred to as those standard algorithms because they don't have as long a history and they are algorithms which in

many cases give a better rationale for the procedures, conceptually they make greater sense. I can give you an example of such a case if you would like.

CHAIRMAN PEYSER: So, in other words, there are alternative methods that are accepted by the profession, if you will, as being appropriate means for calculating the sum of a set of three-digit numbers.

MS. GREENES: That's correct.

CHAIRMAN PEYSER: There's a related point.

DR. THERNSTROM: Can I just clarify? Is it a question of alternative methods or is it a question of the student discovering an alternative method that works for that individual student?

MS. GREENES: That's a pedagogical procedure in terms of how students come to learn something. We're talking about known algorithms that give greater explanation that are not referred to as standard algorithms. If I could give you an example.

DR. SCHAEFER: Could you do that?

CHAIRMAN PEYSER: It would be useful if you could, on a piece of paper, list what the alternative methods are. I don't know how large an issue this is but list out the various alternative methods that are accepted as acceptable practice by the profession, not today but over time.

MS. STOTSKY: With references, please.

MS. GREENES: The example, if you were to multiply 3 times 15.

DR. KOPLIK: Give us a minute on that.

MS. GREENES: Is that a hard enough example? Is that okay? But you have to imagine yourself being a young child who hasn't faced a problem like that before. You know the meaning of the multiplication, you understand that 3 times 15 means three groups of 15 or 15 of 3, whatever. But now you're actually to the point of computation and so you have 3 times 15 and you would normally do this, in a standard approach you would multiply 3 times 5, record the 5 in the proper position and carry the 1 up to the next column up above the other numbers, then you would multiply the 3 times 10 which was part of the 15, and then add the other 1 to it, not really clear why you would do that, but you multiply the 3 times the 1 and then you add the other 1 and you get 45.

A nonstandard way to do it, nonstandard simply because it doesn't have the same history to it, would be to think of 15 as 10 plus 5 and multiply 3 times 10 which is 30, and add it to 3 times 5 which is 15, and you get 45. Now, that is a valid method for solving the problem. It's not referred to as a standard algorithm so we call it a nonstandard algorithm. There are numerous instances of these kind of algorithms which give greater explanation to the process. They make more sense mathematically to the child. Eventually it may be faster, maybe not, for the child to use the standard algorithm. Now, that was a simple example but you can imagine that when you have larger numbers which are fraught with more computational difficulties, such as 3 times 49, that then that process of thinking of it as 40 plus 9 and multiplying the parts by 3 is a little bit easier for children to relate to the whole process of addition and to looking at the ways of breaking apart numbers. Does that help, Dr. Schaefer?

CHAIRMAN PEYSER: That's a useful example. But, again, I think what would be useful for the Board to see during this comment period are documentation of what the alternative known algorithms are so we get some understanding for that. I appreciate the clarification that we are not talking about student-discovered algorithms, but rather it's about training students in known algorithms rather than setting students aside to figure out how to do it however long it takes or whichever way you get there.

MS. GREENES: What we care about a great deal on this committee is that children develop a strong understanding of mathematics and their ability to use mathematics to apply it to the solution of problems. That if they forgot something, they can figure out from some very basic ideas how to regenerate those important concepts or formulas or whatever.

We want them to be able to compute. We don't want to prescribe to them exactly how they have to be able to do that, as long as they are always able to do that, to replicate it and replicate it correctly. So that is our motivation for writing as we did.

DR. KOPLIK: Let me ask you to help me through page 71. And at the top of the page look at the question for grades 1 and 2 with regard to Jose has lots of pennies, nickels, and dimes. He takes out three coins and puts them on the table. How much money could be on the table? Make a list. Is the intent of the question to simply list all possibilities? You know better than I that the possibilities are substantial in terms of number. To make a list you could have a list that says three pennies, you could have a list of three dimes, that would be the min and the max in terms of where you would be, or could you have something in between because you are simply looking for points? Is the intent of the question simply just to put any combination down when we are asking these students to make a list?

MS. GREENES: That's right. This was not coded to a particular standard. I believe it refers to a standard where children are looking at collections of coins and determining the values of those collections of coins. So that you might have three pennies and that value would be three cents of that collection and then you might have a nickel and two pennies and figuring out what that is. Learning standard 6 on page 13 for grades 1 and 2 -- find the value of collections of coins less than \$5.00 and different ways to represent an amount of money less than \$5.00 worth of coins. So this would be a first experience with that kind of activity.

DR. THERNSTROM: I'm still stuck back on the previous topic. I was all right until you said we don't want to prescribe how children should figure out what 3 times 15 is. Well, it seems to me you're back to blurring the line between teachers instructing and providing methods of solving problems and kids, through some kind of process of discovery, arriving at a method that suits them. It seems to slow the whole process up of mathematical instruction.

DR. DELATTRE: Isn't it true that if you learn standard and nonstandard algorithms and use your imagination you will also come up with other algorithms? I don't understand what the panic is about that. I don't know how you multiply 3 times 49, I multiply three times 50 and subtract 3. Children and adults alike do discover algorithms that they draw from algorithms they are taught, and there's nothing that's being said here that suggests any algorithm can be made out of whole cloth or that the imagination of children in mathematics is to be inspired rather like inventive spelling. This is not about inventive mathematics, this is not poetry, this is mathematics. Algorithms are not something to be afraid of. If they are reliable, it doesn't matter what their genesis is.

MR. LaFLAMME: I would just add the understanding of nonstandard algorithms in that way might not only be of value as far as computing the answers you're looking for, but also contribute to your understanding of mathematics as a whole. If you think about, say in geometry, understanding something algebraically and graphically and being able to solve that in different ways, I think it contributes to your understanding of how mathematics relates together as a whole and beyond the solution of a single problem.

CHAIRMAN PEYSER: We can talk about this all day and I want to try closing this off because we are sending this out for public comment as opposed to final approval. We have established that we are interested in hearing comment on this issue. The question you've posed is not whether so-called standard or known algorithms should be the exclusive means by which students do computations but rather whether all students should be exposed to and knowledgeable of those algorithms. I think that's the question we want some comment on.

MS. STOTSKY: I would just like to pick that up as one of two questions. One is the equity issue in terms of instruction. Is the child to be given access to standard algorithms which mathematicians in general favor as most effective and most efficient ways because they have been tested over long periods of time historically? The other question is one I think valuable for the Board to have, and that would be the references to the bodies of research that would support what the committee has proposed. It would be very useful if we could find out what research literature is there that has gone through peer-reviewed journals that supports the whole notion of nonstandard as well as standard algorithms. I think it would be extremely valuable for us to know what that body of research is that supports it and at what grade levels that research has been carried out.

CHAIRMAN PEYSER: Thank you. Are there any other questions on other topics related to the math frameworks?

MS. CRUTCHFIELD: I want to go to our time frame. I see it's going to come back for a vote in February of 2000 and I wonder what the schedule for the public hearings are.

MR. NOONAN: Within the next two weeks we hope to send it out to all schools and principals and superintendents, start focus groups and receive feedback by January 14. We felt this would be after the school vacation and would give people time to look it over and give us meaningful feedback. Then that would give us a few weeks to roll up all the data and get back to the Board. If that's appropriate, that would be the time frames we'll be looking at.

COMMISSIONER DRISCOLL: We expect to get significant feedback on this.

MS. CRUTCHFIELD: That's a long time.

COMMISSIONER DRISCOLL: It is but we need that kind of time, I believe. We are also going to have several focus groups as Tom mentioned.

**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 revised draft Curriculum Frameworks in Mathematics.**

The motion was made by Dr. Koplik and seconded by Dr. Schaefer. The vote was unanimous.

DR. SCHAEFER: What is the time frame for implementing in the classroom? Is that for next academic year?

MR. NOONAN: Summer institutes.

COMMISSIONER DRISCOLL: The standards and the finalized framework will hopefully be voted on in plenty of time for the following school year. I think the immediate ramification is that people understand that the standards are more clearly read and that they are by two grades. It's been my experience that a framework that goes out for public comment in and of itself has an effect on the field. That's why I feel so good about this particular framework because there's been a very definite improvement in this framework which I think people will take to immediately. Then there will be the fine lines reaction.

As a former math teacher, I want to point out that the coin problem is not just an issue about place value and counting coins but about probability. Students learn the various ways that pennies, dimes, and nickels can be portrayed. It is a very important problem and a good example, for grades 1 and 2, of how it addresses two standards in the framework. This also gets back to the issue of introducing these concepts very early on.

I would like to thank the panel for the tremendous amount of work they put in. I don't think people realize how many hours they were really under the gun with respect to time. They very busy people gave up very valuable time. Not only have those with us today -- Maureen, Victor, Peg, Barbara and Hillel -- done a great job, but the rest of the committee as well. Carole, you are to be complimented for the way in which you went about this task. I look forward to the public review.

## **2. Revisited Health Curriculum Framework – Discussion and Vote**

CHAIRMAN PEYSER: The next frameworks issue involves the Health Curriculum Frameworks. Would those folks who were involved in drafting that document come forward. This framework has been out for public comment and is now back to us for a second time for discussion and vote.

I would like to preface our discussion by saying we had a rather interesting meeting the last time this panel was here before the Board, and the result of that could have gone a number of different ways. The way it did go is quite commendable. I want to thank the committee, the review committee in particular, for being so flexible and open to the opinions that this Board expressed in recrafting the health frameworks in a way that I think personally reflects the kind of revisions I was hoping would be made. I think other members of the Board were hoping for such as well.



I think the document we have before us is very reflective of Board opinion. It is a very strong foundation for a health curriculum framework and health curriculum in our schools as well. So, again, I want to commend you all for the work that you've done. Although the Board has heard a summary before, the document is different now. Could you give us a brief overview of what we've got before us before opening up for discussion?

MS. McMANIS: I'm Dale McManis, I am the evaluator for the Ed Reform Health Initiatives. I would like to briefly go over the areas of concern that were brought up in May and the solutions we've come up with. This resulted in the September 13 draft you have before you.

One area of concern was about a lack of balance in certain areas in the framework, for example, not enough emphasis on the role of individual characteristics and attributes such as character and decision making. Others were: technology and health, the range of resources which students access for support, the positive state of affairs with students, and physical activity. What we have done is address each of these directly in the learning standards and reorder and rename some of the strands to better reflect an emphasis on physical activity, accentuating the positive, dealing with risk, and areas more external to students such as the environment and the community.

A second area of concern was that the May draft was perhaps too ambitious for the actual amount of time that is available to teach health, especially in the upper grades of high school. What the panel has done is take another look at the learning standards, remove several and prioritize what we would like students to be able to know and to demonstrate. We've revisited all of the learning standards for succinctness and the feasibility of coverage in the time available.

With regard to grade level, we have collapsed the 9-10 and 11-12 grade-span to 9-12 and moved to pre-K - 5 and 6-8 to better match how the majority of districts are configured.

The third area of concern was that some of the learning standards were very interdisciplinary in nature and fell into two areas -- law and policy and health statistics. We took many of those that had to do with law and policy and health statistics and created a separate section. We took those standards, put them below the appropriate learning standard, and called them interdisciplinary objectives. We show how they can be matched with history/social science or math. So the implication is that the standards could be taught in health or they could be taught through another subject.

I think that covers the areas of concern and how we addressed those issues. We worked very closely all summer with Dr. Stotsky, which we appreciated, and the Chairman. We have a framework now, as you mentioned, that is very solid. It will provide districts and students with comprehensive school health education, pre-K through 12 that will be of great benefit.

COMMISSIONER DRISCOLL: I would like to thank everyone and introduce in addition to Dale, John Bynoe, our administrator who has done a great job in all areas of support services, most notably in the area of school safety. Nancy Coville and Donna Taylor have worked very hard, as well. Thank you all very much. Dale has done a terrific job and it's not been easy. I also want to mention Carole Thomson who, too, was instrumental in all of this. It is a balancing act to take the tremendous feedback we received at the Falmouth meeting last year, and put it all together. I want to thank Dale, once again. Unfortunately she will be leaving us soon to go to the Department of Public Health. Dale, you have done a terrific job.

DR. DELATTRE: I think you've made great progress from what we had in the way of a health framework. We had run into difficulty because this continues to focus on knowledge, skills and character traits and not sufficiently on the formation of the habits and those decisions that make up sound character. I think we'll run into difficulties between the health framework and the various mandates on character education, but I certainly intend to support the framework. I think you've done really laudable work. I would suggest one sentence that you might wish to change a bit. On page 41, for 6-8, under Self Protection, 9.8 says, "Describe actions and behaviors to protect oneself when alone at home, or in the community, or caring for small children (such as choking and CPR)." I don't recommend choking as an actual behavior to protect oneself from. Perhaps you could find some more instructive alternative.

MS. McMANIS: We'll clarify that.

MS. STOTSKY: I wanted to say that I was very pleased to be part of the process of revising the document from that May meeting. That was the first time I had ever seen the document. I thought it was a wonderful process to go through. There was a lot of collaboration and cooperation by the various people who were on the committee. I want to also commend Dale for the work she did. She worked day-to-day revising and trying to present us with her committee's latest ideas to make this a very readable and usable document for the schools. I'm very pleased with the product that is here.

MR. BYNOE: Mr. Chairman, I would also like to acknowledge Anne Gilligan who is also a member of the group.

**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, adopt the revised Comprehensive Health Curriculum Framework and direct the Commissioner to distribute copies to the Joint Committee on Education, Arts and Humanities for their information, and to public Schools and other interested parties throughout the Commonwealth for use in improving curriculum and instruction in Health.**

**Further, that the Board extend its appreciation to the Department and to the many individuals and groups statewide that helped to revise and strengthen the Comprehensive Health Curriculum Framework as directed by the Education Reform Act of 1993.**

The motion was made by Ms. Crrutchfield and seconded by Dr. Koplik. The vote was unanimous.

#### **CHARTER SCHOOL RENEWALS (Cape Cod Lighthouse Charter School and Marblehead Community Charter School) – Discussion and Vote:**

CHAIRMAN PEYSER: The next item on the agenda is two charter school renewals for Cape Cod Lighthouse Charter School and Marblehead Community Charter School. Edward Kirby from the charter school office will give us a summary of the materials you received on the evaluations of these two schools and will make a recommendation to us.

MR. KIRBY: You have recommendations for renewal of two public charter schools before you, Cape Cod Lighthouse Charter School in Orleans, and Marblehead Community Charter School in Marblehead. Before I address those two schools, just a quick comment on upcoming renewals.

We are concluding review of three candidates for renewal and we'll be coming to you with those recommendations, ideally all of them in October, perhaps one in November if we are late. And we will have four additional schools that are going through the review process right now which we'll bring to you later in the fall, and those recommendations will conclude the first cohort of charter schools in the state, those schools that have started in 1995/96. Among the next seven schools there may be one or more schools that overall has a strong case for renewal but may have some significant weakness in its operation that merits special attention. In such a case the Commissioner may bring a recommendation to you that recommends renewal for the charter school but with the conditions upon the school addressing such a weakness on a set timeline.

Right now I'm working with the Commissioner and the General Counsel's office to make sure that we put together such a recommendation consistent with the statute and regulations. The two schools that you have today are both strong cases for renewal. They have made clear progress, both in terms of their organizational viability and their academic programs. Particularly noteworthy is Cape Cod Community Charter School. It is out in front of all charter schools in the state in terms of developing partnerships beyond its walls with neighboring schools and organizations that benefit the students of the charter school as well as the folks in the surrounding communities and schools. We are looking at Cape Cod and the Parker School as models or standards for the kind of work we expect charter schools to be doing in terms of reaching out to influence Education Reform more broadly as well as learning from their counterparts in neighboring districts.

Each of these schools also shares a common weakness that's clearly indicated in our review. You can also read about it in the inspection report that was provided a week and a half ago. The weakness is that each school has not yet fully articulated its internal academic standards. I would say each is well on its way but this is a problem that is common for

many of the schools, especially those that started in this first cohort. In part, our office is responsible for that lack of clarity. The basic component of the charter school accountability process that asks a school to set out its internal academic standards is the accountability plan which a school works on with us at the end of its first year of operation. Accountability plans are working well and will work much better, but it's one area that we need to do a lot of revision in. The plans are not uniformly strong across schools. We've revised the format for our guidance to schools on accountability plans. These two schools, and all the schools that will be entering their second term or their sixth year, will have to revise their accountability plans before entering that second term relative to this new format. I will end there.

CHAIRMAN PEYSER: I want to underline something that you said and link it to this process which is helping us make determinations about whether charters should be renewed. The evaluation process that we were using for charter schools has real value, not only in terms of our own understanding of what makes them work and not work, but in providing meaningful guidance to the schools themselves on how to improve. This is a critical aspect of an accountability system. The accountability system that's in place for charter schools is not simply about making these binary decisions about yes or no on renewal, but about understanding what drives good schools and high performance, providing certain diagnostic information and feedback to schools from competent outsiders that can be very helpful in approving schools over time. It is not simply a punitive system or a system that exists to drive our own decision making but rather one that could be of great benefit to the schools themselves.

DR. KOPLIK: Referring to the evaluation process -- when you comment on the faculty and their commitment to the curriculum and the principal's and the school's philosophy, is that based upon individual interviews with faculty members at the school or a report given to you by the principal or superintendent?

MR. KIRBY: It's based always on two sources of evidence across all charter schools -- an interviewing protocol during our second and third-year cycle visits through each school, as well as the inspection protocol. It is interviewing both faculty members themselves as well as parents regarding their perception of faculty. It includes board members' perception of faculty and other board members too. In addition, although not in all schools, some will survey staff, students and parents to get at some of these more affective aspects of a school's culture.

DR. DELATTRE: I wonder if you would take a look at number 14 on page 19 of the blue book under Marblehead School. It seems that this is exactly the sort of thing one might expect from the sort of slavish adherence to global themes. Although it's somewhat glossed over here, it seems to me a profound curricular problem. Do you see where I am? I'm on page 19.

MR. KIRBY: Which paragraph heading?

DR. DELATTRE: Paragraph heading 14 in the narrative on Marblehead. Encouraging students to make connections between material being taught in the global themes stems from the school's goal to help students integrate knowledge in meaningful ways. What it leads to, in the example, is not as it's said here, "a distortion of knowledge," but plain and simple falsehood. I want to know what kind of corrective instruction there is, or intellectual restraint on this global theme business, which safeguards the students from being led down this primrose path.

The example that's offered here is that the global theme is "conflict and harmony" and the student states that weeds growing in the garden are in conflict with the other plants and that harmony is restored when weeds are removed. Well, as the text rightly points out, the basic principle of biology and of ecology is that all individual plants, doesn't matter whether they are weeds or flowers or what they are, are in conflict with each other for resources, period. You don't restore harmony; the concept doesn't apply. I wanted to know what kind of intellectual assets there are in the school that safeguard the students from just being carried away by these so-called global themes.

MR. KIRBY: The inspection report points out specific examples like this as well as drawing conclusions about this problem at the school more broadly. This is something we also noted in earlier site review reports. The school has not yet fully or thoroughly articulated academic content standards. The team's opinion is that such lack of articulation and attention to internal content standards sets up a situation where you're more likely to have experiences like this where students are heading down a path like that.

I don't think it will ever be the Department's business to get specific in terms of how the Marblehead Charter School should address staff development. However, what we are doing, and will do more so in the accountability plan process, is demand that the school further articulate its content standards and address what appears to be the core weakness in the academic program. I think further articulation of the content standards will mitigate the risk of incidents like this one.

DR. DELATTRE: Content standards aside, take my question this way. Don't these people know enough about the academic core subjects identified in the Reform Act, including actual sciences and mathematics? Do they know enough to safeguard their students from global theme emphasis that's faithless to the principles of the academic subject?

MR. KIRBY: I think they do. I don't know whether it's explicit in the inspection report, but in my interaction with the inspection team and my debriefing with them about this charter school, one obvious problem they noted was a lack of articulation of content standards. What the team noted despite this explicit articulation, is that the teachers in core subject areas actually do know their content. It was quite evident in classroom observations but obviously not in this particular observation.

CHAIRMAN PEYSER: These are anecdotal observations, and pardon me if I'm wrong. I believe they are used here because they tend to be consistent with the general observations that the team has. So in other words, they tend to highlight a conclusion, or a more general observation that the team made than simply an isolated event from which they've drawn conclusions for which the event may not fully bear the weight. I do think, getting back to the earlier point, that this is admirably culled out in the report as a weakness. The desire to apply the global themes universally, sometimes as this example suggests, introduces perhaps a tortured attempt on the part of staff or students to make everything fit in the theme when they don't necessarily do so. In any event, I do think it's very important that the evaluation report points this out. I do agree with what Ed said. It does represent a weakness and something that the school needs to work on.

DR. DELATTRE: Notice that sewn in the global theme is a deeper problem that's not testified to here. It's shown in what the child did in this case. The deeper problem is that it's implicit in this entire theme that conflict is always undesirable and harmony desirable. That's simply false.

MR. LaFLAMME: In your earlier comments you said that in upcoming charter renewal cases there might be situations in which the Board would make a recommendation for renewal of the charter contingent upon completion of specific goals within a specific time frame. Do you believe that not keeping pace with public articulation or codification of academic standards might justify a conditional recommendation in this case, or do you think that the merits of the school are enough for a full recommendation of renewal, trusting that the accountability plan will rectify that situation?

MR. KIRBY: No, I don't think that this deficiency merits a special condition. For every charter school which has completed its fourth year, no one has fully met its own expectations, nor ours, nor an inspection team's in terms of full articulation of internal standards, whether in content or skills. Again, part of that is the fact that just as charter schools have started from scratch, so has our accountability process four years ago. Our clarity and our expectations in terms of accountability plans and standards development has been getting clearer all along, but certainly wasn't there at the chartering process for these schools. Both Cape Cod Lighthouse Charter School and Marblehead Community started from scratch four years ago. Part of this is a first charter term issue. Were this a school in its second term without full articulation it would be a real problem. I think it's part of the school's evolution.

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

**VOTED: that the Board of Education, in accordance with G.L. c.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 each of the following schools for the five-year from July 1, 2000, through June 30, 2005, as recommended by the Commissioner:**

**Commonwealth Charters:**

- 1. Cape Cod Lighthouse Charter School  
Location: Orleans**

**2. Marblehead Community Charter Public School**  
**Location: Marblehead**

**Each said charter school shall be operated in accordance with the provisions of G.L. c. 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 Mr. Baker and seconded by Dr. Koplik, the vote was unanimous.

**ADOPTION OF SCHOOL AND DISTRICT ACCOUNTABILITY SYSTEM AND AMENDMENTS TO REGULATIONS ON UNDER-PERFORMING SCHOOLS AND DISTRICTS (603 CMR 2.00) -**

CHAIRMAN PEYSER: The next item on the agenda is the final discussion and vote on the school and district accountability system which has been out for public comment and is now returned in a somewhat modified form. Before opening this subject up, I'd like to read a brief statement about this to clarify some of the misconceptions about what is being suggested here and what is not.

As you know, schools under this formulation will be placed on a 6 by 4 matrix based on a combination of their overall MCAS performance and their improvement over time. Schools will not simply be ranked low to high on the basis of their average MCAS scores. Schools will not be deemed underperforming on the basis of their rating from this matrix. Indeed no judgment whatsoever will be made about school quality on the basis of MCAS performance alone, especially during this first year. The rating system is used simply to identify those schools, particularly at both ends of the performance spectrum, which deserve closer evaluation. This will be true this year when we do not intend to use descriptive labels on the rating matrix itself, but a wealth of available data plus, if necessary, detailed on-site inspection by experienced qualified educators. There seems to be a fear that the accountability system will defame good schools that operate under difficult circumstances. I believe the opposite will likely be true because the rating method includes an improvement factor and because schools that receive a low grade will be subject to more in-depth evaluation. I expect that many schools that might otherwise look bad on paper will be shown to be of sound quality.

Others fear that we are moving too swiftly and that schools should not be held accountable under this system until all the bugs are worked out. The only way we will ever deliver this system is to apply it in the coming year. It is not our intention to label schools but rather to use the data that is produced by the rating system to narrowly target our evaluations so we can move rapidly up the learning curve and make the most of our limited resources. Moreover, I'm inclined to err on the side of early evaluation so schools are not allowed to languish without some kind of timely remedial intervention. I believe what we have before us is sound and fair and I hope the Board will give it its final approval.

COMMISSIONER DRISCOLL: You have the regulations before you after the public comment. You also have a copy of all the comments. What you have today is a summary and a side-by-side of the public comment and our response.

This matter has been before this Board in November, January, April, May, June, and now back after public comment. I agree with the Chairman that the remarks are outstanding. Let me be clear, we are not using MCAS as the only measure. This is simply not the case. I think the Chairman has articulated that very well.

I'm pleased to introduce Paula Girouard, and I think everyone in the Commonwealth now knows Julianne Dow and Denise Delorey who have worked so diligently on this issue. The whole accountability unit has been tremendous in the work and outreach that they have undertaken. So it is before you, Mr. Chairman and members of the Board, and I would urge you to support this and approve it. I think it will be a major step forward in our ongoing effort to work with schools.

CHAIRMAN PEYSER: Julianne, could you quickly describe any changes that have been made between the current draft of the regulations from what was before us previously?

MS. DOW : They are indicated on the document with lines on the side. The key things are: (1) we clarified that we will be looking at multiple indicators when we do the review panel process for any schools flagged as a result of failure to improve on MCAS (2) the documents that are created are evaluative documents (3) the district improvement, district evaluation will be public, shared with the district, and the community (4) there will be an opportunity for the district to respond in writing to any fact-finding reports, and (5) the Board will receive not only the fact-finding team's report but also the response from the community. (6) We've also included, in the body of the regulations, time frames which appear in the statute but which people found confusing when they did not appear side by side with the actions outlined in the regulations. We have added those time frames even though they are redundant as they appear elsewhere in the statute. I think those are the major changes in the regulations.

Before we issue a final version of the district and school district accountability system document, there are clarifications that people had asked for which we will include in that final document. Among them is the clarification about whether we are using a single number as a target or a range for the improvement. We are using a range for improvement, which will be the numerical relationship of Failing to Meets Expectation. It will include clarification of those details. We are also working on some technical commentary which will explain how we will handle schools of small sizes and schools that change over time so that people, who commented on the more technical aspects of the system, will have additional documentation addressing those issues.

MR. LaFLAMME: Two comments. First of all, the pages aren't numbered, but I'm looking at the summary of public comments on the Proposed School and District Accountability System. I'm referring to the page which says, "Multiple measures should be used to determine all school performance." The Department responds to that, just reading the first sentence as, "The Commissioner and the Board have considered the use of additional indicators and plan to implement a multi-stage system." I'm sure the Commissioner spoke about this particular proposal before the Board more than once and I realize I wasn't here for some of that, but my question is : When we say implement a multi-stage system, does that mean multi-stage as far as schools that may be flagged for academic warning or underperforming, or does that mean that an overall system using multiple indicators and not just MCAS will be used? I'm unclear on the meaning of that phrase.

MS. DOW : The MCAS, as described in the proposal and in the regulations, will be used as the first phase. The first stage will be used to screen all schools as to their absolute performance and improvement on MCAS. That will be used to determine which schools should be further reviewed at a second stage. At that second stage in our review of individual schools, multiple indicators will be reviewed and that process will occur before any determination is made as to whether or not a school should be deemed underperforming. Similarly, in evaluating district performance, multiple indicators will be used. MCAS will be only one of the factors used in determining what the performance is of a district. Obviously, when you're looking at a district you're looking at their performance as a whole and as a selection of individual schools, and that will be looking at multiple indicators within individual schools in a district.

MR. LaFLAMME: Thank you. Just one other thought. Looking at the proposed amendments, specifically the page with definitions, you give a definition of Independent Fact-Finding Team describing the composition of the fact-finding team -- "The Department shall recruit, from among elementary and secondary educators and administrators, college and university faculty and administrators, educational program administrators and evaluators, other education professionals, business and legal professionals, parents, and members of the general public to serve as team members." Then it goes on to say that the specifics in that composition of the team will be determined by the Commissioner. Would students be a group that might be added to that list? It would seem that by listing all of those groups that all groups would offer unique perspectives on evaluating the school and possible reasons for a school or district's underperformance. So perhaps the Board should entertain adding students to that potential list for their unique contribution and perspective on that matter.

CHAIRMAN PEYSER: I think that's a reasonable addition. I would certainly support it but we might bring that up when we get to the final approval. Stan?

DR. KOPLIK: I want to speak briefly to an issue that I feel very strongly about. I don't see it included in our final report, particularly as it relates to schools referred for review. First, it was disappointing this morning to hear from a number of presenters who oppose the single measure issue, the MCAS issue. They talked about adding attendance, dropout, SAT's, extracurricular activities, but I think they left out one that is more important. It's the issue of parent or guardian involvement. As I look on our revisions here under page 3B, we talk about each school being referred for a

year. We have this attendance business and dropout, but we don't have anything about parent or guardian involvement. Is it somewhere else in this document? Because if it's not, I would like to suggest to the Board that it needs to be included at least under B here and, frankly, if it's not, I can't support the document.

DR. THERNSTROM: Stan, can I ask a question? As measured by what?

DR. KOPLIK: Pick a few variables. How many times the parent has been involved in a student/teacher/parent conference, for example. There is abundant research that supports the notion that the more that you involve the parent or guardian, the more likely you will see a progression in student performance. If we are talking about schools referred for review we need to document involvement of the parent in some measurable way. Let's document how many conferences there have been. Perhaps when the report card is issued there has to be a hand-delivery of that report card for certain students. I think there are people who have very fertile imaginations who can do a wonderful job providing that list of items that you would want to measure, but we don't even speak about parent or guardian involvement here. I think it's an omission on our part.

COMMISSIONER DRISCOLL: I think it's a couple things. First of all, it is referred to in our system. It's interesting, Marcel, you used the term flag. I have been struggling with an idea to get by this issue. MCAS is the first flag, like a mailbox where the flag goes up. In the case of MCAS the flag may go up but we then look in the mailbox to see if there are bill's overdue, a lottery check or whatever in that mailbox. We definitely want to go in that mailbox and look at a number of issues. Stan, in our system we ask the questions which relate back to our experience in Lawrence. Parent involvement was a huge issue. It involved the issues of parent attendance at events, how parents were informed and included, parental consent and the use of parent liaisons. They weren't collecting data because it wasn't a data issue but a parent-involvement issue. I would refer you to the last question as a sample of the kind of things we will look at when we go out. It says, "Is the district effectively using parents?" If there is a way this Board can approve this, we will work in parents. I think it would be well to have it in there.

DR. KOPLIK: Why couldn't it be in that paragraph there?

COMMISSIONER DRISCOLL: It certainly can. I want to point out that it certainly is an oversight.

MS. DOW: I think it would be in paragraph A because it's not data the Department currently has but A talks about the school that has been referred for review gathering additional information to present, and we could certainly add it into that paragraph as one of the sub-numbered items.

DR. SCHAEFER: I do think Stan raises a good point. There is a lot of work being done on this now but I do think we should keep in mind that the districts themselves, the schools themselves, probably don't have this kind of data. We would be asking them to do something additional, which is not to say that we should not, because I think that the literature shows there is a valuable link between parental involvement and student achievement. I know that in Worcester we have been working on some things in an attempt to try to get to that but it will mean a lot of data collection for schools and districts that they don't currently do.

The other thing I wanted to say is I think Jim's opening remarks were very good. We would all appreciate it if the press took note of exactly what he said. In fact, I would ask Jim to make those remarks available to the press so that it is reported correctly.

MR. BAKER: Is there a way to make those available? What is the reason for making those available?

MS. CRUTCHFIELD: It would hopefully be accuracy.

DR. SCHAEFER: So it is reported accurately. I also would like to thank the staff for their perseverance in working this through and for all the deliberations that have gone into it. This is a good start at an accountability system we can be proud of.

MS. CRUTCHFIELD: Are we clear on adding the notion of parent or guardian involvement in paragraph A?

COMMISSIONER DRISCOLL: Yes.

DR. THERNSTROM: I feel as if I'm taking on apple pie and motherhood here, but there are two points I'd like to make. One -- I can't tell you how many teachers and principals have told me they've made enormous efforts to pull parents into schools and their efforts have come to naught. My understanding of the literature is that the findings are quite inconclusive with respect to parent involvement, specifically in school as opposed to parents reading with kids at home, et cetera. If you look at the literature on the "Catholic Factor" that is, why parochial schools are doing much better with inner city kids on average than public schools, it seems evident those schools do not have a higher level of parental involvement in the actual school component of the child's education.

CHAIRMAN PEYSER: I think the unfortunate reality is that the statistical correlations exist on very few variables so it is not necessarily worse than some of the others, but we are dealing in an area where the kind of data will vary quite dramatically from school to school or district to district.

DR. THERNSTROM: I just hate to ask of schools something that is very difficult for many of them to deliver on.

DR. DELATTRE: I think that at least some of what the critics of this accountability system say is true. It is driven by MCAS; there's no denying it. MCAS is the engine of it. While you all trust MCAS more than I do, I'm not supportive of a system that relies as heavily on MCAS as this one does. When we talk about the flag on the mailbox and looking in the mailbox and what you've just described about parental involvement -- the language here is a review process with indicators -- we're going to be looking for everything under the sun in that mailbox. There's going to be nothing objective about it. There's no plan here and no personnel for a systematic inspection and evaluation program to go as a follow-up to MCAS.

I've made these objections before. I don't think this is defensible as it stands. I don't think you can make it defensible by looking at this or that, because it will still be a lick and a promise as in the case of this parental involvement. I never went to a parent conference with a teacher in my life. I thought it was more important to be home working on books and mathematics with our children. In any case, I will vote against this.

CHAIRMAN PEYSER: One quick follow-up is that in terms of the further fleshing out of protocols for the inspection and evaluation process, certainly the Board members need to be apprised of them as they become available and obviously the Department can solicit comment on them.

DR. THERNSTROM: Let me add one more thing on this. It's not only asking the schools something that may be hard for them to deliver on. Parental involvement, it seems to me, and this builds on something Ed just said, is inevitably squooshy and I'm unhappy about adding squooshy criteria.

DR. SCHAEFER: I think that we can pick indicators that can be measured in this. We are not talking about the number of parents who attend a football game. We are talking about things that are directly related to a student's achievement. The parent conference issue serves as a surrogate for what's going on at home as well because it sends a message to kids that school is important, "My parents think it's important enough to show up at the school." That's not to say that things are not going on at home, but it's sort of a surrogate measure for what is going on. And while it will not be the only indicator, it is something that should be included.

MR. BAKER: I want to comment in response to Ed's piece using a non-educational analogy. MCAS is certainly not perfect but there's no question that you need some kind of canary in the coal mine somewhere. People look at this stuff in private companies by measuring cash generated from ongoing operations. There are a whole bunch of things that can be going on inside any kind of a corporate entity that are associated with profits and all factors associated with one-timers, accounting adjustments and the rest. But if your organization is losing cash from ongoing operations every quarter, that tells you automatically that there's something wrong with what you're doing and it requires that you start a diagnostic to try to figure out what your problem is. In this place, Ed, you've got to start somewhere.

DR. DELATTRE: Absolutely, and the coordination of the frameworks with the tests and the competence of the tests would be a fine place to start, but until that's done you don't have any analogy with cash generated. Having served on a number of corporate boards, I know there's no analogy to MCAS as it now stands and the kind of questions and the development of MCAS that is imminent unless there is a very substantial and dramatic transformation in how



these tests are developed and who develops them. I'm appreciative of the analogy, I just deny it applies in this case to MCAS.

MR. BAKER: I'm going to vote for it because I think you've got to start somewhere.

DR. KOPLIK: I appreciate and respect Abbie's view on the squooshiness of the data, but is it really any more squooshy than attendance data which groups together students who may have been in school all day or part of a day? I don't think so.

DR. THERNSTROM: Well, Stan, as you know, I've been complaining about the unreliability of the attendance data from day one, but when Dave Driscoll and others tell me that that attendance data will be better gathered, I decided to shut up on that one. But that is not arguing for going on to another squooshy indicator.

DR. DELATTRE: I've been involved in situations where you knew perfectly well that if you involve the parents in the school, you were running the risk, because of alcohol and other abuses, that the kid would be thrashed at home or beat up badly. A datum that says we brought this parent to the school to testify in favor of the wisdom and quality of the school system is a datum that's misused. It takes a lot more subtlety about what to do in the interests of the child than just to say, "We need to visit with this child's parent. "

DR. THERNSTROM: And that subtlety cannot be captured in some kind of checkoff list.

MR. LaFLAMME: The entire mission of this independent fact-finding team is subject to a bit of squooshiness. In the end when moving beyond MCAS results, how do you weigh all of these categories? Is there a cut-off number at which a school's automatically declared underperforming? It would seem that there's a certain subjectivity inherent in the task of the fact-finding team, so I don't think having subjective data involved in that assessment process is necessarily a bad thing. I think the assessment itself is somewhat subjective.

DR. THERNSTROM: Do we want to make it more or less? That's all.

DR. DELATTRE: Do you want them to find facts or do you want them to find something else?

DR. SCHAEFER: I suspect that when a team goes in it's going to be an overall judgment of the school, the data, the overall climate and those things. Those cannot be measured.

DR. DELATTRE: It depends, doesn't it, on what the people know? And we don't have any criteria for their selection. None.

DR. SCHAEFER: For the selection of the fact-finding team?

DR. DELATTRE: Or the review teams.

MR. LaFLAMME: For me it's not quite as difficult an issue as it is for Dr. Delattre. If we are looking at that protocol and looking at approaching it with some specificity, how are we going ahead with that? Will there be supplemental regulations? Will these be amended?

CHAIRMAN PEYSER: Maybe Julianne can answer but I don't think regulatory changes will be necessary. That's more of an implementation issue.

MS. DOW: The protocols will be brought and shared with the Board and before that with the broader community of practitioners and the general public.

MR. LaFLAMME: Over the next few months?

MS. DOW: Yes, over the next several months. They are in process now. What we have now lays out the design, the broad parameters of a system. Now we will move out of the design and into the implementation stage. The first part of implementation is designing those standards and protocols that are more complex than the one we have that raises that

first flag, looking at one indicator. The school-review process, the fact-finding process and the district-performance-evaluation process are complex undertakings. They are undertakings that are going to require judgment. That is one of the reasons why Ed has the concerns that he has. They are judgments that are going to have to be made by people who are using a set of standards that have been agreed upon by this body, generally accepted, and then performed with care by people able to exercise judgment we can trust. For Ed the jury is out about what the quality of this will be. One of the things we need is this framework in order to move forward. This expresses a design.

CHAIRMAN PEYSER: Any other issues to be raised? What I'd like to do, given the discussion, is take a vote on the two amendments that have been offered. Stan, if you want to reword my summary of the motion please do.

One is that we add the term "parental involvement" in section 4A as one of the pieces of data that will be submitted by the school or district to the Department as part of the fact-finding team to review. And then second, to the extent practical, that a few students be recruited as part of the fact-finding team. One of the issues is the amount of time that such an endeavor would take, especially time during the regular day, in-school day.

MR. LaFLAMME: Certainly, but I think the same proviso applies to business and legal professionals and full-time working parents.

CHAIRMAN PEYSER: Maybe we should use that proviso to cover all categories.

MR. LaFLAMME: I think it's implicit. I don't think it's a special category of students.

CHAIRMAN PEYSER: Fair enough.

CHAIRMAN PEYSER: Let's deal with those in that order. The first is the amendment on parental involvement. Would you like to make a clarification?

DR. KOPLIK: No, I think the people who draft it will put in parental/guardian involvement. I would like to make that motion as summarized by Chairman Peyser, that we add it to section 4A.

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

**VOTED:** that the Board of Education amend the proposed amendments to the Regulations on Under-Performing Schools and School Districts, 603 CMR 2.00, as presented by the Commissioner, by adding to *section 4A* a reference to schools involving parents and guardians in their children's education.

The motion was made by Dr. Koplik and seconded by Ms. Crutchfield. The motion carried by a vote of 6-1-1, with Dr. Thernstrom opposed and Dr. Delattre abstaining.

CHAIRMAN PEYSER: And next, the second motion is on adding students to the list of groups of individuals who will be recruited for fact-finding teams.

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

**VOTED:** that the Board of Education amend the proposed amendments to the Regulations on Under-Performing Schools and School Districts, 603 CMR 2.00, as presented by the Commissioner, by adding to the definition of Independent Fact-Finding Team in *section 2.02* the word "students" as a group from which the Commissioner may make appointments.

The motion was made by Mr. LaFlamme and seconded by Ms. Crutchfield. The motion carried by a vote of 7-1, with Dr. Delattre opposed.

DR. DELATTRE: Yes. When you made the motion you said that you thought the various headings, occupational headings, that were included here were because they could bring different perspectives to the site visit. I don't myself share that view. I think it has to be what people know and not what their perspectives are. And on those grounds I'm

going to oppose the addition of the student.

MR. LaFLAMME: I could argue that students have a unique knowledge in that situation in that they are perhaps uniquely in the trenches and uniquely able to comment on why a school might be underperforming. I think that is knowledge of a sort and not simply an opinion or a perspective.

DR. DELATTRE: Well, there is nobody in any of the headings presently in the list who has not at some time been a student.

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

**VOTED:** that the Board of Education, having solicited and reviewed public comment on the proposed School and District Accountability System and on proposed amendments to the Regulations on Under-Performing Schools and School Districts, 603 CMR 2.00, in accordance with G.L. c. 69, §§ 1B, 1J and 1K and the Administrative Procedure Act, G.L. c. 30A, § 3, hereby adopt said Accountability System and said amendments to 603 CMR 2.00, as amended.

The motion was made by Dr. Koplik and seconded by Ms. Crutchfield. The motion carried by a vote of 7-1, with Dr. Delattre opposed.

#### **ADOPTION OF EMERGENCY REGULATIONS FOR ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE (603 CMR 42.00) – Vote**

COMMISSIONER DRISCOLL: This is an issue by statute. Essex County is being abolished. We are caught in this dilemma where a budget has not been approved and there is hopefully a part of the budget monies to keep the school running. Absent that, we are looking for these emergency regulations. It is really an emergency in the real sense of the word. We are looking for you to approve this so we can transition from where the county went away on June 30 and where it can't be until the budget is established.

CHAIRMAN PEYSER: Any financial implications to the Department as a result of all of this?

MR. WULFSON: Only the burden of supervision of the school, but that's already our burden. It doesn't change that.

MR. KOPLIK: That's why they are expanding the building that Dave talked about.

MR. WULFSON: That's where the accountability system comes in.

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

**VOTED:** that the Board of Education, in accordance with G.L. c.69, and St. 1997, c.48, Section 7A, as amended by St. 1998, c.300, Section 21, hereby adopt the Regulations on Agricultural High Schools, 603 CMR 42.00.

**Further, in accordance with the Administrative Procedure Act, G.L.c. 30A, Section 3, the Board finds that the immediate adoption of these regulations is necessary for the preservation of the general welfare, in order to ensure that the Essex Agricultural and Technical Institute can continue to operate, for the benefit of its students, pending enactment of necessary legislation. The Board further finds that observance of the requirements of prior notice and public comment would be contrary to the public interest, because the delay entailed by observing such requirements would jeopardize the continued operation of the Essex Agricultural and an opportunity for public comment on the emergency regulations, in accordance with the requirements of G.L. c. 30A, Section 3, within the next three months.**

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

#### **CHAPTER 70: SCHOOL FINANCE – Continuing discussion**

CHAIRMAN PEYSER: There is a committee of this Board which is chaired by Charles Baker that has been meeting over the last month discussing various ideas and approaches associated with school finance reform. There is a memo from that committee and at this point I'll turn to Charlie for a brief summary of what the discussion has yielded to date.

MR. BAKER: The very short answer is most people would like to simplify going forward with a lot of the calculations that ultimately add up into the Chapter 70 formula. That would mean trying to simplify both the foundation piece and some of the criteria. What we were talking about is whether or not you could create something that would be a baseline per-pupil calculation that would vary depending upon elementary, secondary and high school, and then make some adjustments to that based on some of the data that DOE already has about demographic and economic information. We would then ask the foundation budget review committee to take a look at how hard it would be to move to more of a uniform per-pupil amount calculation over time.

I think on the actual formula itself we were talking about whether you can simply get this into two categories. One that would be a baseline carry-over category, and a second which would be foundation adjustments used to ensure people's foundation status. We kicked around the idea of trying to simplify the way we calculate the local minimums basically using an average dollar calculation. Jeff Wulfson gave me a memo this morning which says, not surprisingly, this creates all sorts of interesting dynamics, but also raises the question about whether or not the way we do the minimum required contribution formula based upon historic points in time makes a lot of sense. I looked through this thing and thought that doing something that's uniform across the board, once you use an equalized value calculation, would be the right way to determine local minimum contribution.

You have spreads in here worth 300 and 400 percent in both directions which says that where everybody was at the point in time they calculated it the first time set their position in life going forward for better or for worse. I don't have any bright ideas about how to overcome the notion of trying to create a uniform and simple standard around this and dealing with all the ramifications associated with doing something like that. I do think that's something that's worth getting further comment on from various folks, both at the municipal and state level. This is one of those things, once people decide they want to pursue the policy objective, you could create band widths on both ends in trying to implement it over a period of time like we did with Education Reform in the first place. But you need to have a fairly high degree of consensus from people going in that they want to move in that direction because getting there is going to be politically complicated.

I was trying to clean up a lot of the Schedule 19 data around definitions and the way people develop and submit their schedules, because, clearly, if you actually want to get to the point where you're using a real per-pupil standard to do a lot of the calculations going forward, you have to be sure your baseline information is good. Everybody would agree that most of that has been automated and put in an on-line dissemination and distribution capacity recently. This does give you the ability to clean up a lot of the definitional issues if you choose to pursue it. We've also had a couple conversations about the information about SBAB, one of my favorite hobby horses.

MR. WULFSON: The report has been circulated for draft comments as have others.

MR. BAKER: I think the good news on this one is they did a heck of a lot of work. After the one meeting I attended, I was really encouraged by where they were going. It was incredibly sophisticated and very forward looking about how to meld together the financial, practical, operational and political realities of the projects.

MR. WULFSON: Obviously, we'll wait to have the Governor and Secretary release the report before we distribute it, but I can tell you a significant number of the recommendations would require legislative action. There are also a fair number that the Commissioner has indicated to the Secretary's office that we will try to implement administratively as soon as they are released.

MR. BAKER: And finally, I think we have got some work to do in thinking about an FY 2001 budget. If we want to give something useful to the administration, we need to give them some sense about where we are on that before the end of October. That's when it really starts to move pretty quickly, unless you get into early November. There's a general consensus about how to think about it. Obviously, until the new one, 2000 is going to look like it's hard to know exactly how to proceed. Simplifying the foundation formula, by the way, comes with 14 pages of queries and

comments about how do you actually do that as a practical reality. I think it's a conceptual objective that everybody is trying to move forward.

CHAIRMAN PEYSER: We did have some discussion about whether the foundation formula/Chapter 70 ought to somehow be integrated with some measure of performance. I think we agreed on the committee that that would not be appropriate. Not that it isn't attractive in some respects, but that it may undermine the basic consensus, not only politically but legally, around the purposes of Chapter 70 and Foundation Aid in terms of their adequacy and equity. We did not believe that performance ought to be integrated into the way schools are funded by Chapter 70 but that there ought to be some consideration through the grant-making capacities of the Department to think about how to integrate performance in order to provide certain rewards and incentives for things for improvement.

Also in the context of a discussion around data collection, we specifically talked about collecting data on a school level rather than simply a district level. This would be a means of laying a foundation for what will likely be a future discussion about the extent to which we can introduce school-based appropriations into the Chapter 70 mechanism in the absence of data, and how funds are actually expended at the school level.

It's probably premature to push fully in that direction, but what we talked about was looking towards FY 2002 as a year to think about introducing some form and some measure of school-based rather than district-based funding. There are many details that need to be filled in here. There are other issues the committee needs to deal with before the Board is in a position to make decisions about crafting the 2001 budget, and making recommendations to the Governor and legislature around reforming school finance in general, Chapter 70 in particular. The committee has more work to do but it would be valuable to get any additional feedback here from the Board members on the direction we are heading, and the kind of observations that have been made today. . . Does silence mean consent?

COMMISSIONER DRISCOLL: There you go.

CHAIRMAN PEYSER: With that maybe we can segue into the 2001 budget.

COMMISSIONER DRISCOLL: Even though there's silence on the issue I think the way the subcommittee has summarized the findings is very important to us because a lot needs to happen quickly on Chapter 70. We don't know if the legislative committee is going to come out with a report. As Charlie mentioned, all this will start developing pretty quickly so this will be helpful as a first start.

CHAIRMAN PEYSER: We are skipping one item on the agenda here which is good; it makes more sense.

COMMISSIONER DRISCOLL: I think that Administration and Finance is already sending signals that we cannot continue in the future as we have in the past with the kind of increases that have occurred. The economy isn't going to keep booming forever. We haven't got a specific guideline, but using the numbers people are talking about, and assuming there is a commitment to continue the increase each year to keep people at foundation level, we are using a target of approximately \$245 million to go on. This does represent \$267 million but \$208 million of that is already built in. I might point out that we did deliberately use the lower number of the two House and Senate budgets. If, for example, on academic support, the Senate prevails or prevails half, that means there will be a \$10 million reduction which reduces by \$10 million what I've increased. In other words, this is the maximum. \$267 is an absolute maximum. I would argue that they can't be holding out this long in the House and Senate not to come out with a compromise. I can't believe one branch is going to win totally. There are going to be compromises all the way down the line, and educational funding is arguably one of the top issues if not the top issue along with tax cuts. If they do what may happen in terms of compromise, we are only up to about \$225 million, \$208 million of which is built in.

I have level-funded an awful lot of items, eliminated others, and included a couple of initiatives. The thing I want to point out is that hidden in all of this is the authorization for what really begins in 2002. I have made a reduction in what would normally be expected in that account, and that goes back to the point that Charlie made, the issue has to be addressed. Now, it can be addressed in such a way that the government says we are fine with this program, it's going to cost what the test is going to cost, which is a tremendous amount and that's fine. I think the fear is in the commitment. This is a program that goes along, goes along, goes along and has almost a geometric effect because what we approve now has a 20-year commitment. Someway, somehow this has to be addressed.

I know this is the first time that you've seen this budget, but we are going to be required to finalize this in October so I, and I'm sure the Board, would be interested in either additions or subtractions. It's really pretty straightforward. We do have initiatives around leadership, school and district administrators, teacher mentoring, and alternative education. I think we have to provide state funding for local district programs that attempt to deal with kids that disruptive the learning for other students. We have to step forward. I want to step forward as Commissioner and put money into this area to see whether we can develop programs. There are a number of alternative programs in our major urban districts but I think it's something that needs to happen statewide. That's where we stand, at this point.

CHAIRMAN PEYSER: If I may underline your comments. From what I am hearing and what I gather from talking to folks, I think we are in the \$200 to \$250 million range. Obviously we don't know what the baseline is yet, so it makes it hard to have this conversation. Given just a couple of major items which are, for all practical purposes, nonnegotiable, we are consuming most of that right off the bat. There really aren't a whole lot of resources lying around. Education has been receiving something on the order of 50 percent of all the new money that's been coming into the state. I can't imagine that ratio will continue. There is a lot of pent-up demand in the legislature and elsewhere for reordering the priority after a seven-year investment boom in education. Some of us may bemoan that right, but it's one we need to grapple with in developing our budget proposals so that our proposal is part of a deliberative process that will yield a final budget rather than something that reflects a wish list that is too easily dismissed. So I commend the Commissioner for setting the tone here for this discussion and for trying to focus our attention on our actual priorities rather than simply trying to increase spending across the Board.

DR. DELATTRE: I'd like to talk a bit about the student assessment budget and the timetable. If I understand correctly, the bid deadline on the RFR for MCAS was last --

MR. WULFSON: Yesterday.

DR. DELATTRE: The suggestion is there will be a recommendation of a contractor at the Board meeting in November.

CHAIRMAN PEYSER: December.

COMMISSIONER DRISCOLL: We can get a progress report as we go along but it might take a while.

DR. DELATTRE: I would like to request that between now and then the Board reach a decision, or that there be something on the agenda that the Board approve, and not only the contract but the terms of the contract. As you requested of me, I bring these matters up under the heading of the budget because I want to know what the scope of work and deliverables are going to be in the contract with Advanced Systems or anybody else. I want to see the complete budget for the personnel and the duties of the people in the Office of Academic Affairs, with detailed estimates on DOE staff and consultants we will need to enable that office to do what it can best, and limit psychometricians with external contracts for doing psychometrics. We need a discussion of the budget before any final decisions are made about budget. We need to have a very careful look at the budget required to have everything done internally that the Deputy Commissioner for Academic Affairs needs to do with respect to MCAS, as well as any matters having to do with teacher certification testing. We need to know those things in detail before we make a decision about the contractor or the terms of the contract and before we make any final recommendations on the budget.

CHAIRMAN PEYSER: So in terms of the budget structure here, that might entail, if I'm interpreting this correctly, Ed, shifting some funds from the student assessment line to the Department operating budget.

DR. DELATTRE: Yes, and I can't tell what's needed where without a breakdown here. I have no idea yet what's planned for the staff of the Office of Academic Affairs. As you know, I believe that has to be addressed before the adoption of the next budget.

CHAIRMAN PEYSER: I think this perhaps raises a somewhat larger question which probably should be addressed in the first instance by the Budget and Finance Committee. What is the extent to which a Board can receive an operating budget for the Department or a preview of where the initial budget cycle is along with some sense of what is inside the box under Department operating budget. This would not be for approval in the context of this budget submission, but

for our own fiduciary responsibility for the benefit of the Department. I think it relates to this issue, and to the extent there is such a budget for our review, it would address what resources go where within the Department. This also relates directly to the balance between Department responsibility and contractor responsibility on the MCAS. Stan?

DR. KOPLIK: I would like to initiate a brief discussion on behalf of a program I seek expansion for. I'm referring to the Dual Enrollment Program. We are at approximately a million eight and I will attest to the success of the program to date. If we're going to approve a budget next month, I'd alert the Board that I will make the motion next month to expand the program to roughly \$3 million. I will provide David with some additional information. This is a program that in effect we work on together. The money's here and the institutions are in my arena. I will provide some history of the program to date and maybe we can incorporate that into next month's discussion.

COMMISSIONER DRISCOLL: It may be, Stanley, that in order to arrive at this number we had to level fund a number of programs. I think programs like Attracting Excellence, programs like Dual Enrollment really are driven by the data and to some extent you don't know from year to year. It may be that our best approach is to continue the aggressive approach we have to offer this program to more and more and more students because it's been very beneficial. We could then seek a logical supplementary budget when we have the data, otherwise, the legislature or the administration is going to look at the previous spending level and just knock it off. What's probably the more efficacious strategy now is to just increase the budget, but if we are aggressive and these students qualify, we will have to pay it. That's the perfect time to ask for a supplementary budget because you've proven what you've had to do.

DR. KOPLIK: Actually, what I will show you and the Board members is that in a sense we are limited by the appropriation. We can't take anybody in the program for whom we cannot pay, so I need to convince the Board that there is a sufficient and compelling waiting list that we have denied in order to expand this appropriation. I will attempt to do that.

DR. THERNSTROM: Jim, one of the problems we have in determining how many dollars should go where, and what our priorities are, is that so many of the programs are in screaming need of evaluation. Look at the list. Obviously METCO is way overdue for a proper evaluation. The after-school programs, the early-literacy programs, even the Head Start, there's a huge range of quality. We need to have regular evaluation or at least the initiation of evaluation of a range of programs that we fund.

CHAIRMAN PEYSER: I think this may get back to the earlier discussion about understanding the Department's operating budget to the extent there is an amount of money, if that's the right term to use here, set aside for research within the context of the Department's operating budget. That would be good to know. An alternative might be, and I don't know the extent to which this is feasible given some statutory issues, to build evaluation into the program line items as a standard course of operation. We'd see to it that some amount of money adequate to do a competent evaluation of a program is part of every program line item.

DR. THERNSTROM: With respect to METCO, I believe that a component, in the initial legislation, was an evaluation of the program. That has never been done and I would like to see some of that METCO funding go at this point to the beginning of a rigorous evaluation.

COMMISSIONER DRISCOLL: We are required to start the process very early. We need to get recommendations to the administration in the next month. It can work to the advantage of what's been asked here both in the case of evaluation of research or the assessment contract that's now being looked at. It isn't directly related to budget, although it could be. Ed's point about what we'll need for funding may be the larger issue. The way in which the contract is eventually approved, and it may or may not have significant financial implications, is to propose to you, Mr. Chairman, a budget and see to it that we provide the flexibility within that budget to take care of the Board's needs. I think we've come a long way. I would be very nervous about that a couple years ago.

The one thing I should have mentioned in this budget is the reality. There were line items in this budget that were not accurate. They just did not reflect the real costs. Both the operation budget and the assessment budget are probably the two most important examples and we knew going in we didn't have enough money and that's just not right. So this budget puts in a proper number in each of the line items. We have stopped using people who are really not on federal programs we paid out of federal funds. We started that process probably a year and a half ago, we have done an excellent job in that. It frees up other monies that would be at the disposal of the Board to get onto these special

projects. It's up to us to present a budget to you next month that does accommodate the two requests that are made both in the area of the assessment contract and in the area of any evaluation or research the Board wants to do.

### **LEGISLATIVE PROPOSALS FOR FY2001 – Discussion**

CHAIRMAN PEYSER: What you've got in front of you is essentially an update on the status of certain bills pending in the legislature. We are basically on a two-year legislative cycle. A year ago we submitted a fairly extensive list of legislative recommendations which have been dealt with, are pending, or have been ignored. There's no need for us to repeat any of that. All of those things are still on the table and are working their way through the process. Some may be successful, some may not.

Do we want to take this opportunity, given that we'll be entering a new year with some processes restarting at various levels in January, to introduce any new pieces of legislation that have not been dealt with by the Board before? There are two areas that come to mind. One is implicit in the discussion we just had-- recommendations around school finance reform since there are legislative implications for that. There may be a number of things that flow out of whatever recommendations we may produce.

Secondly, and this presages a conversation to come around Waltham, that there may be reasons for us to reconsider some of the proposals that have been pending before the Board around the Racial Imbalance Act. As you all are well aware, there's a lot going on in the courts right now around systems of either desegregation or controlled choice. There are questions being raised in Boston and other municipalities. There is also an issue on the table as to whether we should respond to that by revising the statute in order to bring it into line, which seems an emerging different reality.

I want to remind you that our purpose today is not to resolve our recommendations on these subjects, but to put them on the table for initial feedback and signal that this is going to come back at a later date for us to act upon. Are there other areas of legislative interest that Board member would like to put on the agenda for consideration?

MR. BAKER: The SBAB topic.

CHAIRMAN PEYSER: Okay? Thank you very much. Let's move on. I think we've got grants up for approval before we go onto our final item which is Waltham.

COMMISSIONER DRISCOLL: You have before you all of the grants Jim and I, with your permission, approved during the summer. There were some grants that we could not put in the package but we have included them today. I ask that the Board approve all of the grants Jim and I approved this summer, as well as those you've received today. You'll notice the summary, prepared at Vice-chair Schaefer's request, contains the range. That made a lot of sense. It's pretty straightforward.

### **APPROVAL OF GRANTS**

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

**VOTED: that the Board of Education approve the grants under the following programs as presented by the Commissioner: Advanced Placement Program; Community Service Learning School-Based Program (federal and state); Gifted and Talented Education; Middle School Climate Improvement; Safe Schools for Gay and Lesbian Students; and Teen Dating Violence Prevention and Intervention Program.**

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

### **PROPOSED EQUITY PLAN FROM WALTHAM PUBLIC SCHOOLS - Discussion**

COMMISSIONER DRISCOLL: We have at least two if not three representatives from the great City of Waltham. Superintendent Susan Parrella and Mayor William Stanley. Anyone else?



DR. PARRELLA : Both assistant superintendents are here, Tom Foley and Dr. Rosenberg, and this is Attorney McCarthy, the City Solicitor.

COMMISSIONER DRISCOLL: Members of the Board do have the materials that the superintendent provided. I think we all are aware that Waltham has been dealing with this issue for a number of years. I'm glad to have them come before the Board. As the Chair pointed out, we all know that this is an area that's under review, perhaps judicial review, but the floor is yours, Madam Superintendent.

DR. PARRELLA: I don't believe I have to go through all of the plan. I will give you some brief background as to why we decided to submit what we consider an amendment. We are currently dealing with a magnet theme in one of our schools and that magnet theme allows students of minority to exit that school, if they live in the neighborhood, and go to any school in the district. It does not allow for students of minority to enter that school. It only allows for white students to enter that school if they so choose. That has placed us in a little bit of a dilemma within the city.

In trying to rectify that dilemma, we spent many hours working with the community, getting feedback and trying to decide on how we should move forward. We felt that the plan you have before you meet the current law and allowed for the diversity and quality we are looking for in the schools. Equity in education is the most important thing we are stressing in the school system. When I became superintendent a year ago, that was one of the main things the school committee gave me as a charge. They asked that I look at the flaws we currently have and how can we change that. So we submitted a plan and it's really a community plan. It is not based out of the school system in and of itself. Community input was tremendous. There were a number of meetings. It was six months of working at least one night a week from the school system's side, and more than that from the community side.

COMMISSIONER DRISCOLL: I wondered if Mayor Stanley, who's been around a couple of years, although soon ending his long-distinguished career, might want to describe what this does in the City of Waltham. Tell us perhaps how the overall plan affects where Waltham is today versus what it would be if this plan is approved.

MAYOR STANLEY: Thank you, Mr. Commissioner, Mr. Chairman, and members of the Board. Thanks for the opportunity to be here today. It seems such a long time ago that we started this process, and as Superintendent Parrella indicated, regarding this amendment, it was a six-month process in our city. It was submitted to the Board in January of 1999 and here we are in September. We feel it is definitely an equity issue and that it is a strengthening, if you will, of the Waltham School Department. It is certainly a step forward.

We have unanimous approval and consent of the community via the amount of meetings that Superintendent Parrella described, and with the committees that were formed during this process. We feel this is a good thing for the City of Waltham. I'd like to add as an aside, that this is of large interest to me while it may not be to the Board. It has effectively, halted other activity, financial activity in the City of Waltham. It seems to me that the City Council has taken the point of view that they are waiting on everything until they find out what happens to the plan regarding the schools in the City of Waltham. And that's, I submit to you, not a healthy situation because a lot of worthwhile projects have been effectively put on hold because of that measure. I'm here to advocate for this amendment to the plan. I think it's a good thing for the city of Waltham. I have been part of the school system, being Chairman of the Waltham School Committee for the last 14 years and Mayor of the City of Waltham, and I think we have made great strides. This will certainly put the finishing touch to make us feel as though we have come a long way in our city.

DR. THERNSTROM: I very much appreciate how much work you've done and therefore hate to come in with questions that are by their nature critical. It does seem to me, despite your cover letter in which you say you provide choice for parents and students that fosters a natural diversity not based on race or national origin, that this document is full of sorting students on the basis of their race and ethnicity. You yourself just said equity is your primary goal though you didn't -- I don't know what equity means, but evidently it's more important than how much children learn -- get the equity right. You've got a lot of language here about minority children. I don't know whether that includes Asians but, that in itself is an issue in racial balancing schemes. Asians and Whites are considered one group but Hispanics another. You've got language in here, "We must implement appropriate accommodations in order that all students gain meaningful experiences with multiculturalism and diversity well before high school. To this end it will be necessary to develop an Equity Plan." I don't know what meaningful experiences with multiculturalism and diversity mean. The specifics are very, very important there. You talk about three of the schools as being racially isolated. The

city is one third minority as I understand it. I don't know why a school that is 27.3 percent minority is racially isolated, or 25.2 percent. In any case, I've got problems with the whole notion of worrying about that more than worrying about what kids know at the end of the day in math, history, science and English.

You've been consulting with Michael Alves and the Brown Center. They are the people who are responsible for, what I regard as a mess, "controlled choice." It is really a busing program with a very small component of choice. This is a center that's dedicated to and continues to think of desegregation in terms of moving students around and sorting them on the basis of the color of their skin. I'm just frankly disappointed in this. It's just more of the same that I and the courts have problems with. I apologize, as I said. I know you've put a lot of work into this.

CHAIRMAN PEYSER: Do you have any specific questions?

DR. THERNSTROM: Tell me what equity means. Why do you start out saying this is not based on race or national origin when the whole document is full of race consciousness, color consciousness? You know, "Oh, my goodness, we can't have too many students that are a few shades lighter or a few shades darker in their skin color in one school versus another school."

DR. SCHAEFER: You started with the statement that students, minority students could leave but could not come into the school. That was your opening statement about this plan.

DR. PARRELLA: That's the dilemma we are facing. We do have a plan in place that has been approved and that plan is a racial plan. No one in the community appreciates it because we like the idea of neighborhood schools. We are working with neighborhood schools right now. But anyone from outside of that neighborhood who wants to come into that specific school is allowed to provided, and it clearly states in the plan that is in place, provided they are white. So any child of any ethnic background who is not white is said no to.

CHAIRMAN PEYSER: Just to qualify, you're describing the current system which you would get rid of and replace.

DR. PARRELLA : Correct. No one in the community really appreciates or likes that system. The school has a magnet theme. A lot of money, time, and programs are put into that school, that in reality, we would like to see in all of our schools but we have to maintain that magnet theme there. We don't equally distribute money and programs to all of the schools. We are trying to very heartily move programs forward. But how do we move the programs that are in that school to other schools losing the magnet theme, especially when we have something in place that says we will maintain a magnet theme there?

MR. FOLEY: I'm a little confused with the contention that if this is an equity plan it precludes us from considering what children know at the end of the day.

DR. THERNSTROM: You just said that equity was your primary goal. Tell me what equity means anyway. Give me a definition of equity.

MR. FOLEY: I think what it means is we would try to provide all of the children in Waltham with an equal opportunity type of education, all of them, so they are not confined.

DR. THERNSTROM: Suppose you went to neighborhood schools, what would be unequal with the opportunity there, or total choice?

MR. FOLEY: A school having 1, 2 or 130 students affects the number of programs we could offer and the fact we could ship people in to deal with art, music, things of that nature. What we are trying to do is configure our buildings in both location and size in a way that will allow us to provide that kind of an opportunity.

DR. THERNSTROM: All right. There may be educational considerations but why is race and ethnicity part of the "equity formula." Which inequity in general has the connotation of involving questions of skin color?

DR. ROSENBERG: My name is Dr. Rosenberg. I would like to provide a very succinct reality check for the Board. Your regulations compelled the Commissioner three or four weeks ago to send, via the Internet as well as hard copies, a

request for volunteers to serve on your statutorily mandated Racial Imbalance Advisory Committee. Two days from today the Commissioner, in compliance with current law and regulations, will order every superintendent in the Commonwealth of Massachusetts to count students by race, gender, linguistic background, income, and a variety of other variables. The reality check I provide to you is that we are not here for any other reason than the former Commissioner and former boards ordered us to create the initial plan which was approved by Commissioner Antonucci in 1996. He then wrote a letter to the Board of Education saying he had approved what was at that time called Waltham's Racial Balance Plan. We have been under orders from the Department of Ed to improve that plan. We have received a small planning grant, under 636, for the past three years to create the process to right the plan that is before you. Our situation is that the law has not changed in terms of the way the state is treating Waltham. We are complying with your order in good faith and we are seeking to amend a plan that, in our reading, is contrary to what the courts are saying now.

We have one school among eight elementary schools that has superior offerings. It has Internet capabilities in every classroom with multiple networked computers and it has foreign language instruction. No other school in Waltham offers those particular services and programs and under the plan approved by Commissioner Antonucci, prior to a lot of recent court action, we were in the untenable and undesirable position of forbidding any youngster who is not white permission to enroll in that school.

To amplify what Mr. Foley said, we have severe inequity currently within the Waltham schools based on our facilities, plants, capability of wiring certain structures and so on. We are seeking to reduce from nine to six preschool-through-grade-6 buildings in order to provide an equitable array of programmatic services and instructional staff to all of the students of Waltham. We seek to allow free choice regardless of race, income or background, to enter into any of our schools. But that's the reality check. We are here because you ordered us to be here and the Commissioner is acting, as he must by law, to force us to continue to count children by race and other factors. All we need from you is an endorsement of our amendment which erases an untenable position while everyone awaits what will come forth from the courts. That's the reality check I wish to provide.

CHAIRMAN PEYSER: I appreciate your introducing that because I think some of the issues that have been raised so far are more of a critique of the statute than your proposal per se.

DR. THERNSTROM: I agree with that.

CHAIRMAN PEYSER: I would assume that if the preferences granted for siblings and neighborhood students produces a student population that is 50 percent or more minority, aren't you obliged to take some action to reduce that number to below 50 percent?

DR. ROSENBERG: If you so order us to.

CHAIRMAN PEYSER: But I'm getting back to statute. Isn't that a dictated statute?

DR. ROSENBERG: Yes, it is.

CHAIRMAN PEYSER: Under the current rules the system would have to have some sort of fail-safe mechanism if schools, through whatever choice system or assignment system is set up, produce a majority or minority school. There has to be some backup mechanism in place under the statute for you to address that quote imbalance. Is that correct?

DR. PARRELLA: That's correct.

CHAIRMAN PEYSER: That wasn't mentioned here. I was concerned that it wasn't mentioned not because I would enjoy seeing such a thing, but because it implied that the fact of natural diversity, as you describe it, will inevitably mathematically yield the proper or legal distribution of students. That may or may not be true in practice.

DR. ROSENBERG: We have done tremendous research in terms of the demographics of the city and in terms of the housing patterns. The siting of our proposed schools with excess space built into each school, because it's our intention to absorb our preschool special needs programs for three- and four-year-olds into the K-5 schools, currently has a separate building housing all of our three and four-year-olds. Currently some of our buildings do not have a full array

of special needs programs. So if you have a youngster who might be autistic, or Down's syndrome, under the proposed plan you would have an opportunity to be in any of the schools. Right now because of different facilities' capabilities, you're limited to one or two schools which may not be in your neighborhood. So we do feel that we will have a very good shot at natural balancing. Should that fail, the location of low incidence linguistic and special needs programs will accomplish, we believe, any necessary fine-tuning in the demographic pattern.

CHAIRMAN PEYSER: Let me get to what is a more important question in terms of things you have control over. It relates in part to siting of the schools but I think more specifically to the number of schools.

You've described that the choice system is dependent in some respects on expanding the capacity of the individual schools so that other types of services or programs can be offered in each school rather than being isolated or targeted to particular schools. However, there seems to be a trade-off between providing the sort of full-service school and creating smaller learning environments. I wonder if you've given some thought to the extent to which you're trading off smaller schools for larger, better equipped schools. Educationally what thinking did you go through to budget or solve this?

DR. ROSENBERG: We have come up with a magic number. Essentially, right now we have a school as small as 180 students, K-5. That school experience is that all of our specialized programs in art, music, drama, physical education, science, adjustment counseling, nursing, are part-time because there's an insufficient number of classes requiring instruction. We feel that schools between 400 and 500 students, of which we have four at the current time, have sufficient student enrollments to involve a full-time art teacher, a full-time music teacher, full-time nurse, et cetera, et cetera, without having to travel to other buildings. So we have found that we want no less than three to five classes at a grade level. In some schools we may have one class at a grade level which gives parents very little choice in terms of the style of their teacher or in terms of peers. We are not looking at very large schools. We are looking at replicating our four elementary schools who currently do not have the need for itinerant staff. Their staff are full-time which permits interdisciplinary reinforcement, it permits them to interact with parents and with community groups.

CHAIRMAN PEYSER: One other question. Under the plan you're submitting, how many new schools do you plan to construct and how many renovations?

DR. PARRELLA: We are only looking to construct two new elementary schools under the proposed plan and renovate four.

CHAIRMAN PEYSER: Do you have a general estimate for what the total cost of that will be?

DR. PARRELLA: In addition to that there's a middle school equal size. The total cost estimate would be around \$100 million.

CHAIRMAN PEYSER: And what's your current reimbursement rate from the state?

DR. PARRELLA: 62 percent.

CHAIRMAN PEYSER: So it is basically a 50 percent increase in reimbursement rate or 28 percent of the total project or \$20 million in additional state revenue which is on the table in this discussion.

COMMISSIONER DRISCOLL: Plus we can't forget it goes on the fast track.

DR. SCHAEFER: If you were not under this order by law and from the Department to do this, could you say what would be an equitable plan if you didn't have to do it this way?

MR. FOLEY: We would probably go ahead with a plan similar to this; it would just take us a lot longer. Could I just address one of Chairman Peyser's comments? You talked about the smaller learning environments.

We have just done a great deal of staff development around a million-dollar grant we got from the National Science Foundation for K-12 work in mathematics. We learned a lot in that process. One thing is that there is a critical mass of teachers and people you've got to put together in any building in order to have the conversations taking place across

grade levels and among teachers if you expect to implement the real mandates of Ed Reform. That's one of the things that fed into our ideas about the size of buildings.

DR. THERNSTROM: I do appreciate the fact that you're in a bind in terms of the existing statute and I guess that I'm quarreling with the mandate here much more than I am with what you ended up doing. However, I do have a question for the Commissioner. Obviously I've got fundamental objections to the whole concept behind this statute but - How much wiggle room does a district like Waltham have to meet some of my concerns? Or would you say, they really have come up with the minimum in terms of racial and ethnic balance that they must under the existing statute?

COMMISSIONER DRISCOLL: I hope we can provide as much wiggle room as is possible but, again, it's a conundrum. It's interesting to sit and listen to the debate with people that really don't disagree. We have all been put in this position. So when you ask, "Why did you do this?" They can just throw back and say, "Because you made us do it." They are trying to make an attempt knowing what the atmosphere is, to adjust so that it not only addresses the issues of the requirement under racial balance, but the broader issue of equity, race aside, so that there's a quality of educational opportunity.

The one thing I want to point out as Commissioner, is that a lot of people object, from a distance, to the tremendous amount of money that has been spent over the years in communities for desegregation projects and the like. One of the things it does, besides provide tremendous facilities as we can see in Malden, Lowell and other places, is bring people together. I'm certainly aware of some of the history in Waltham. There's a lot of division in the community, a lot of controversy over several issues. But you're seeing a school committee and administration, a community in my judgment, that has really come together. I'm pleased that they came forward and presented what they have. I would like to try to work with the issue, Abigail, as to how to accommodate as much as we can accommodate on all sides. But this was bound to come. This was going to come legally. It's an issue that members of the Board, including yourself, raised a couple years ago, and quite rightfully so. We can't do anything about it today, we have to take it under advisement. I have a responsibility to this Board to see that you're on solid legal ground, et cetera, so it gives us some time. At least they have been able to present their plan. I think you can see the thoughtfulness that they have put into it and the fact that it's reality-based and about trying to provide opportunities for all children in Waltham.

DR. THERNSTROM: I do appreciate that, but there are all sorts of ways of bringing people together, and the difference between Malden today and Malden yesterday is in great part a difference between America today and America yesterday. This country has changed enormously in terms of its racial attitudes and if we look at busing in Boston, I don't think that's a great example of bringing people together.

MR. BAKER: I hate to say this because it will sound cynical, but 92 percent and 98 percent reimbursement rate versus 55 percent reimbursement rates tends to bring all kinds of people together too. The fact that you move from a long list that you may never get to the top of to a little one that you will get to the top of in a big hurry, doesn't hurt either. And I don't deny there are probably collateral benefits associated with some of this stuff, but they are on the SBAB program. I want to note this is as good a reason as any to fix it.

COMMISSIONER DRISCOLL: I don't consider that cynical, I consider that a reality. But this is a community that was sent by us through the same process that dragged everybody together for five years. They've been through it for five years on that reality. I just think in fairness that this has to be pointed out.

MR. BAKER: When do we need to deal with this?

CHAIRMAN PEYSER: The earliest we can deal with that is next month, but we haven't scheduled it yet. We will do that.

MR. BAKER: I bet you'd like to be done with it next month.

COMMISSIONER DRISCOLL: Mr. Mayor, how long have you been mayor?

MAYOR STANLEY: 14 years.

COMMISSIONER DRISCOLL: You'd like to have it resolved before you leave office.

MAYOR STANLEY: That would be nice.

CHAIRMAN PEYSER: Thank you very much for coming. That's it for our agenda.

COMMISSIONER DRISCOLL: If I may, Mr. Chairman, at 11:00 today we were informed of the NAEP results on the writing assessment in 8th grade. It's the first time we received that, and I am pleased to say the Massachusetts 8th grade students on their writing performance ranked second in the nation only to Connecticut, which is very good news. We are very pleased but it also shows how far we have to go, how far everyone, including Connecticut, has to go. I am pleased to point out that we are starting at least in the second place throughout the country.

CHAIRMAN PEYSER: Thank you. Any other closing comments, urgent pieces of business? If not, we are adjourned.