COMMONWEALTH OF MASSACHUSETTS
BOARD OF EDUCATION
*****REGULAR MEETING*****
MASSACHUSETTS DEPARTMENT OF EDUCATION
350 MAIN STREET
MALDEN, MASSACHUSETTS
TUESDAY, OCTOBER 24, 2000
9:00 a.m. - 12:00 p.m.

MEMBERS OF THE BOARD OF EDUCATION PRESENT:

Mr. James A. Peyser, Chairman, Boston
Dr. Roberta R. Schaefer, Vice-Chairperson, Worcester
Dr. Judith I. Gill, Chancellor, Board of Higher Education, Boston
Mr. William K. Irwin, Wilmington
Ms. Jody Kelman, Chair, Student Advisory Council, Concord-Carlisle

Dr. David P. Driscoll, Commissioner of Education, Secretary to the Board

MEMBERS OF THE BOARD OF EDUCATION ABSENT:

Mr. Charles D. Baker, Swampscott
Ms. Patricia Crutchfield, Southwick
Dr. Edwin J. Delattre, Boston
Dr. Abigail Thernstrom, Lexington

COMMENTS FROM THE CHAIRMAN

CHAIRMAN PEYSER: Good morning, everyone. We are not quite at full staff here; we've got four Board members present which is less than a quorum. I am aware of three Board members, Abby Thernstrom, Charlie Baker, and Pat Crutchfield who cannot be here this morning, but we are expecting Judith Gill and Ed Delattre. We also have a scheduling accommodation: Bill Irwin needs to leave a little early this morning. There will be some changes in the agenda to ensure that we get the votes done before he has to go. In particular, I'd like to move up consideration on the selection of charter schools as well as the votes on the advisory councils and the approval of grants, and probably move back the budget proposal.

We are not going to vote on the budget today, although we will discuss it. Unfortunately, the budget financing committee, although it has met, has not had sufficient time to go through the various line items. There are some open issues we need to resolve before we bring them back for full consideration by the Board. Also, given the absence of several members, even if we do achieve a quorum, I think the budget vote itself is too important to leave to a smaller number of members. I hope we can all be here for that. Finally, I have a few comments before we get on the agenda.

I want to note that Ann Hess, Special Assistant to the Board, as I think you all are aware, has left the Department. Her last day was a couple of weeks ago. We are very fortunate to have found someone in the Department to replace her, Melanie Winklosky, Melanie, please raise your hand or stand up. We didn't have to look too far to find Melanie. She had been working with Sandy Stotsky and doing some very important work. I think she is going to be a real asset to the Board. So Board members, remember Melanie's name, face, and phone number; if there's anything she can do for you, by all means call.

I also want to note that the Board did have a forum last week on October 17 on effective schools and effective leaders in urban districts. Abby Thernstrom and Roberta Schaefer were there representing the Board. It was a very interesting panel of four school leaders from Massachusetts and around the country. To quickly summarize, I think the panel's comments confirmed the importance of matching responsibility with authority at the school level. We give principals a lot of responsibilities, we tell them that they are responsible for making schools better and for improving the academic achievement of their students, but we don't give them the requisite authority to live up to and fulfill that responsibility. The other point made was that while setting standards for performance and accountability for results are critical components, it needs to be matched with getting out of the way as much as possible. This is a precautionary message not only to the state policymakers, but also to district superintendents and school committees: if we are going to give principals the responsibility to act, we shouldn't subvert that by placing too many procedural requirements and obstacles in their way.

We have another forum coming up on November 14 on state intervention policies and turnaround strategies. This promises to be a very interesting forum, as well. I encourage Board members and the public to attend. It's going to be held in Boston from 4:00 to 6:30. We have an excellent panel of researchers and practitioners from Massachusetts and around the country with knowledge and experience regarding state interventions in underperforming schools and districts. Again, I encourage you all to attend. With that, Commissioner, do you have any comments?

COMMISSIONER DRISCOLL: The thought crosses my mind that we should have MCET broadcast that second forum. We did videotape the first forum. It was very, very informative, and we are hoping to boil the videotape down and send out a summary to all schools. It was marvelous. The Boston Public Schools are going to host the second forum at Court Street. At this point, Mr. Chairman, I'd just as soon move along with some votes. I particularly want to make comments about the certification regulations, but we'll have time to do that.

CHAIRMAN PEYSER: I do want to make that point as well. The major item on the agenda today, in terms of the time and consideration of this Board, is going to be on the certification regulations even though we aren't taking a vote until next month. Nevertheless, there are several other items that we do need to act on and several votes we need to take.

APPROVAL OF MINUTES

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education approve the minutes of the September 25, 2000 Special Meeting and the September 26, 2000 Regular Meeting.**

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

PROPOSED BOARD MEETING CALENDAR FOR 2001 - Discussion and Vote

CHAIRMAN PEYSER: The next item on the agenda is the calendar for 2001, at least for the first half of 2001. As you will see in tab 1, Board meetings are scheduled for January 23, February 27, March 27, April 24, May 22 and June 26. All of those are Tuesdays. I think there's only one of those which is not the last Tuesday of the month. Must be the 23rd.

COMMISSIONER DRISCOLL: In May.

CHAIRMAN PEYSER: A couple of anomalies, but they are all Tuesdays.

COMMISSIONER DRISCOLL: Fourth Tuesday.

CHAIRMAN PEYSER: Are these dates problematic for anyone?

MS. KELMAN: I'm just wondering, I know you talked at the beginning of the year about doing some meetings after school so teachers and students can come. Are any of these scheduled for an after school?

COMMISSIONER DRISCOLL: We haven't scheduled the time. We wanted to get the dates first. Incidentally, next month we will be in Central Massachusetts. We are going to go to Fitchburg High School.

CHAIRMAN PEYSER: And we will have a meeting the night before, Monday the 27th.

COMMISSIONER DRISCOLL: Yes.

CHAIRMAN PEYSER: Monday the 27th in Fitchburg.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education approve the calendar for regular meetings January - June 2001, as presented by the Commissioner.**

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

PROPOSALS FOR BOARD'S LEGISLATIVE PACKAGE AND UPDATE ON CHAPTER 70 - Discussion and Vote

CHAIRMAN PEYSER: The next item is proposals for the Board's legislative package; this is Tab number 3. I have one quick procedural comment: the reason we are considering this now is that there is a deadline, I think the first week in November, for the Board to submit legislation directly to the legislature, which allows us direct access to getting bills in the hopper. This is not our last chance to consider legislative proposals or to introduce legislation, since that can be done with the cooperation of legislators, but this is a window of opportunity and we should take advantage of it. Commissioner, why don't I just turn it over to you to describe what the proposals are?

COMMISSIONER DRISCOLL: I will go through them relatively quickly, and then we can have whatever questions or comments the Board members might have. First of all, we anticipate that there will be discussion and legislation filed around bilingual education. I think that's pretty clear. As we know, a couple years ago I recommended waiverability and so forth. I think what we are trying to look for is flexibility in bilingual education such that it isn't one size fits all. It's not only transitional bilingual education. There are a variety of strategies particularly based on the assessment of students. I, and I'm sure the Board, would be interested in trying to support that. Clearly that debate will happen. There will be various pieces of legislation filed. At this point I'm not recommending that we file a specific piece of legislation but that we work with legislators and the administration to see if we can't come up with something. I would not want to see the kind of ballot situation that's occurred in other states; it can be divisive. We ought to be able to put our heads together and come up with something that works for kids.

On the second issue, last year the Governor filed language on the reconstitution of schools, and we have repeated that initiative here. I'm recommending that we file a bill along those lines. Incidentally, in each one of these cases, Rhoda, Joe Giannino, and various staff will collaborate and come up with the specific language. We do have some technical changes in certification and licensure that we would like to recommend. The current terminology is confusing-- provisional with advanced and so forth-- so we have suggested clarifying, which most states have, some kind of initial and then a professional title, and also maintain the provisional.

Now for the special education reimbursement rate, the so-called circuit breaker. We think this is important to districts because this is the legislation that concerns a district whose cost for an individual student goes well above the average, and in some cases is really crippling local budgets. The legislature has included a circuit breaker. Unfortunately, it doesn't begin until a year after this, so we are proposing that we file legislation that would be effective in the upcoming fiscal year. Maybe it will be less money as an initial appropriation, but we'd like to see some money put in that circuit breaker even for next year because it's very crippling for a number of districts.

Number 4: we are really supporting the Department of Revenue's legislation. This rose out of an unfortunate situation where an individual person was more or less his own watchdog by the way in which the regional school district organized its fiscal responsibilities, and the person became the treasurer and became also the fiscal oversight. We need legislation so that that cannot happen and, unfortunately, that case has gone to criminal court.

As for the vocational teachers, this is an interesting issue requiring vocational teachers who teach in “shop areas” to have previous experience. It's a very good thing. They have previous experience when they come into our vocational schools. The problem is that many of them, having spent six to ten years in the private sector, as soon as they come into schools, lose 60 percent of their Social Security. These are people who began teaching in their thirties and early forties; when they get to retirement age they have been disadvantaged because of this penalty that was imposed some 20 years ago in Social Security legislation. What we are proposing is that they can get credit for up to four of those years, and, interestingly enough, we require those years in the system. We say, “You have to have that experience”, and then we disadvantage them for it. It was part of the early retirement bill. It didn't make it through until the end, and it's something that I would like to support strongly.

And then there are comments about Chapter 70; we know there's going to be any number of proposals. I'm pleased that Jeff Wulfson and Roger Hatch have been focal points for all of the various views, be it the Massachusetts Taxpayers Foundation, the MTA, or the League of Women Voters. They have been running scenarios and trying to put together the best formula we can to, first of all, move things forward and, secondly, to address some of the inequities in the formula. So that's the list, Mr. Chairman, and I recommend that the Board support them all. In some cases we'll be filing it ourselves and we will get back to you with the exact language; in other cases we'll be supporting others.

CHAIRMAN PEYSER: I want to comment on the first and last items to reiterate what the Commissioner has said. The Board should weigh in on bilingual education and on Chapter 70, but the timing may not be exactly right. There are a number of activities on both of these fronts that are beginning to define the legislative landscape in the upcoming session. It may be premature for us to jump in, at this time, and either foreclose certain options or foreclose our own in that process by putting a proposal on the table. If we let some of these discussions go on before we come out with specific proposals, it will inform us and give us a better sense of the right thing to do. But I do hope we will come back and revisit both of these issues.

As you know, the Board, and in particular the Budget and Finance Committee, has done a great deal of work on Chapter 70 reform. We had a forum last year and we put out a memo that describes most of the major elements of Chapter 70 reform. We ought to build on that and put a formal proposal together that

will be helpful to the process, moving it along and adding some value. In that context, I would add further that there are some issues that haven't been given much attention in Chapter 70 reform discussions, including issues around school-based funding. They might give more direction to schools than we might be able to incorporate in a Chapter 70 proposal we might come up with.

There are two other things that I want to mention and then defer to a later date for discussion of specific proposals. One has to do with expanding the authority of principals. This is an issue that's come up in the past and has not been particularly successful. I think we ought to revisit it to try and understand if there is some legislative remedy or approach that can bring principals' authority to a level that is sufficient to match their responsibilities. The second issue is around charter school reimbursement rates. It comes up on an annual basis and I think we ought to look at again. It does have budgetary implications and, as part of our discussion of the budget next month, we might have further discussion around reforming or revising the reimbursement rates with respect to charter schools. So with that, I would add my support, particularly with respect to items 2 through 5, which are ready to be approved and submitted to the legislation. These are worthy of our support and we should go ahead and approve them.

DR. SCHAEFER: I'd just like to comment on Chapter 70 for a moment. I'm sitting on the advisory commission that the administration has put together. If anyone has any suggestions for Chapter 70 at this point, this will be a proposal that goes to the Governor, so I'd be happy to take it back to the group. Second, I'd like to echo the Chairman's suggestion about greater budgetary authority for individual schools, and perhaps that is something that can be worked into the Chapter 70 formula. And third, I was considering the idea of adding another piece of legislation. We talked a lot about the size of schools and smaller is better and the whole concept of schools within schools, and I was just wondering if we can go back to SBAB and suggest an amendment that there be some incentive added to the formula for schools that develop or districts that develop schools within schools when they are putting up or renovating.

CHAIRMAN PEYSER: To follow up on that point, Commissioner, could you take a look at the statute as it currently exists on school building assistance to see what incentives there are, if any, with respect to school size? If there are still incentives in the system that encourage larger schools rather than small ones, it would be useful for us to consider, at a subsequent Board meeting, some way to revise or add to the schedule of reimbursement points to correctly balance those incentives.

MS. KELMAN: In the reconstitution of schools legislation, is the only safeguard against an overzealous superintendent the school committee? I received comments from fellow SAC members who were worried that it gave superintendents too much power. Is there any check on that power?

CHAIRMAN PEYSER: School committees do play a role similar to the role the Board of Education. The language suggests that the district has to have in place an evaluation system that is at least as rigorous as our own. Now, we can have discussions about whether our own is satisfactory, but their evaluation system has to pass some muster in terms of the rigor of the evaluation and in terms of its quality and objectivity. So to the extent the evaluation system and the local process around finding a school to be underperforming or chronically underperforming, to the extent that that process is deemed to be valid and adequate, then there would be essentially no other check besides the school committee. My sense is that as long as there is a process in place and as long as it does meet the basic standards we set out, there is a reasonable check on impulsive acts by a superintendent.

CHAIRMAN PEYSER: If there's no further discussion, is there a motion to approve items 2 through 5?

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education file legislation as presented in the October 17, 2000 memorandum from the Commissioner.**

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

CHAIRMAN PEYSER: So the language will be drafted to implement these proposals, and if we can make those available to Board members prior to submission for any detail comments, that would be great. When is the actual deadline for submitting?

MS. SCHNEIDER: The first Wednesday in November.

CHARTER SCHOOLS

a) Renewal of Charter for Pioneer Valley Performing Arts Charter High School - Discussion and Vote

CHAIRMAN PEYSER: The next item on the agenda, I believe, skipping over number 4 which is the discussion of certification, is charter schools. And we have three separate items here. One is the renewal of the charter for the Pioneer Valley Performing Arts Charter High School, and the second is a waiver with respect to a regulatory deadline notifying charter schools of nonrenewal. And I will let the Associate Commissioner discuss that in more detail. And a third is proposed amendments to the regulations which we alluded to in the last session, which has to do with a process called a card check which involves new legislative language around the organizing of charter school employees. So with that, Commissioner? Susan?

COMMISSIONER DRISCOLL: Board members have received the summary of the report on Pioneer Valley. I think it's pretty self-explanatory. I don't know if you want to add anything, Susan, but clearly I am recommending the school. They are also asking for an expansion not only of 20 students, but of grades. I'm simply informing you of that today. That will be on the next month's agenda under the Roberta Schaefer rule. I don't know if you wanted to add anything, Susan. I think it's fairly straightforward. Joe or Susan?

MS. BARKER: We have Joe Dolan with us who is our Director of Accountability. He has seen the school through this process. Is there anything you want to add, Joe?

MR. DOLAN: I think the recommendation that we made to the Commissioner was that the school has done very well by way of our three questions. It's a school in its fifth year of development and it has done a good job of defining its curriculum and its standards. We think that in the next five years it will develop a much clearer sense of what it stands for and have a good sense of its internal purpose, which is an important part of the charter school legislation.

CHAIRMAN PEYSER: Could I ask you to comment on one piece of data which relates to MCAS performance? The performance seems to be okay but it appeared to get a little worse in 1999 over 1998. There was some comment in the evaluation report about that in terms of different cohorts and trying to explain the extent to which that change from 98 to 99 may not be reflective of some longer-term trend. Do you have any comment you want to make about that in particular? Is there any other reason to believe that the school's academic performance is somehow moving in the wrong direction?

MR. DOLAN: Like most students, they vary from year to year in terms of what they bring to the table. I don't think that these differences in test scores suggest there's a fundamental problem with the academic program. I think the differences, statistically, are relatively insignificant, just by the fact that kids do vary, and that by other measures, particularly its internal assessment, the school demonstrates that it's doing very well by student learning. As it says in the report, it has a set of standards and benchmarks that require that the students demonstrate mastery in order to gain full credit, and so that they are trying to hold the kids' feet to the fire in terms of what they can know and be able to do. One of the things we try to do now is work with schools on the renewal around how they are going to deal with the MCAS. So we try to be very

specific with them and say, "Now that you know this is an issue, what are you going to do to try to resolve that?" I think that's part of our accountability with them as well.

CHAIRMAN PEYSER: In my review of the evaluation report, it seems that Pioneer Valley is a high-functioning school with highly committed, motivated staff, parents, and student population. In a lot of respects, this is based certainly on the evaluation report findings as well as other formal reports. I've heard it's a very unique school, with an interesting school design. The school itself has a very ambitious mission and program which the report highlights is still a work in process. Without being negative, I do want to underline the areas of improvement that are identified in the evaluation, in particular the extent to which the academic program of integrating arts and academics is still incomplete. Again, I think this is a very ambitious undertaking but it is one the charter school has explicitly bought into. It's clear there's more work to be done in that area and in the articulation and consistent implementation of academic standards across all the disciplines and all the classes. Much more has to be done to not only ensure that there is consistency across classrooms in the application of standards and the use of assessments, but also in raising academic achievement in a more consistent and measurable way. Nevertheless, having stated those caveats, all the other indicators from the reports seem to be quite positive. It seems to be an extremely interesting school design and one that is challenging to everyone in it. The folks in the building, the staff, the students, and the parents seem to be striving for common goals, achieving quite well, and making progress towards that goal. Any other comments by Board members? Is there a motion to renew the charter?

On a motion duly made and seconded, it was:

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

Commonwealth Charter School:

Pioneer Valley Performing Arts Charter High School
Location: Hadley

Said charter school shall be operated in accordance with the provisions of General Laws chapter 71, section 89 and 603 CMR 1.00 and all other applicable state and federal laws and regulations and such conditions as the Commissioner may from time to time establish, all of which shall be deemed conditions of the charter.

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

CHARTER SCHOOLS

b) Waiver of 603 CMR 1.11 (1) (December 1 Deadline to Notify Charter Schools of Non-Renewal) - Discussion and Vote

MS. BARKER The next item allows us to fully complete the renewal process for four more schools that are in the renewal pipeline, so to speak. The Board's regulations state that they will notify a school by December 1 if it is a candidate for nonrenewal. It may not be possible, however, given the timeline in which the school submitted their application for renewal, which was clearly within your regulations. It may not be possible to get them to the Board by December 1, so we are asking to extend that deadline to March 1. We actually anticipate by the January meeting all of these schools will come before you for renewal, but I wanted to make sure that we had some time to get that done thoroughly.

CHAIRMAN PEYSER: I support the motion. There are two things I'd ask you and the Commissioner to think about in going forward. One is whether we've got the capacity in the charter school office to process applications in order to meet this December 1 deadline in the future. And the second is whether we ought to change the December 1 deadline to some other date so we don't have to annually waive our own milestone.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education waive the provision in the Charter School Regulations, 603 CMR 1.11 (1), that provides for notification to charter renewal applicants no later than December 1 of the year in which the renewal application was received; provided, however, that this waiver shall apply only to renewal applications pending as of this date; and provided, further, that all such charter renewal applicants shall be notified of the decision to renew or not to renew the charter and the reasons therefore no later than March 1, 2001.**

CHARTER SCHOOLS

c) Proposed Amendments to Regulations, 603 CMR 1.07 (Designation of Employee Organizations for Collective Bargaining) - Discussion and Vote to Seek Public Comment

COMMISSIONER DRISCOLL: I'll take the lead and then you can add whatever you like on this. We put regulations before the Board in September, but one provision that we did not include is this rather unique one which talks about 60 percent of the faculty of the charter school, through cards, authorizing their representatives. It's unique in that it's not the same as follows in other areas, so it took us a little longer. Since you don't really have some other place to pull from, we had to cobble things together, including looking at Canadian law, but we took our best shot at how we could develop regulations in keeping with the new statute that has this requirement. It is out for public comment and we'll have an opportunity for people to react to it. But I think it does make a lot of sense given the provision in the statute.

MS. BARKER: I'd just like to add that we did look at all of the Labor Relations Commission's regulations that currently operate under the collective bargaining statutes here in Massachusetts, and used those to inform the process as well. We tried to be as thorough as we could in kind of understanding this new niche that we were in.

CHAIRMAN PEYSER: We did have conversations with the Labor Relations Commission to try to clarify whose turf we are on here. They were quite clear that given the way the amendment is written, this is our responsibility, not theirs, although they may, in fact, end up with cases over time as disputes or issues arise. I would reinforce that this process of organizing public employees is unprecedented in the United States, so we are in new territory. This circulation of so-called authorization cards is used in Massachusetts but only to show that there's sufficient interest among the employees and their prospective collective bargaining units to hold an election. Since this is moving the authorization card process into a new territory, it is somewhat different. And as the Commissioner indicated, we tried to borrow as much from the existing Labor Relations Regulations as possible, as well as other sources where we could find them.

I did get some feedback that might be useful for us to incorporate. I don't know if we need to do so before public comment, but it might be useful to think about how we might craft the language. In particular, it has to do with providing notification to the employees that a circulation gathering of authorization cards is underway. The reason this has been raised is that, to the extent the card-check process is going on beneath the radar of employees, there might be another employee organization that would like to be part of the process. Unaware that such a process is underway, they may miss a window of opportunity to participate in a timely way in order to organize a particular school. The notification issue may not be required in the public comment draft but in incorporating the final draft, there may be a need for notice to all employees

within the school, particularly in the proposed bargaining unit, that a card check process is underway. Are there any other comments about the regulations you have before you?

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with G.L. chapter 69, §1B and chapter 71, §89, as amended by Chapter 227 of the Acts of 2000, hereby authorize the Commissioner to proceed in accordance with the Administrative Procedure Act, chapter 30A, §3, to solicit public comment on the proposed amendments to the Charter School Regulations, 603 CMR 1.07, as presented by the Commissioner.**

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

APPOINTMENT OF MEMBERS TO ADVISIORY COUNCILS - Vote

CHAIRMAN PEYSER: We are jumping down to 7 and 8. The first, number 7, is appointment of members to advisory councils. You have before you a list of members who have been nominated for election and reelection, as well as a list of existing members who remain on these various panels. Are there any comments, discussion?

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with General Laws Chapter 15, §1G, hereby appoint, to three-year terms, the Advisory Council members as recommended by the Commissioner.**

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

DR. SCHAEFER: In terms of a suggestion, is it too late to suggest people for it?

COMMISSIONER DRISCOLL: It really is. We have put out the notice. But there's always next year and sometimes there are people who resign for various reasons, so any time you have anybody, we would love to have the names.

DR. SCHAEFER: Okay.

COMMISSIONER DRISCOLL: One comment on that, last year we did resurrect the idea of bringing all the advisory councils together in one place. It was very effective and worthwhile. I will try to give Board members plenty of advance notice. We usually do it in the Worcester area. It's also quite informative for the advisory councils to hear from one another.

DR. GILL: I'd like to say, I attended last year and it was a very, very interesting day.

DR. SCHAEFER: I agree. I just wondered, maybe this person could be an advisor to this group. But I know we're getting more and more into the parent and community involvement piece, and there's a professor at Clark University who is an expert in this. She has done research and surveys.

COMMISSIONER DRISCOLL: Send me the name and we'll contact her. There's always a role for somebody.

APPROVAL OF GRANTS

CHAIRMAN PEYSER: The next item is the grants in section 8. There's a collection of grants here. Also, you will notice that the motion itself is somewhat unusual. Commissioner, perhaps you can explain the specific reference to the Literacy Volunteers of Massachusetts.

COMMISSIONER DRISCOLL: Board members may recall that there was concern raised by one of our education providers that we were violating their clients' individual rights by collecting data such as Social Security numbers. Even though we have worked this out with every other vendor and provider, it took a while with the Literacy Volunteers. Thanks to Rhoda's staff, we have come up with an agreement whereby we can get the data that we need while adding another step to ensure proper safeguards, from their perspective. So I put the motion before the Board to accept the terms and agreements of that contract that we would like to enter into with Literacy Volunteers.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education approve the grants as presented by the Commissioner, provided further, that the grant Literacy Volunteers of Massachusetts, Inc. is subject to the terms and conditions set forth in the contract executed between Literacy Volunteers of Massachusetts, Inc. and the Department of Education on October 13, 2000.**

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

CHAIRMAN PEYSER: We have moved through the votes. Bill, maybe you ought to schedule an early departure every time, if we can burn through our agenda that quickly. I appreciate your coming even though I know you have other commitments.

MR. IRWIN: Thank you.

CHAIRMAN PEYSER: We will continue on with the agenda by going back to the beginning. The next item on the agenda is statements from the public. We have a list of ten folks who are signed up to provide comments this morning. I would, as always, indicate that there's a three-minute time limit and I would encourage you all to stay within that three minutes. I'm not as strict as perhaps I should be about it, so I'm counting on your good faith. Don't abuse the privilege, please. Let me just start from the top of the list. I'm not sure how the order of this list was determined. I do want you to know there is no choice on my part, although the first person is an auspicious individual, Steve Gorrie, from the Mass. Teachers Association.

PUBLIC COMMENT

Stephen Gorrie, President, Massachusetts Teachers Association

MR. GORRIE: Good morning. Pardon my voice, but I'm suffering from what most people are these days, one of these cold / flu things going around.

CHAIRMAN PEYSER: Just keep your distance.

MR. GORRIE: Thank you for letting me speak this morning. For the record, my name is Stephen Gorrie, I'm President of the Massachusetts Teachers Association, and I'd like to take just a few minutes to comment on item number 4 on the agenda today: Discussion of the proposed certification regulations. Dr. Driscoll's October 18 memorandum lays out four areas to be discussed. The first two, the undergraduate major for elementary teachers and the middle school generalist certificate, are relatively narrow issues. The remaining two items perhaps -- perhaps -- get at the point that should be the focus of the discussion: whether or not all

routes to educator certification will be rigorous, meaningful and subject to the same high standards. Now, the memo also refers to "further revisions" which were not part of the materials for today's meeting. So consequently, we cannot speak to revisions that we have not seen. However, any change in educator qualifications could affect schools and students for decades to come.

Given that you are now scheduled to vote on the proposed regulations in just one month, that is troubling. During the past ten months we have been in frequent contact with colleagues in every corner of the education community. They share our deep concern that this proposal is fundamentally flawed. The goal of attracting more qualified candidates to the teaching profession is indeed a noble one. The recognition of an impending teacher shortage is likewise very important. But the need to maintain the highest standards is -- or at least should be -- supreme. Your proposed regulations, however, will lead to the lowering of standards. They are deficient, both as to what we teach and how we teach it.

Our written comment, which was submitted in September, delineates our concerns in far greater detail than time will allow today. However, I would urge you to consider whether or not school districts really have the time or resources to train untrained teachers. They have said they do not. They are under the accountability / standards gun and must be single-minded in the pursuit of student achievement. You might even wonder whether or not it's an appropriate role for any district to determine whether an individual should be licensed to teach statewide. I would also urge you to consider the capacity of the Department of Education to monitor and guarantee that wildly varied programs delivered by districts and "other organizations" will be comparable, much less of the same high quality. Department approved "induction programs" were a requirement of the Ed Reform Act of 1993 and they didn't happen. And I would urge you to ask yourself whether any district "performance assessment" can be the "equivalent" of a master's degree. If the teacher shortage materializes as feared, districts will hire individuals with alternative, temporary, or emergency certifications. However, to pretend that these individuals are fully or adequately prepared would be a terrible disservice to schools and to children. Your current proposal represents the second round of public dissemination and reaction to this Board- and Department-initiated proposal. The rest of the education community is advising you that this is both unwise and undoable. I cannot over state MTA's request that you abandon this proposal. We do stand ready and willing and able to work with you to face the hard realities of a teacher shortage and a need to train educators who will work in a world of state standards and accountability. However, these draft regulations are not the place to start. They lower standards. They are bad for kids, for schools, and for educators. Thank you.

Joe O'Sullivan, Brockton Education Association.

COMMISSIONER DRISCOLL: While we wait for Joe to come forward, let me say that copies of the certification regulations are on the back table. I've been told that only a few people have taken copies. I hope that when we do get to the certification regulations discussion people will have copies in front of them. There are at least a hundred copies back there. Thank you.

MR. O'SULLIVAN: Thank you. I have served two years on the Statewide School Business Committee and I have served two years on the Total Quality Management Committee for the state looking at incorporating those standards into schools. The one thing that was indelibly impressed upon me at that time was that you never improve the quality of any product by lowering your standards. The proposed certification changes are flawed. They are flawed beyond redemption for some of the following reasons and probably more. First, they devalue formal preparation at colleges and universities by creating and encouraging alternate routes. Second, the creation of routes like school-based induction, summer programs and other non-degree programs encourages districts to hire untrained teachers. And I would hope the Department is keeping track of the turnover rates for the people who go through those programs now. I heard a comment a few months ago about teaching isn't rocket science. And having had a couple of rocket scientists that have lasted only a month or two in our system, I will guarantee that is correct. Three, the shifting of responsibility for teacher training to local school districts is an unfunded overburden to the

school districts. The time and staffing needed will greatly exceed Chapter 70 professional development allocations and reduce needed professional development for veteran staff if you fund it through Chapter 70. Four, local induction would also allow parasitic Commonwealth charter schools, which now operate with many unlicensed teachers, to license their own teachers, thus eliminating the criticism and the reality that taxpayers' dollars are taken from public schools with licensed teachers and given to support charters with unlicensed teachers. Fifth, creating a local district "performance assessment" as an alternative for a master's degree for standard certification lowers the standard for this profession. It would be hard for my school district to duplicate the experiences that were part of my master's degree at Western Michigan University, which included studying coastal sedimentation in Texas and glacial geology on the Canadian Shield while I was in Michigan. What I learned from that experience is that the best geologist is the one who's seen the most rocks.

Here are my suggestions to attract and keep new teachers, because I always like to give you positive suggestions: (1) Stop using the term non-PTS. No one goes to an emergency room and gets treated by a nonprofessional doctor. Call them residents.; (2) Change the retirement system so that new teachers don't have to pay more than 100 percent of their own retirement. I ask you, in what other career would they call 35 years early retirement? That's what it takes to go out at max here. ; (3) Listen to us teachers. Quite frankly, I'm tired of being reformed by the Fordham Foundation, the Manhattan Institute, the Pioneer Institute, and a test-happy governor. Remember, it was only 16 months ago, June of 99, that one out of every four teachers in this state stood in front of the State House in an *Ask A Teacher* rally. You need to listen to us. You really, really do. And I don't think you have because I've seen some of the things you've done. Thank you very much for the opportunity to speak to you today and I wish you the greatest of wisdom in your future decisions.

COMMISSIONER DRISCOLL: Can I get a list of those three positive comments?

Representative James Marzilli.

REPRESENTATIVE MARZILLI: Good morning, Mr. Chairman, Commissioner, members of the Board. Thank you for allowing me to be before you. I'm Jim Marzilli, I represent the Town of Arlington and a portion of the City of Medford, and I want to talk in particular about METCO and Chapter 636. But before I do, I want to jump back to your legislative agenda. Two of the items on your list deal with vocational schools and regional schools. I happen to represent two of the four largest sending communities in what I think is the best regional vocational school, Minuteman, and probably the most expensive school in the Commonwealth. So let me offer my help to you in adopting both of these bills in front of the legislature.

I also wanted to offer my assistance on the Chapter 70 funding formula. In particular, I would encourage you to account for the wide disparity in commercial versus residential property that exists within the Commonwealth. I believe that the current formula disadvantages communities that are heavily residential right now. That is disproportional. I would be glad to work with you on that. But as I said, I'm here primarily to talk about METCO and Chapter 636.

I'm a graduate of the Arlington Public Schools. My high school graduating class had 700 plus students in it. There were fewer African American and racial minority students than can be counted on both hands. As a matter of fact, I would doubt in the course of my full public education in the Arlington Public Schools that I came across a dozen African Americans within the schools. The METCO program has allowed Arlington to embrace vigorously a broader diversity within our public schools. It is incredibly important to our students, Arlington residents, especially the white Arlington residents there, that we have a broader access to racial minorities than METCO allows, but the current METCO formula does not encourage that. In fact, Arlington was, on a per-pupil basis, the single lowest recipient of METCO funds, approximately $1800 last year, because as we have increased our enrollment, we have not seen increases in funding.

The legislation I've seen would support an end to that increase in funding. I also represent the City of Medford, which is really kind of another story. Medford is a racially diverse community. It has a substantial and longstanding African American population and other racial minorities. The Chapter 636 racial desegregation program allows the Medford Public Schools to encourage integration on a voluntary basis, and in particular, 636 funds programs that are among the best within the Medford Public Schools system. The Parent Center has a coordinator. It has a system that allows the school to call back households with absentee students where there's no notice. That allows us to make sure that our attendance is as high as possible. There's a resource center for students. The Chapter 636 program helps fund additional academic programs. It has funded Shakespeare within our Brooks-Hobbs Middle School. It's the only middle school in the Medford system that has a program to deal with literature at that level. It has funded science education including field trips to the Museum of Science on the one hand, to an emphasis on the Mystic River and both the benefits and problems it presents to us. It is an extraordinary program and I would urge you to embrace that and to not dispense with it. In fact, you should strengthen the program.

In particular, we have heard it said that if these programs are so good, the funding can come from other sources of revenue, in particular other forms of aid. That is the wrong kind of incentive to send to cities and towns, regardless of the program. When we have the best programs that are funded by state dollars, we should not be taking those dollars away and say to the cities and towns that they should make up those funds from other sources. So again, I urge your support in strengthening the METCO program and 636. Thanks very much.

Representative Shirley Owens-Hicks

REPRESENTATIVE OWENS-HICKS: Good morning, Mr. Chairman, Commissioner, members of the Board. My name, for the record, is Shirley Owens-Hicks. I'm a state representative from the 6th Suffolk District which includes a part of Boston and a small part of Milton, and I'm here today to talk about two programs, the METCO program and the Chapter 636 funding. I think you have heard from Representative Marzilli about both these programs so that you probably won't need to have to listen to a lot of words by me on either of them except to say I would be remiss if I didn't at least talk about how important both these programs are to my constituents in Boston and in Milton and throughout the state.

As you know, the METCO program had been for a long time, level funded. And finally we were able to get some monies in this fiscal year's budget, and we are hoping to continue that. It's important for people who are affiliated with the METCO program to understand how the racial imbalance piece of it works. It allows an opportunity for the people who live in the towns, the host families, and the youngsters who go to the schools in those towns, an opportunity to get to know each other, to see how it is that each other operates, one with the other. And that's important, I think, because if one person from an ethnic group gets to know another person from an ethnic group, then it certainly has a lot to do with race relations across the board. To the degree that there's enthusiasm, there's energy, there's excitement about the METCO program in all of the communities and by all of the people who are involved with the program. As a former METCO parent myself, and as someone who has been supportive of the program throughout, I urge you in your budget, as you present it to the Governor this year, to include the METCO program and to strengthen it.

In addition, as you know, the Chapter 636 funds were not included in the Governor's budget, as we got them in the House of Representatives, and then of course to the Senate. We were able to get $13.2 million in the budget. You know the history, the Governor vetoed it. And now we have gotten the monies in a sub-budget and it is important for us to do that. Hopefully you will in your wisdom recommend that the Governor include 636 monies in the state budget for this upcoming fiscal year because the parent information centers, the academic programs in reading, math, science, professional development for teachers, full-day kindergarten, all of these areas where the monies are spent are very, very much needed, particularly where they are being spent. And it's across the board. It's in Boston where we get a large number of those, a large portion of that $13.2 million, but in addition to that, Brockton, Worcester,

Springfield. There are a number of other urban areas whose legislators have indicated keen interest in and serve as high advocates for 636 funding. So I hope that you will consider that as you present your budget. And I just want to thank you for your time.

Jean McGuire, President of METCO.

MS. McGUIRE: Good morning, members of the Board, chairperson, Commissioner. I want to read to you quickly what I passed out to you, but I'd also like to editorialize that I'm for computers, calculus, chemistry, and the cello and the clarinet, and I would like to avoid kids being involved in cocaine, because I live in a city where that is a reality as it is in the suburbs. And I'm always weary of policies and line items that are part of what I call very subtle final solutions. And I'm disturbed to see that there's no increase this year in the budget for the METCO program.

We have been level funded literally for 18 years. We have staff with salaries from 18,000 to low thirties. You don't pay rent in Boston with that kind of money. We are people who work with our children, work with suburban educators, who work with teachers. You say you want them to be well educated, and we need to restore that to the City of Boston. But 2002 fiscal year marks the 36th year that the METCO program has been providing educational opportunity to superintendents in 38 school systems in metropolitan Boston and Springfield. Over these 36 years, the program has positively influenced more than 40,000 students in the cities and the 38 participating METCO school systems. Over 6,500 students have graduated from the METCO program where most, 85 percent, tell us they have gone on to higher education. Last year, the legislature, after listening to endless testimony from the districts, parents and their own members, decided to increase the METCO line item by nearly $3 million. They did this for two reason: One, because the METCO program was being funded at less than $2,000 per student -- I can say that includes transportation. With the cost of gas increasing, what little increase we have gotten has gone that way in many circumstances. And two, the legislature was convinced that the METCO program is doing what the legislature expected it to do -- to integrate racially isolated suburban schools and give students from racially segregated Boston communities and Springfield communities educational opportunities they would not have in their district of residency.

My public comment today, though, is not to talk about the accomplishments of the past, but to remind the Board of Education to consider what the House and Senate will consider for fiscal year 2002, and that is the second installment of another increase promised for the METCO program. That increase of $3,100,000 would bring the per-student funding level of the METCO program to just under $3,768 per student, still nearly $2,000 less than the state's foundation budget level. It would also raise the service provider's contracts to just over $1,030,000, an amount less than the providers received 13 years ago. Why should the Board consider this increase? Equal opportunity. Why would the state fund districts which are voluntarily participating in a program that educates children of color from another community with funding that is less than the state's own foundation level per pupil goal? METCO parents have been subsidizing Massachusetts' educational investment in other children since the inception of educational reform, while watching their own children denied the same equity in funding.

Therefore, they wish to make certain that you will not leave METCO, Incorporated and the METCO program out of the FY 2002 budget request. I urge you to reconsider the zero in the line item here for the METCO program and also for 636. I think that the investment in those communities which have probably done the poorest on your MCAS ratings are well worth every cent you put in them. It's a whole lot cheaper than the South Bay Prison as you enter Boston off the Southeast Expressway, and that little bus that goes out to those 197 schools gives you more return on your dollar than anything else you do. And I think the wisdom of the past needs to be revisited to this Board. Thank you for listening.

Kharis McLaughlin.

MS. McLAUGHLIN: Good morning, Chairman Peyser, Commissioner Driscoll, members of the Board. I thank you for your permission to allow me to speak this morning. My name is Kharis McLaughlin, and I'm here as a member of the Racial Imbalance Committee which reports to this Board, and I'm here to let you know that we are deeply disturbed about the zero allotment for magnet education through 636. We believe that this is money well spent for children. It's important to acknowledge that diversity is still a compelling state interest and I know that there is this belief that integration has already taken place and there's no need to provide for programs that will bring children together. But I would like to correct that view.

As I drive through the suburbs of the MetroWest in the areas surrounding Boston, I'm confronted daily with the lack of integration. I believe that children who are educated together come out with the reality of what people are really about and can make real decisions about who their friends should be and why they should interact with each other. I'm deeply afraid that with the recent hesitancy to fund programs like 636, that we are engaging in the practices of California and Texas and moving away from Affirmative Action. And it's not that I'm suggesting that Affirmative Action needs to exist forever. I just feel that there needs to be good programs in place until the messages of racism have been erased. The only way that children can succeed is to be given a good education, and if we look at neighborhood schools in the urban areas, there's still so much work to be done. And I know that with your emphasis on charter schools and the money given so that people can create creative programs, it will help some children. But still, there are others who will be left out of the loop.

It's important to look at funding that provides innovative programming, programs that keep kids in school, and programs that keep parents involved in the education of their children. Although there are lots of questions about what the money for integration is providing for children across this state, I can tell you that since 1965 our graduation rates have increased. Children have been provided opportunities that they were denied legislatively before that time, and I know that if you continue to fund these programs, children will still have the opportunity to access equal education. In my own life, not even the lives of my kids -- I'm not going to talk about my children today, but I'm going to talk about my own life. Because of my working with the METCO program, I was afforded many opportunities that I would not have been given if there was not legislation to cover programs like this. Dr. Driscoll, you know that when I was in METCO in Wakefield I used to come and visit you, and you may not have looked at that as mentoring sessions, but in reality they were. I've learned to admire a man that I would have never known if I had not been in that area.

In my own life, I have been able to participate on the school committees of both Lincoln and Lincoln-Sudbury, and these have given me opportunities to interact with people that normally I would not have known. If you close off the funding of 636, you are denying equitable education to our children, and that's intolerable. We spent lots of time last year working with the legislature to make sure that the funds were reinstituted and, as you know, they were. And then the veto was not brought forth. It saddens me to think about the amount of time that we have to spend to make sure that kids are educated well. I would rather be working with children this morning than to be appealing to you to reinstate funding that is probably less than 1 percent of the total budget. I'm hoping that you will rethink your position on Chapter 636, and I will have to say also the provisions for METCO, because I can't come here and speak for one and not the other. It's all about equitable education. But I want you to take seriously the belief that education has provided the leg up for many disadvantaged children, and I believe it is this Board's responsibility to continue to provide funding where all children can receive equitable education in Massachusetts. Thank you so much for your time.

Benetta Kuffour

MS. KUFFOUR: Good morning. I'm a little nervous. I've never sat before a bunch of important people before like this. Chairman Peyser and Commissioner Driscoll and members of the Board, my name is

Benetta Kuffour, I live in the city of Worcester. I'm a parent. I was a parent of a child in the Worcester Public Schools, she spent all of her years in the Worcester Public Schools, I'm now a grandparent of a six year old who's in the 1st grade at Worcester Public Schools. I'm here in support of 636 funding. I really wish that you would reconsider putting that back into the budget. I speak from a personal standpoint. I have seen the benefits of integration and school choice. It's given parents an opportunity for choice, and what Worcester Public Schools has done through the Parent Information Center and magnet schools for my child.

I did not have the opportunity to go to a public school, I went to a Catholic school. I have some regrets. I was the only one in the whole entire school. I didn't have the opportunity to get to know different cultures. My daughter, on the other hand, was exposed to a variety of different cultures. My granddaughter even more so. With the way the make up of the city is now she has the opportunity to be exposed to Vietnamese, Brazilian, African, Islanders. She says she speaks all of these languages now. One word here, one word there. But I think that's a very positive thing because her world is -- as an adult her world is not going to be just who she is and her skin color. What I'm finding from information in talking to my daughter, she's telling me even in the workforce today, people's ignorance or lack in understanding of who people are culturally interferes with their work performance. The Worcester Public Schools through magnet schools and Chapter 636 has allowed children to get to know each other, to make the road easier as they move on in life, and I ask you to please, I beg you to reconsider 636 for the sake of my granddaughter and other children in the Worcester Public Schools and across the state. Thank you.

Anne Seltz, Community Coalition

MS. SELTZ: Thank you for letting me speak. My name is Anne Seltz, I'm the coordinator of Worcester Community Connections, a grassroots coalition of parents whose mission is to support families in the Worcester area. I formerly worked as a Neighborhood Outreach Worker at two grassroots-based community development corporations in the city of Worcester. I'm extremely concerned about the loss of 636 funding and the impact it would have on families in Worcester.

From speaking with hundreds of families, I've learned that one of the biggest barriers that families in our community face is navigating the many services available to them, let alone the mammoth educational system. Having a place to contact where they can get their questions answered and meet one on one with a helpful person who can walk them through the system is a huge benefit. The Parent Information Center fills this role admirably. It's funny, but the Worcester Parent Information Center is the one place that most of the families do know about and they know exactly where it's located, and they usually know somebody who works there. Worcester has a large African American, Latino, and Vietnamese population. Many of these families, mostly for socioeconomic reasons, are forced to live in the poorer, more troubled parts of the city. I know this because our coalition does intensive outreach in these neighborhoods. 636 funding is the only vehicle that allows these children to integrate with other kids and access the full educational experience they deserve.

Parents I speak with are also glad that they have the opportunity to send their kids to that beautiful new school that was built across town, or to another school that specializes in a particular discipline such as the arts which their child particularly loves. How can their kids hope to move beyond their current circumstances if they are not, in the very least, provided the opportunity through their schools? I believe that racism does continue to exist in our society. I hear about it secondhand through the families I work with and firsthand from the experiences I've had from living in Worcester. There is still animosity and distrust between people, at least in the Worcester area. If all children are not exposed to and therefore learn to understand children from other backgrounds and races from an early age on, what does this bode for our future?

And finally, the public school system I grew up in was integrated, and I feel that I really benefited from that fact. I grew up in a nice, mostly white part of town but went to school with kids from all kind of races and religious backgrounds. I remember in kindergarten going to a friend's (who happened to be African American) birthday party in a housing project and it wasn't a big deal. What would it have been like if the school system was not integrated? I don't know. But I think I definitely benefited from the things the way they were. I was always around kids from different races and backgrounds and it was always normal to me. Again, it was not a big deal. It allowed me to make a lot of friends who I would not have made otherwise. Please consider the continued funding of Chapter 636. And I'd like to ask, in lieu of the fact that there were some no-shows, if another parent from Worcester could speak at this time.

Pamela Harris

MS. HARRIS: Thank you. Good morning. Thank you for letting me speak briefly here. My name is Pamela Harris; I am also a parent and grandparent with the Worcester Public Schools. I'm also the Senior Family Advocate with the parent coalition that Mr. Seltz previously spoke about. Our mission is to keep the family strong and connect them with resources in the city. I've lived in Massachusetts for 30 years; I began my education here and also my children. However I feel about segregation or racial imbalance, the fact is, that if 636 had not been put into existence, the children in my city and across the state would not be privy to the most valuable asset we could offer them, which is a grade A, culturally diverse education.

The Parent Information Centers, I feel, are a valuable source. I know that where I live, it's been a constant beacon for many. A lot of them would not know how to navigate the system if it had not been there for them. Worcester is a large city and a very diverse one at best, and I believe because of Chapter 636, the public schools are doing exactly what should be done for myself, for my children, for my granddaughter. I know as a past student, parent, and now grandparent that the Worcester Public Schools system is in line with this Chapter 636. Through it I truly believe it's for the betterment of the children. So if you can please just keep that line item in there we would greatly appreciate it. Thank you for hearing me.

POLICY ISSUES RELATING TO CERTIFICATION/LICENSURE OF EDUCATORS - Discussion

CHAIRMAN PEYSER: The issue which we want to make sure we get to discuss as fully as possible relates to reforms being proposed for certification with respect to educator certification and licensure. The way to proceed would be to turn it over to the Commissioner and to the panel for a brief discussion of the major changes that are being proposed. There are also major issues that have provoked controversy or comment from the public over the past several months since these have been out for public comment. Following that, we will have a discussion on these points to not only inform ourselves, but to provide feedback to the drafters so that when it come back for approval in a month, we will have a document that most Board members will understand well.

COMMISSIONER DRISCOLL: The discussion, debates, and concerns about the certification regulations and changes are part of a larger concern I have over the lack of dialogue about issues that should bring us together rather than divide us. I have been giving this a lot of thought. We not only had our usual public comment period but, in this particular case, we put out a concept paper. We have had two periods of debate over what is obviously a very important matter. In thinking about it, I want to suggest to the Board, and any other interested parties, that we find a better way to have this discussion. There's an obligation, at least from my point of view, to find ways to energize the conversation.

We're talking about two ways that educators become certified. One is the traditional route and the other is an alternative to that route. It is easier administratively and bureaucratically to control the normal route, particularly here in Massachusetts where the Board of Education and the Department of Education have jurisdiction and approval over preparation programs, both private and public. In that sense, you can pile up a whole series of inputs, be they course requirements or various emphases and rules of the road, so to speak.

When you talk about alternative routes, you are automatically, by definition, providing some kind of alternative way. Therefore, to a large extent, much of those standards must be done on the back end. I don't know why we would assume that one is a lowering of the other. I'm concerned about that.

I think we need a discussion about the quality of principals and superintendents. At the forum we just had, all four principals talked about the importance of the quality of the teaching force. When we met with principals from the five Edgerly schools, those with the highest percentage of MCAS results, each talked about the quality of their faculty, and, in fact, thanked them. Obviously, developing quality teachers is the most crucial step in providing an excellent education for children. I would hope that we would want an array of ways to get quality people into the field of education.

I welcome any suggestions about how to ratchet up this discussion in the next 30 days. People have been saying that we only have a month. It seems to me, as far as the certification regulations go, that we have been talking about it for years. I do worry that we are burdening districts. I certainly understand the issue of the Department's capacity with the schools. And I understand that we ought to have clearer guidelines on the standards around the performance assessment. But why assume the worst and assume that we can't trust districts to certify someone? Why would we assume that?

Yes, it's an added responsibility and, yes, we should find ways to help districts, but how can developing quality teachers be a burden? What is being asked of us in education, private industry is doing every day: They reprioritize, find ways to work smarter, find ways to put their efforts into areas that are most important. If there are two areas in which education doesn't measure up -- and I'm speaking for myself as a former superintendent-- it's in the evaluation process and the recruitment, training, and development process.

I don't think this should be a divisive discussion. I think it becomes divisive if you assume that the alternative routes are better automatically, or if you assume that somehow the normal route should be the only route. I think that's where we start to get into trouble and we start to divide ourselves. I have seen tremendous examples of people who have come into the field of education in a variety of ways, jumping through whatever hoops we put in front of them. And they are outstanding teachers.

I know there's a lot of tension out there. These are difficult times for schools, but we've got to find a way to build up the trust and communication. There will be differences to be sure, but they can be crafted so that we recognize where we need to make progress and where we have shortcomings. I'm sorry to take that much time, Mr. Chairman, but it jumps out at me that we need to find a way to maintain a healthy dialogue.

With that, Sandy Stotsky, Carol Gilbert, and Ann Duffy are here and will walk us through a lot of the materials we have. I think it does address the major issues that are on people's minds. So Sandy, take it away.

MS. STOTSKY: Thank you for laying out some of the larger issues within which our discussion this morning will take place. Let me make sure that everybody has the right materials in front of them to refer to. We do have four packets of information. The first set has the table of contents and we will begin with that first packet which is about the preparation of the elementary teacher. We will be referring in all of our discussions to what is probably the third packet, which are draft pages from our current version of the certification regs comments. That should be kept out for referral to the particular pages that I will refer you to as we discuss these issues. The second packet is about the preparation of middle school teachers and then the last packet contains outlines of guidelines for three different areas that have been of interest to various different groups.

Let me preface what I'm going to say by pointing to what has been one of the major contexts for all of what we have done with the revisions of the certification regulations. The overriding theme here is

acknowledgement of the importance of subject matter knowledge for improving student learning. That has been one of the overriding themes underlying so much of what we do, and you will see that very clearly in the first two issues that we will discuss. I'm glad that we have the opportunity to discuss all of the materials. We are trying to highlight what these issues are and we want to allow time for discussion. I'm going to point to what these materials do contain and then ask you to read them in the next month. I want to show how we have responded to the concerns that have been raised about a variety of issues and how we have resolved them. What we are showing you, in essence, is how we are resolving what have been four major sets of issues for different parts of the certification regulations document.

The first issue that we will talk about has been the question of the specification of majors for the elementary school license. And if you take a look at page 10, in the current draft pages, you will see on page 10 what we have put down under 2, Requirements for Teacher Licensure. Here, it was our attempt to respond positively to the concerns that were raised about the specification. If you look under Requirements of Teacher Licensure, you will see what we have done about the concern of specification of majors. What we are saying instead is: For the elementary license, these are core courses that should be taken by all prospective elementary school teachers as part of their undergraduate program, whether or not they are part of their arts or sciences major. This leaves the major open. This is simply what the courses would be. So you can see what we have done on the question of the major.

Now, why did we do what we've done here as a solution? I will point very quickly to the materials that you have in your first packet. I've outlined what we see as the problem on the first page after the table of contents page. You will see that this is what we are now planning as a response to addressing the concerns of how we make sure that the prospective elementary school teacher is prepared academically to teach those courses that all elementary school teachers teach. On the next page, I want to point out why we are making these suggestions for the undergraduate program. If you look in the second column under Total Completers, from all the data we have been able to gather so far, the majority of students who complete elementary training programs complete them as undergraduates -- 4,036 so far, even though we don't have all of our data in yet -- as opposed to a smaller number at the graduate level, a much, much smaller number. So the concern about the academic training of the elementary teacher is really a concern about their undergraduate preparation, because that seems to be where most of them get trained and come from.

We then wanted to point out the problem with the existing test which will be one that we will be revising. If you look at the next page, you will see that the current teacher test contains 80 plus items across six areas. Only four areas are the actual subjects that most elementary teachers teach. The others may or may not be taught by an elementary school teacher: the arts, health and physical education, depending on the school they are in. And then we showed you the breakdown of the sub-areas so you can see actually what were the objectives for the test. Part of what we will be doing is redesigning the test itself to correspond with what we feel we would be able to assure principals, school systems, parents and others, that indeed the elementary school teacher they are hiring is trained and knows the subject area, particularly in grades 4, 5 and 6.

CHAIRMAN PEYSER: Just as an aside for folks who may not be familiar with this: the current teacher test is driven by the requirements for teachers based on the certification regulations, not based on the curriculum frameworks or some other document. Part of what's happening here is an alignment of the teacher preparation requirements with the curriculum frameworks themselves. So that the teacher test, similarly, needs to be realigned to match the new requirements which in themselves should be more consistent with what we are expecting teachers to teach as a result of having curriculum frameworks in place. So this revision of the teacher test itself is something that's long overdue and which we would need to do irrespective of the many other things that may be on the table here as part of the certification reform.

MS. STOTSKY: Thank you. I would be happy to entertain any questions that the Board might have on any aspect of the way we've resolved the question for the elementary license.

DR. SCHAEFER: I haven't counted up the number of courses, but what are you estimating this would amount to in terms of an entire college education?

MS. STOTSKY: This could be 12 or 13 courses, semester courses we are suggesting here, upper or lower level. And by that we mean some in the freshman/sophomore year, some in the junior and senior year, because it's not clear what the major could be if it's an open major. For example, if a student has majored in anthropology, we would like to, through program approval, feel more comfortable about the fact that that student, who was going to become a grade 4, 5 and 6 teacher, had at least one literature course, one history course and so forth as part of their last two years of college, not just in their freshman year as general requirements. Whatever they teach in the elementary school academically should be fresher in their minds, similar to what a person majoring in a subject at the secondary level would be doing.

DR. SCHAEFER: All of this is in addition to the major; it's close to three semesters of courses, some overlap, but at least two and a half semesters, in addition to your major. Now, some people may think that's unreasonable. However, in the olden days that is how it was. There were general education requirements in most colleges that amounted to at least that. I know the one I went to was a full two years of required courses. I repeat, of course, that's in the olden days. However, the Joint Commission on Educator Preparation did come out with a similar recommendation in terms of general education requirements, so there is some good overlap in terms of the two recommendations.

CHAIRMAN PEYSER: This has gone through quite a bit of discussion and revision over the last several months and it has taken into account criticism of all 360 degrees. I think it's very close to a solution that represents a reasonable compromise among all the various points of view. The other thing I'd underline is that the faithfulness with which schools of education and colleges and universities implement this would be evaluated as part of the program approval process. Jumping ahead to some of the guidelines: there is a discussion about reviewing specifics in the transcripts to determine exactly what kind of course distribution you have. This would involve looking at course catalogs and other information about the content of courses for students preparing to be elementary teachers to ensure that colleges and universities and schools of education are acting in good faith and implementing this distribution requirement. It's not simply a case of let's change the name of the course to fit the requirement of the label that's here in the regulations. The important point is that it does put some added emphasis and pressure on the program approval process to make sure that this section is faithfully implemented. I think it provides enough flexibility so that we are not putting ourselves in a position of being the curriculum police at colleges and universities. Rather, we are trying to evaluate the overall performance of schools of education, colleges, and universities in providing a well-rounded general education curriculum to students who are preparing to become elementary school teachers

MS. KELMAN: This is only for people who are education majors, right? So if I decided I want to become a teacher right after college and I hadn't taken these courses, I still could, correct?

CHAIRMAN PEYSER: Yes and no is the answer. The law requires that new teachers have a major in the arts and sciences. They could be education majors in addition to that, but they can't just be education majors. However, these are people who are going through a teacher preparation program that come out with the level of license which is Initial level rather than Provisional level. But yes, if at the end of the senior year you decided to become a teacher, you could go through one of the other alternative routes and still get into teaching without necessarily having had this general distribution of courses. You would come in at a lower level in terms of licensing, but you could still gain access to the classroom, basically.

DR. SCHAEFER: One of the other things we talked about at the Joint Commission is that this kind of program could have far-reaching implications for college education in general, to the extent that a college prepares a number of people for the teaching profession, and this is particularly true of the state colleges

and university. Is the Department likely to have a different set of requirements for those who are interested in teaching than for those who are not? And so it could have an impact on what are the general requirements for college graduates, which I don't think would be a bad thing at all.

MS. STOTSKY: Could I respond to Jody's comment? Take a look at the top of page 11, which may be one of the things you were alluding to for the person who has graduated from college and is thinking about teaching by going in by route 3 or 4. We are saying that for what is now being called Provisional, back from Temporary to Provisional, that these are the courses that they do have to have before they can go into the schools through routes 3 and 4. So this becomes --

CHAIRMAN PEYSER: As elementary educators.

MS. STOTSKY: Yes, for early childhood and elementary, there would be courses or seminars that address these areas. It is to make sure that these safeguards are there for the younger children in the schools if there are people who decide afterwards that they want to go in through these alternate routes.

CHAIRMAN PEYSER: I guess the expectation is that people who come in through alternative paths are less likely to be going into early childhood education than otherwise. I have one quick question on that, since you brought up the section on page 11. You make reference to early childhood, elementary, and teachers of moderately disabled students. I want to clarify the implication: one could read this to mean that requirements are being waived for the license applying to teachers working with more severely disabled students. I think the reality is that, in fact, you can't come into those licenses through alternative paths, is that correct?

MS. STOTSKY: We haven't in any way through the regulations forbidden anybody to come in through those routes overtly. Those teachers would still have to pass the tests that are required for them, although the teacher of the severely disabled does not have a specific test. You don't have the page here, page 28 of the regular document that we have been working on.

CHAIRMAN PEYSER: But in terms of a Provisional license, which is something you could get through an alternative route, it implies that you can – in this section, at least, there may be some other section I'm not aware of, but this section implies that if you were going to be teaching in the early childhood, elementary, or with respect to moderately disabled students, that you need additional seminars beyond just a liberal arts degree and passing the requisite tests coming in. However, there's no mention of severely disabled students, which suggests either that you can't get a Provisional license through an alternative route for disabled students, or you can, but the requirements are less than for teaching moderately disabled students. Does that make sense?

MS. GILBERT: I think you have put your finger on an issue that we have to look at a little more carefully, because it is a first license, so you could go through the program and get that. I guess the question becomes what kind of major qualifies you to start that way. But there's nothing to prevent you, in theory, the way it's written, from getting a Provisional license to do that. So we should take a closer look at that.

CHAIRMAN PEYSER: I think that needs to be clarified in terms of severely disabled students.

COMMISSIONER DRISCOLL: Is that the only one? That's something we have to think about, if there's any other category.

MS. STOTSKY: We'll take a look at all of them.

COMMISSIONER DRISCOLL: I think that's the only one that I could find in elementary education.

MS. STOTSKY: Shall I move on to the second one?

CHAIRMAN PEYSER: Move on to the middle school.

MS. STOTSKY: Let me move on to the second issue that deals with the preparation of the middle school teacher. This has more complex problems attached to it because of regulations and the background for it. What you see here in the set of handouts is what we've laid out as the problem in middle school. We are eliminating the middle school generalist license as it is now set up. We have an opportunity, actually, for some really innovative and forward-looking thinking, and this is an area that I think will speak to the needs of schools, of principals particularly, who are looking for teachers who are better trained academically for the middle school than what is now apparently available through middle school programs as they exist. We did get some data, we don't have much yet, but I just wanted you to see some of the issues surrounding what people see as a problem.

The problem that we see is one of making sure that those who teach in the middle school have enough academic background to teach what we expect them to teach to our standards. The second page shows that in the past year there haven't been too many people who have actually taken the middle school test, and the pass rate was not one of the highest pass rates. We do see a large number of people getting certificates, almost 6,000, and in checking with our cert regs office about that, it seems that probably this large number is due to teachers getting swaps when they go from an older certification, K-8, and then at recert reg time decide to get middle school certification. So they actually haven't taken any program for a certification in middle school, they've simply gotten a different certificate at recert time because they swapped an older one that was no longer available and moved up.

Go on to the third page. What we do not seem to have are many programs that actually produce middle school teachers under the middle school license. This was all we could get from just two sample colleges we called up. And we showed you the grade range configuration so you can see that we do have a growing number, large number of middle schools, either 5-6-7-8 or 6-7-8 or 7-8, and to show you also what the test format is, that this covers six different areas for the middle school. Again, only four of them address the subject areas that middle school teachers would teach. We were told that the license was actually intended for people who would be like elementary school teachers only teaching at the middle school level in self-contained classrooms. Now, this is not really a reality in most middle schools, but it has meant that once the arts and sciences major kicked in, they could major in anything and only be required to have 24 semester hours across all the subjects they actually taught. So what we are trying to suggest as our solution, and we want you to look back on page 10 of our cert regs draft page again, is that we are recommending under 2, and this is item number 3, "For the middle school license: academic concentrations of a minimum of 24 semester hours in each of two subjects selected from the following." That would help address what everyone sees as the particular problem of the middle schools.

This particular problem seems to have been resolved this way by North Carolina, which is part of what we are using as the model for making this suggestion that there be academic concentrations in two different areas of 24 at a minimum semester hours. And this would comprise the middle school teacher who we have been told generally teaches ultimately in one of two different clusters, either English / history or math / science. So we hope that this is going to be a way in which we can begin to address the needs of middle schools, to provide teachers who are academically trained with the subject matter knowledge they need but without expecting that they are all going to be majors in that subject, as in math / science, which means they may not ever get to teach in middle school all together. That's the similia inter similibus that we have to take without requiring too much that will not end up with anyone teaching in middle school, and without requiring too little so we have teachers who can teach what we expect them to teach in grades 6, 7, 8 in history / English and math / science, because those are really the two subjects they have to teach beyond all else.

CHAIRMAN PEYSER: First of all, is the proposal still to eliminate the middle school generalist license?

MS. STOTSKY: We are suggesting a middle school certificate but it will not be called a generalist certificate.

CHAIRMAN PEYSER: And to get that, you need 24 semester hours in each of two subject areas. The problem is that, as you describe, there are these two categories of middle school teachers. One is humanities, let's say, English, history, social sciences; the other is math/science. There seem to be two paths here for middle school licensure. One is middle school license which allows you to teach any subject in the middle school. The other is a specific middle school license in a particular subject area.

MS. STOTSKY: And we are still allowing the biology major who still be can licensed for the middle school level as well as the high school level.

CHAIRMAN PEYSER: I understand. In terms of the new non-subject-specific middle school license, you could, if I'm reading this correctly, have 24 semester hours in English and history, 48 total, 24 in each one, and not have anything in math and science, and yet still have a license which would allow you to teach math and science in the middle school.

MS. STOTSKY: No, you could not teach in other areas. You could only teach in the two areas you have the concentration in. That's the key difference.

CHAIRMAN PEYSER: So this is in lieu of a major in one of those two areas?

MS. STOTSKY: Yes. This is in lieu of specifying majors for a middle school. Up until now you could get a middle school level license as part of a major in a subject area that is typically taught in high school, or you could get this middle school generalist certificate, which means you majored in anything under the sun then had at least 24 hours distributed across whatever the older regulations allowed, which could be any subjects in any of those areas in any amounts in any of those areas. There was no way to specify.

CHAIRMAN PEYSER: Let's say I took 24 semester hours in English and 24 semester hours in history. Let's say I was a history major. My middle school license would be for what?

MS. STOTSKY: English and history.

CHAIRMAN PEYSER: Do I take two tests, take both the English and history?

MS. STOTSKY: That's the part we are still going to be working out, because there are several different test possibilities. As I say, this is the solution we are thinking of for how we address the problem of the middle school, get rid of the generalist license which has been very weak in terms of content, but the testing we are still going to work out.

CHAIRMAN PEYSER: So rather than providing a generalist license for those schools that have a more elementary school design for middle school class levels, where they have a single classroom teacher teaching virtually all the subjects, that teacher would need to receive multiple licenses rather than just the one general license. So if the teacher is going to actually teach math, that teacher would have to receive a license in math in addition to a license in English, a license in --

MS. STOTSKY: Or math/science. Let me give you a concrete example at the very end of this packet of handouts from a faculty member at Fitchburg State College. This is just one suggestion but --

DR. SCHAEFER: In the middle school packet.

MS. STOTSKY: Yes. This came after a meeting we had with a number of people discussing their concerns, and I thought this was just an excellent set of suggestions. This has not been implemented, but it was her suggestion with support from her faculty and her dean about how they might think of addressing the very issue that we were raising. They could have middle school certification in two content areas, and she listed the humanities strand and the math/science strand, and they seemed very enthusiastic about the possibility of working this out there. So this is simply an example of what some creative thinking can do once the problem is clear about what you have to work out for the middle school.

CHAIRMAN PEYSER: So the presumption here is that the middle school teachers would get either a subject-specific license or a humanities, let's call it, license or a math/science license. So one of those three likely licenses.

MS. STOTSKY: There could be that set of possibilities, right. Shall I go on?

CHAIRMAN PEYSER: Yes, please.

MS. STOTSKY: The third issue that we have listed deals with the question of criteria for program approval across all routes or programs leading to an initial license. If you look at page 7 in this draft of the cert regs, we have carefully gone over and have always intended to make sure that all the criteria that apply to institutions of higher education would be similarly applied to other ways to prepare prospective teachers for the initial license. And that's what you see at the top of page 7. All of these criteria lead to program approval leading to Initial License that will be applied across all four routes. We have made sure that they can be addressed across all four routes equitably, so it is something that we have very carefully worked out. These are the criteria for all four routes and all four routes are routes that lead to initial license. I want to make that clear because I'm then going to discuss the options for professional license which are different from the routes. We have to remember that the routes are for initial license only. That's what they were designed for.

CHAIRMAN PEYSER: Can I ask you a quick question on this? 1(a) on the initial license talks about knowledge requirements for license and knowledge of appropriate student learning standards in the Massachusetts curriculum frameworks. This jumps back to the subject we were just talking about, but it could apply elsewhere, where the initial license, as part of a traditional path program, essentially part of a college or university typically, is providing coursework in the subject areas. So, for instance, elementary education, in particular, is providing coursework across this distribution of areas. If I come into elementary education and I have majored in just one subject and don't have the full distribution across those areas, I've taken the requisite seminars or courses in reading instruction, some of the other things that are mentioned in the regs, but again I don't have the full distribution requirement of the general education side, would I then have to go back and take those courses under the supervision or at least the approval of the local district in order to have an approved induction program?

MS. STOTSKY: First of all, you could be in route 2 which is a post-graduate program in which you could be trained for the elementary license, if that's what you want. And you might take the test of subject matter at that point which would then determine whether you had the knowledge in all of those areas, a redesigned test. So that would be one way of establishing that you knew what you needed to know in order to teach those subjects in the elementary school. The professional standards would be dealt with in that program.

CHAIRMAN PEYSER: In saying the program approval guidelines are the same whether it's a district level induction program or a college level or even postgraduate level preparation program, they are not identical. Obviously, at the district level they don't have the capacity to provide you with course level instruction in all the various areas that may be required with respect to the more common or traditional paths towards teacher preparation. To require people to acquire those credits would undermine the notion of the alternative path in the first place.

MS. GILBERT: The way it works for program approval in the higher education institutions is that they do have the authority to examine the candidate's needs and knowledge and to waive, if they feel that that's appropriate, certain requirements. We would envision that kind of authority, so they would not be automatically saying "You didn't major in this, you have to go and recreate your undergraduate degree."

CHAIRMAN PEYSER: In order to get in under the provisional, you have to pass the subject matter test anyway. Is that, almost by definition, evidence that the candidate has sufficient knowledge and meets the other requirements with respect to subject matter and coursework that would otherwise be required as part of a college level teacher preparation program?

MS. GILBERT: Yes, except for the elementary and those other exceptions that were noted in terms of what they would have to --

CHAIRMAN PEYSER: The reading instruction.

MS. STOTSKY: The arithmetic and language arts, right. So we have, as I say, the criteria here that will apply across all routes for initial. The other question is the options for achieving professional license, and those are on page 11. So let me now turn to page 11 so that you can see the listing at the bottom of the page of what are the three basic options for achieving professional license. This is where the Commissioner and the Board can determine that all three are of equivalent worth in enabling teachers to achieve a professional license, because all relate to improved student learning. These are all different in shape, form and content. That is the nature of the options.

The first option, little i under 3d, is the Department-sponsored performance assessment program for which you will see the guidelines in the fourth package that we have handed out. That performance assessment program is certainly devoted to making sure that the teacher can demonstrate all the skills of teaching that are related to improved student learning. The second option that has been, of course, available for many years, is the completion of a master's degree in a graduate or professional school other than education, the master's in history, the master's in whatever. That is the emphasis on the knowledge base that the teacher brings, often at the secondary level. Certainly the research there is clear that teachers with greater knowledge of subject matter in mathematics, for example, have higher-performing students than those without a master's degree in mathematics at the secondary level. Then you have the third option which is the completion of an appropriate master's degree in an education school, and here is where we have tried to balance pedagogy with content-based pedagogy or content courses in the academic discipline depending on what they would like to carve out for particular students or candidates taking that program.

Here are three options leading to professional license, all of which are related to improved student learning, all of which can be seen as of equivalent worth, and this is what we are setting forth as the options for achieving professional license that are certainly accepted options in the field of education in general, nationally. And the fourth one is an added piece that would help those who had one kind of master's but needed to have an appropriate master's degree, and this enables them to be able to achieve iii. If they, for example, have achieved another master's and they want to be able to complete an appropriate master's degree program in order to complete the professional license, they don't have to get another master's degree, they just need to supplement whatever would be needed for that first master's. We are not trying to burden people with multiple degrees, just what we think would be useful for them to have. So it is really three options plus the little extra. I'd be happy to discuss any questions related to the criteria for the four routes, equivalent value of the three options for professional.

DR. SCHAEFER: I think that we have a lot of homework to do. First of all, I would like to compliment the three of you and whoever else from the Department was working on this. There is an incredible amount of effort that's gone into this. I fully understand what went into this, from the months I sat on the Joint

Commission on Educator Preparation. We need to read this very carefully for the meeting next month and we'll probably have more questions then. You've done a very thorough job and I really appreciate all that work.

MS. STOTSKY: Thank you. I have had a great group of people to help me with all of this, believe me. We have worked on putting all these little pieces together.

CHAIRMAN PEYSER: This may be a good segue to the last piece. I want to comment that in terms of d-1 or d-i, Completion of a Department-sponsored Performance Assessment Program, that there are guidelines which I think are important. It's important in thinking about this that this is not seen as simply describing an assessment per se. Assessment is part of the process, but it is essentially the endpoint rather than the entire process itself. This is important for underlying the notion of equivalency between or among these four different approaches.

MS. STOTSKY: I'll go on to the fourth topic, if you want me to.

CHAIRMAN PEYSER: And we should probably close here within five or ten minutes.

MS. STOTSKY: Fine. The fourth packet contains -- and again, this is something you will be reading. I can't explain the details. But the first set of pages is an outline of guidelines for a performance assessment program which will be a Department-sponsored program. The location of these options is different. This gives you a fairly good idea of what we are planning for a performance assessment program. The second set of pages in the middle are the guidelines for induction programs. These have been available for quite awhile. School systems have known about them, they have been more fully worked on in recent months by Ann and her staff and others, but again, these are guidelines that have helped us to clarify the regulations document because going from the guidelines back to the regulations enables us to make sure that our regulations don't contain anything that would lead to problems in implementing the regulations or that there may be a problem in the regulations that we need to adjust because of what we see happening in the guidelines.

It's an iterative process for going back and forth between what we need to do in order to carry out a regulation and what the regulation itself should state that fully expresses what people want. And then the third set of pages deals with program approval guidelines. This is a part of a much larger document that Carol has been working on with her own group that will be a major piece, the approval program criteria, for all educator preparation programs, and here are two sections from it here. So this is for you to look at to see that indeed we have been working on the guidelines, the drafts, and once we have approval of the certification regulations, then we can proceed to really work on cleaning up and finalizing the guidelines themselves.

CHAIRMAN PEYSER: One quick note here for confirmation purposes, as well. It says, in terms of the performance assessment of individual teachers that they would be done by two qualified trained assessors from outside the district.

MS. DUFFY: Correct.

CHAIRMAN PEYSER: They are approved by the Department not necessarily Department employees, and I guess the design is that they would not be Department employees but they would be trained by the Department, approved by the Department and not in the same district as the teachers themselves.

MS. DUFFY: That's correct.

CHAIRMAN PEYSER: There is a lot of homework, as Sandy said at the outset, and I hope you will all do it. There's a lot of reading to be done. There will be more coming. Maybe I can ask this question: When can we expect to have the final draft of the regulations for review prior to the next Board meeting? Because it is going to be one of those documents that requires a bit of preparation and there is Thanksgiving which immediately precedes our Board meeting.

MS. STOTSKY: This is my tentative plan: within another week or two, at the most, we will have a final version which will go to legal counsel for review and detailed editing. Right after that, we would hope to have the whole document available for anyone to read. In the meantime, we will be having meetings that will be taking place with college level people and with some other groups, on some of the details that are in certain sections such as administrator licenses and program approval to make sure that the language is clear.

CHAIRMAN PEYSER: My only concern if it takes three weeks, that puts us too close.

DR. SCHAEFER: That's the week of Thanksgiving.

CHAIRMAN PEYSER: I would urge, to the extent possible, that review by the general counsel goes along in parallel with the writing of the general draft.

DR. SCHAEFER: If we could get it the week before that.

COMMISSIONER DRISCOLL: We trust you to recognize that it has to be gone through by legal. We'll get it to you as soon as we can.

CHAIRMAN PEYSER: Even if there are reasonably small modifications that are introduced essentially through the Board packet, which comes a week before or less, that would be fine, as long as we have the great substance of the document before us, that would help.

DR. SCHAEFER: The material we have now, will that stay the same, substantially the same, so we could start reading that with some assurance that it's not going to be changed?

MS. GILBERT: The only part that you have that's actually in the regulations per se is this pages 6 through 15. The other things are not regulations.

DR. SCHAEFER: So the backup is not going to change?

MS. STOTSKY: No, the backup is simply outside information. We did have the rest of the document worked out and most of those details are solid at this point-- license content and most of those other issues that have been worked out over the past six to eight months.

CHAIRMAN PEYSER: Again, I would suggest that you get Board members copies of the whole regulatory document as soon as possible, even if it's not 100 percent.

COMMISSIONER DRISCOLL: I hear you.

MS. STOTSKY: Will do.

COMMISSIONER DRISCOLL: We will do that.

CHAIRMAN PEYSER: Thank you all very much. We appreciate it.

DR. SCHAEFER: Thank you.

CHAIRMAN PEYSER: Let me move back to number 2 on our agenda, which is the budget proposal. As I said at the outset, the Budget and Finance Committee has met. However, this is, as you might imagine, a document that requires more than one meeting and we have only had one meeting. There are a number of line items that we have not had a chance to evaluate directly and need to spend more time on. So, the document before you is certainly an interim draft, although it does reflect some of the thinking on the part of the Budget and Finance Committee, to date. There are three things I'd like to mention.

We have identified several areas to focus new resources on: (1) Improving teacher quality. There are several line items specifically around teacher quality and attracting excellence to teaching, teacher certification, mentoring and training, etc., all particularly important. (2) Expanding programs that support academic excellence. AP courses and gifted and talented programs, in particular, fit that label. (3) Expanding the assessment program. As you know, we are going to be doing more assessments, including some form of retesting that needs to be developed and rolled out in the coming fiscal year. In addition, we need to continue to expand the capacity within the Department for its own oversight and participation in the test development process. And then finally, we need to (4) Strengthen the Department's capacity in several important areas. One is research and program evaluation. Another is special education where the law, as you know, has changed dramatically, putting additional administrative and technical assistance burdens on the Department. Not to mention, school building assistance where, similarly, there's been a reform in the law which puts more burden on the Department to evaluate building projects and several other factors which have historically not been considered to determine the appropriate reimbursement rate. So while there's significantly new administrative responsibility, there is not, at the moment, much new administrative capacity. We need to build that.

In addition to those areas we have included additional resources. We have consolidated discrete line items and there are a couple of reasons for that. The general approach to Education Reform, in particular education finance reform, was to provide increasing aid by the state through Chapter 70. In so doing, overtime, this would provide districts with greater flexibility in using that money, and it would also phase out specific line items for certain programs within the districts. So there's substitution of general Chapter 70 aid for the specific line item. The reality is that we continue to proliferate new line items rather than consolidate them. Therefore, part of the proposal is to do more consolidating, in part, to address the issue we just discussed, and to provide the Department with greater flexibility to invest those funds in programs to find the greater value to students. It may also provide us with some efficiency gains in terms of administering these programs both at the state level and at the local level. Let me give you a couple of examples.

A number of early childhood lines have been merged and consolidated into a single line item, as have MCAS remediation and after-school programs. These are areas in which we are investing new funds and a consolidation of several discrete line items. Getting back to the original point, this is not a complete document. There are several areas we have not had a chance to visit very carefully but we need to spend more time on in committee. We'll report back our findings and recommendations at the next meeting.

A couple of other areas, which I may have mentioned earlier in the day, relate to Mass Ed Net subsidies, charter school reimbursement rates, and several other line items. With all those caveats as well as explanatory notes, are there any comments that Board members might have on the document before you?

COMMISSIONER DRISCOLL: Do you want to add anything, Jeff?

CHAIRMAN PEYSER: We will have a further discussion of this at the next Board meeting. We'll have a complete document at that point with all of the line items filled in with final recommendation from Budget and Finance.

DR. SCHAEFER: Could I ask where the Chapter 70 number comes from?

CHAIRMAN PEYSER: I would ask Jeff Wulfson if he wants to explain. Obviously, it's an estimate.

MR. WULFSON: The Chapter 70 number that we are holding in there is really more a placeholder than anything else. It is based on the current provisions in the law and based on projections of what enrollment will be. We are just now collecting the actual enrollment data and, hopefully by next month, we'll have a more refined number there.

DR. SCHAEFER: And that will not take into account any changes in the Chapter 70 formula that are going to be proposed?

MR. WULFSON: Right. At this point we want to present that in our budget request as a baseline comparison and then, as either the Board or other entities come forward with alternative proposals, we will cost those out in comparison.

COMMISSIONER DRISCOLL: The administration and the legislature understand that's what we are doing. It's more of a placeholder. We are being asked all the time to run various scenarios and that's what we are doing. As adjustments are made, we'll make them.

CHAIRMAN PEYSER: In the recent past, our approach to this was to say that we would fully fund whatever the formula provided as the number. Our focus in terms of making budgetary decisions and policy decisions has been more on the discretionary line items. We haven't made the connection between the two by saying that if Foundation Aid goes up by X percent, then we're going to reduce discretionary spending by Y percent. We basically treated them as separate accounts, and our goal, now, is to hold discretionary line items in balance to the extent there are increases in some areas that offset decreases in others. Okay? I guess the last thing on the agenda is report on Lawrence.

UPDATE ON LAWRENCE

COMMISSIONER DRISCOLL: We are doing a full evaluation in Lawrence; even though the accountability line item is still being finalized by the legislature and the Governor through the supplementary budget, we have agreed to do an evaluation. We are looking specifically at the Arlington School which is one of the two schools declared underperforming.

This Board had received a request from Mayor Dowling to strengthen the agreement and be more active in establishing a task force. We have done that. We are fortunate to have a former Lawrence superintendent on this task force. He has done a terrific job working with us and the superintendent. Former superintendent Matt George of Brockton is part of our team. We have complied with what the Board and the Mayor have requested of the Board. We certainly wanted to comply with the request to develop a stronger tie between the Department and the Lawrence Public Schools. We want to be an active partner of the schools and that's what we are doing, daily. We also have begun the evaluation process for the district. I'm going up there next week to meet with the principals.

I might add that the superintendent of schools is off to a very good start despite the very difficult situation. Obviously, morale is poor given all the changes that have occurred in Lawrence over the last couple years. He is certainly off and running and I think good things are happening. He has simplified the agenda so we are not trying to do 75 different things at once. I'm very hopeful, Mr. Chairman. I think we'll keep this on the agenda every quarter. Obviously you will have the full report of the evaluation team and we'll have the report of the fact-finding group at the Arlington School. We'll have a lot of data from the Lawrence Public Schools.

CHAIRMAN PEYSER: On that last point, I want to underline the fact that although the issue of the evaluation and funds to support it continues to be in a state of limbo, we are moving forward to do the evaluation in Lawrence. We will have fact finding teams visit the two middle schools that we have identified as being underperforming. This forward process helps us to form a circle back to the issue of our November 14 forum on state interventions and turnaround strategies. With respect to the two middle schools that have been identified as underperforming, we're going to be asked to not only evaluate the fact finding reports that come in, but turnaround strategies that are presented to us for our approval from those two schools. The November 14 meeting is designed, in part, to provide some context for taking in that information and doing something productive with it. I hope all of you, including those in the audience, will attend that session in Boston.

Is there any other business that any member has? If not, we are adjourned.