COMMONWEALTH OF MASSACHUSETTS
BOARD OF EDUCATION

*****Regular Meeting*****

Massachusetts Department of Education
350 Main Street
Malden, Massachusetts

Tuesday June 25, 2002
9:00 a.m. – 12:00 noon

MEMBERS OF THE BOARD OF EDUCATION PRESENT:

JAMES A. PEYSER, Chairman, Dorchester
HENRY M. THOMAS, III, Vice-Chairman, Springfield
CHARLES D. BAKER, Swampscott
J. RICHARD CROWLEY, Andover
PATRICIA PLUMMER (for Judith Gill),
Board of Higher Education
WILLIAM K. IRWIN, Wilmington
JAMES MADDEN, Chair, Student Advisory Council, Randolph
DR. ROBERTA SHAEFER, Worcester
DR. ABIGAIL THERNSTROM, Lexington

DR. DAVID P. DRISCOLL, Commissioner of Education,
Secretary to the Board

Chairman Peyser called the meeting to order at 9:00 a.m.

CHAIRMAN PEYSER: Good morning, everyone. We have, on the agenda today, a report from our student Board member, James Madden, who will also introduce our student member for next year. James isn't here yet. So, I think what we might do is go on to the public comment and then move back to my comments that are basically nonexistent, and the Commissioner's, and then, hopefully, James will be here at that point, and we can go to his report as well. So, with that, let me begin with the public comment list. First, is Rick Porteus, founder of the Sturgis Charter School.

STATEMENTS FROM THE PUBLIC

Rick Porteus

MR. PORTEUS: Good morning, Mr. Peyser. I'm just curious. I was the very last person to sign up about 4:30 last night. Are you working from the bottom of the list up? I expect that I'll get as fair listening as anyone else speaking today on the same topic, and I appreciate the opportunity to speak. As Mr. Peyser mentioned, my name is Rick Porteus. I'm one of the primary authors of the Sturgis Charter. I was the founding president of the school. I'm also a parent of two high school aged children, and I'm here today to ask you to consider renewing the school's charter with certain conditions.

I think it's only fair to say, if you take the time to look over the Site Visit Report, the State Auditor's Report, the letters that I and others have sent this Board, the Charter School Office, the Commissioner, the Chairman, Mr. Irwin, Mr. Baker, beginning two years ago, that the objectives of the charter have not been met, and that our concern of two years ago that the financial mismanagement, the inattentiveness to the goals of the school, have resulted in a situation where the current Board is claiming that they haven't followed through on the academics of the school because of financial issues. There has been a lot of smoke blown over the past four years in terms of when the problems at the school arose, but I would like to suggest two things. First of all, if you really probe behind any statement, such as the current claim that the

school has never experienced a deficit, or that they have been ineligible to apply for the IB Program prior to this coming year, I think you'll find more of a story than the assertions that are made to the Site Visit Teams, etcetera. I think you'll also find that going forward with the same Board and administration in place, it's highly unlikely to yield any different results.

I was one of eight trustees, out of twelve, who resigned within the first six months of the schools founding, having been told by acting Associate Commissioner Ed Kirby, in a closed door session, that the charter didn't matter, the faculty was unhappy, and that the Board had to change. It did, and, since then, there has been nothing in the history of the school to date that has shown that the charter does matter. I think you're confronted with a choice here today that goes far beyond the matter of renewing Sturgis or not. I think the choice is, basically, do charters matter, is the legislative intent something that you intend to follow, or are charter schools in Massachusetts merely an excuse to create a state run school system funded locally, but, ultimately, accountable to no one?

The story that ran in The Boston Globe yesterday was very disturbing. I can assure you that when we were in the process of writing our charter, we were told repeatedly by the Charter School Office, Scott Hamilton and Edward Kirby at that time, that we had to be very careful what we put into the charter because we would have to live by those terms. Well, we since find out that the charter is less like the US Constitution and more like the side of a barn in George Orwell's Animal Farm. It changes incrementally when you're not looking in ways that you really can't quite put your finger on. After four years, the basic academic program at the school, that the charter had said would be in place, hasn't even been successfully applied for.

One last thing. I would encourage you, in fulfilling your fiduciary responsibilities as Board members, to read the State Auditor's Report. The auditor became interested when I forwarded to him the letters that I had been sending to the Charter School Office, to the Commissioner, Mr. Peyser and other members of this Board over two years. The auditor found that the basis for those letters was, in fact, true. There has been an attempt, over time, to cover up the fact that the current Board at the school has spent hundreds of thousands of dollars without the benefit of a public meeting or a public vote, and then attempted to cover it up. They've also inflated school enrollments to the point of obtaining interest free, no-risk loans for periods of time that they needed the cash flow. If you renew the charter with the current Board and administration in place, you will basically be telling every district in Massachusetts that you cannot trust what will happen in terms of a school's faithfulness to its charter and the requirement that it abide by the laws and be fair and honest, as well as accurate, in submitting pre-enrollment reports.

I brought something here that I'd like to leave that could perhaps be copied and distributed. This is a fresh decision. Regardless of what has happened in terms of oversight in the pass, it's an opportunity to take a fresh view and make a decision that's sound going forward. I'd ask you, with all my heart, to do that. It's been a shame for those of us who were involved in starting this school that it has gotten so far off track and, and so inattentive to the promises made to the community that supports it.

Paul Dixon, parent, Sturgis Charter School.

MR. DIXON: I want to thank the Board for the opportunity to speak to you all. Mr. Chairman, my name is Paul Dixon. I'm a resident of Brewster, a father of a Sturgis graduate, who also graduated from the Cape Cod Lighthouse Charter School. My younger daughter currently attends the Lighthouse Charter School. I've been an active supporter of the charter school movement in Massachusetts for the past seven years; however, I've come to believe that for charter schools to fulfill their promise and continue to enjoy the support of the general public, that more effective oversight will be necessary. I believe a school's charter to be a contract between the school and its students, as well as a contract between the school and the taxpayers who fund its operation. Charter schools need to be held accountable to provide that which they have promised, both to the student and to the public.

The Sturgis charter promised its students an education based on the International Baccalaureate Program. Four years after its charter was granted, Sturgis has no pending or approved application on file with the IB organization. The State Auditor's Report pointed out that Sturgis, and I quote, "Had not been in contact

with the IB Office in over two years." The Sturgis renewal application mentions a target date for the submission of an IB application, but does not offer any assurance that they will, in fact, be able to meet IB requirements by that date or have the necessary funds available to actually put the program in place. Such a vague and noncommittal approach to addressing this long delayed and central element of the charter would never suffice in a reputable business plan in the private sector. Why should it be tolerated in our publicly funded charter school?

Remarkable claims have been made by Sturgis administrators about the successes of its first graduating class. I believe some of these claims to be misleading and grossly inflated. On May 5th, Sturgis claimed, in a Cape Cod Times article, that 94 percent of all seniors at Sturgis plan to attend college in the fall; this, at a time when only 75 percent were shown to have college acceptances in hand. As noted in the SchoolWorks Site Visit Report, internal assessments at Sturgis show an alarmingly high percentage of students with D's and F's, a result posing a contradiction with the high performing student population suggested by external measures. Additionally, students have suffered the consequences of capricious internal standards, including some advanced level classes having been offered, taken and recorded as such; only to have them redesignated at a later date as non-advanced classes. I do not believe that Sturgis will ever implement the IB Program that was promised in its charter unless this Board replaces Sturgis' current Board and administrators with individuals who are more committed to that objective. Failing that, Sturgis will likely become one more example of how publicly funded institutions inevitably run amuck if they are not held accountable for their actions and their promises.

David Crellin, Principal of the Sturgis Charter School.

MR. CRELLIN: Good morning. My name is David Crellin. I'm Sturgis Charter School's principal, and I have been principal for the past three years of the school's created existence. Today, Commissioner Driscoll will recommend that you act favorably upon our application for the renewal of our charter, and I hope you will vote in support of his recommendation.

At Sturgis, we are proud to be part of the educational reform initiative in Massachusetts. We accept the challenges imposed by our participation in it with a profound sense of responsibility. Sturgis was founded upon the belief that schools would serve students in the larger community by asking them to aspire to higher levels of academic achievement and standards of character than those to which they are customarily held. It was a noble and inspiring conviction. Unfortunately, the school's first year was marked by a series of regrettable financial decisions and struggles over issues of government and management. Its progress, even after that year, was initially impeded by a legacy of doubt about the school's capacity to overcome those errors of judgement.

Progressively, however, I believe we have proven ourselves more than equal to the task of attaining our charter's lofty goals. On June 9th, at Hyannis Town Green, we graduated our first seniors in a glorious ceremony. Close to 700 family members, students, and friends of Sturgis came to watch our academic procession from the school to the green with our entire faculty, in academic regalia, following a Sturgis freshman bagpiper and leading our 53 graduates. They listened to our amazing magical choir which frequently processes through our hallways performing Gregorian chants, which have become one of our favorite musical forums. They listened to orations in both Latin and French as appropriate acknowledgements of our four year French and two year Latin requirements. Finally, they listened to student and faculty speeches paying eloquent tribute to the courage, dedication, self-sacrifice and unbelievably hard work that have gone into realizing the Sturgis vision.

It is a vision that our parents, during our second year, to contribute $270,000 for capital expenses when commercial lender's lack of faith in us threatened our existence. It is a vision that has sustained our graduates through broken promises and incredible turmoil, to say nothing of four years of English, Math, History, Science and French; two years of Latin, Music Appreciation and Art Appreciation; and even more required electives; including Latin III and IV for about a fifth of our seniors in their last two years. It is a vision that has gotten 98 percent of them accepted to some of the most prestigious colleges and universities in the country; including Cal Tech, Wellesley, BC, BU, Wesleyan, Smith, Mt. Holyoke, Carnegie Mellon, Clark, Cornell, Case Western Reserve, and the Commonwealth College at the University of Massachusetts.

To be sure, we have a long way to go. Ahead lies the formidable challenge of regaining affiliation with the International Baccalaureate Organization as the keystone of our charter's ambitious agenda for our future. Just as our Site Review paid tribute to our institutional capacity to meet the demands of gaining membership, we, ourselves, believe we are well positioned to take this next step of our journey. The presence today of students, parents, faculty and trustees, who boarded the school bus at 7:00 a.m. this morning, or undertook their own odyssey through the perils of the Big Dig, is a more powerful statement than my words about our commitment to the Sturgis vision. Ultimately, though, your decision about our future will be based, we know, on information about our accomplishments and addressing the three renewal questions. We, of course, are not unbiased in our feelings and perceptions, but we believe the evidence is strongly in our favor, and we hope that you will find it in your hearts and minds to agree. Thank you.

COMMISSIONER DRISCOLL: I rarely do this, but while I have you here, may I ask a question? You commented that 98 percent of your students have been accepted to colleges and universities. Our previous speaker questioned that number; so, I want to ask directly, is it 74 percent or 76 percent, or is it truly 98 percent of your kids that have letters of acceptance?

MR. CRELLIN: It is 98 percent.

DR. THERNSTROM: Can I follow that up, David? I just want to know what, how we've gotten to this disparity.

CHAIRMAN PEYSER: I'm not interested in how we got to the disparity at all. I'm interested in the number. That's all I'm interested in.

DR. THERNSTROM: Okay. But there has got to be—

CHAIRMAN PEYSER: Then there is no disparity.

DR. THERNSTROM: All right.

Barbara Brown of Boston University.

DR. BROWN: Good morning, everybody. I am Dr. Barbara Brown. I will direct a program at Boston University called Africa and Our Schools and Community. It has, for the last 23 years, worked with schools in Massachusetts, as well as nationally, as well as educational publishers. I come on behalf of a coalition of white and black leaders in Massachusetts, comprised of some elected officials, community leaders and scholars, to urge the Board and the Department of Education to continue to revise the History and Social Science framework so that it is truly reflective of Guardian Principal 6 in all drafts of the document, which states, "An effective History and Social Science curriculum prepares students to understand the world outside of the United States."

The student's understanding of the world today depends upon knowledge of the history of many civilizations. At this point, the document focuses still on the history of Europe. While Europe is, indeed, an important part of World History, it is by no means the sole part of the world history. I'd like to say that after we met last week with Chairman Peyser, Mr. McQuillan, Ms. Wheltle, Mr. Lewis, and Mr. Kay, that we left that meeting discussing our areas of concern with a great deal of hope that many, if not all, of our concerns would be met by the Department. We did, of course, leave not knowing if our concerns would be met because there is no document before us, and we understand that there will be none until September.

To give you just one or two illustrations of where we need to go, in World History I, there are eight units. That's World History from 500 to 1800. Seven of those eight units are on Europe and the Middle East, and the eighth unit is called Africa, Asia and Latin America from 500 to 1800. I would suggest strongly, and I am speaking on behalf of this coalition in everything that I say, that the Board, given that it is not actually discussing the framework today, and given that the framework was revised since the last Board meeting at

the end of May, that you give strong consideration to holding a discussion at your October meeting, as well as September, and then voting on it after that meeting. The reason why I'm suggesting that is, when you put out a document at the beginning of June, it's not simply that educators don't have time to read—educators do read in the summer—but what is very important in the educational world is for people to talk to each other, for department heads to consult with members of their department, for a curriculum specialist to consult with department heads. That is not possible.

So, let me conclude by saying that I welcome the openness of the Board of Education and the Department to our concerns. We are very glad for them, and we hope that we will not rush into a document that has not been fully discussed by the public. Thank you, very much.

Deborah Fernald-Roberts and Katherine Lopez-Natale of MAFLA.

MS. LOPEZ-NATALE: Good morning. I'm very pleased to be here today. My name is Katherine Lopez-Natale, and I have with me Deborah Fernald-Roberts, who is the president of MAFLA and was a specialist here, and who conducted a survey that produced a lot of the data for the document that you have today before you. On behalf of MAFLA, I would like to thank you for taking the first step towards meeting the goal of providing foreign language instruction for all students kindergarten through Grade 12. The report that you have today sets the groundwork for that objective, and we would like to add our comments and to review several assumptions with you.

Over the last ten years, the number of foreign language programs at the middle and elementary schools has grown as a result of the full curriculum established by the Education Reform Act. Many school systems took the mandate seriously by hiring faculty and offend expanding the duties of high school department heads by including the supervision of the programs. Parents welcome these programs with enthusiasm. As these early language students enter high school, they know their studies enrolling in upper-level courses in greater numbers, and many continuing through the AP level. Concurrently, college students have become aware that the International Trade Treaties negotiated in the last decade have led businesses to value applicants who know a foreign language. Although many universities do not have a foreign language requirement for graduation, junior year or semester programs abroad are extremely popular even among students who are not foreign language majors.

Recently, however, we have seen movement in the opposite direction, and the current financial crisis has put some of the new programs at the top of the list for cuts in many communities. Due to the pressure of MCAS, some public schools prohibit children from taking a foreign language until they demonstrate an ability to achieve a passing MCAS score in English Language Arts and Math. As you look at existing programs and their limitations, remember that there are many forces at work. Choices made within our own state university system contribute to the lack of foreign majors, foreign language majors. Despite student interest in foreign languages, UMass Amherst has claimed to combine some language departments to the perceived detriment of some of them. The reduction in the foreign language requirement will, also, insure that there will be even fewer language students in the future. So, what we see is that, in every budget crunch, foreign language programs, including elementary and middle school foreign language programs, the teachers must contend with job insecurity, and those programs are often the first to go because communities believe that it's not mandated.

As a career foreign language teacher with over 25 years in the classroom, I can tell you that it is discouraging to face this reality of a cutback every few years. It's also frustrating to have your best high school students counseled to avoid a fourth or fifth year of foreign language study because it isn't necessary. In many ways, the state's lack of resolve regarding second language learning has created its own shortage of foreign language majors and curtails the number of students who may reach advanced proficiency. You can address this problem here and now by setting a timeline for implementation of the kindergarten through Grade 12 sequence of foreign language study and the assessment.

Foreign language study was originally included in the core curriculum of Education Reform. People who did this recognized that high standards could only be achieved in an environment where all students have the benefit of adequate funding and had access to that enriched curriculum that has always included foreign

language study. Many parents in my middle class community have told me that early foreign language study is a necessity. We all find ourselves in a state that is increasingly multilingual and multi-cultural. It is clear that knowledge of a second language is not just for the elite. Knowledge of another language is useful at our hospitals, court system and in many businesses around the Commonwealth. Our children do not need to enter the global marketplace to profit from their studies. In our American melting pot, they must learn to work with people who have not yet been fully assimilated into our culture.

In addition, they need the academic benefits of early language learning. Research studies have repeatedly documented the variety of cognitive skills enhanced by language study. English scores rise with long term foreign language study. Recent results in Georgia confirm initial reports here in Massachusetts, that foreign language study raises math scores of young children. It improves their problem solving abilities and other cognitive skills. In order to further investigate these results in Massachusetts, we ask that the questions about foreign language study removed from the 2001 MCAS Exam Questionnaire be restored.

You must set a vision for the future and clear goals. It's up to the Board of Education to express its belief that all children can attain high standards in all core areas. You must provide a mandate for foreign language study, and that mandate cannot be issued in the absence of planning and a timeline for assessment, as well as state sponsored guidance in the form of content discussions. We applaud your efforts to assure a solid curriculum and a qualified teaching course in the field of foreign languages. We, too, at MAFLA are concerned about finding well qualified staff and seek to insure strong standards for the profession.

Nevertheless, the numbers of these candidates will never increase if there are no jobs for them and the work they do is not valued. We truly welcome your concerns and questions, but we, also, must urgently ask your support. Foreign language study provides necessary language and cultural education as well as developing a cognitive, the cognitive skills needed to perform across the curriculum. It is not a frill. As those parents told me, "It is a necessity."

CHAIRMAN PEYSER: That concludes our public comment part of the agenda, and I'd like to move on to the next part, and, in particular, turn it over to James Madden for an annual report on the activities of his student organization, as well as to introduce the soon to be new student member of the Board of Education.

MR. MADDEN: Thank you. It's my great pleasure to report on what I think has been a standout year for the State Student Advisory Council. Every year the council starts out as a fresh group of students who can't quote Chapter 69 and haven't read through the ESEA and set out with some pretty lofty goals for our own organization, for educating ourselves about how to work as a group, how to work with the government, how to learn all these policies and then to change those policies. This year, I think we have taken on some amazing work and made some great accomplishments.

I have a summary here, which I have not photocopied yet, and I apologize, but I'll hand it all out to you later. This year, internally, we have done some large work. We did a massive revision of our by-laws. We started working closely with the MTA, the MFT, the Mass Association of School Communities and other organizations through the Alliance for High Standards Not High Stakes, and our work on MCAS. We've hosted many forums at our meetings. We had Jeanne Maguire and Kharis McLaughlin from METCO come and speak on their program and on diversity issues in our schools. We hosted an MCAS debate, and when the Lynn Community Charter School was up for renewal, we had several of their students come in and meet with us and speak about their school.

This year, we broke up into three work groups to actually accomplish our goals: legislative, school climate, and outreach. The legislative work group's focus this year was on advocacy work. They met with Joe Giannino, from the Department, and, also, Julie Johnson from the MTA, on learning how to advocate for legislation, and then went ahead and met with legislators and wrote letters and did much other advocacy work around. Several bills were filed by last year's council. One which would repeal the graduation requirement on the MCAS. One which would reimburse teachers for, for further education, and one which would get voting student representatives on School Committees. What amazing work to be done in one year.

Our school climate work group actually distributed a booklet entitled, "Keeping Your Learning Temperature Cool". It was a compilation of programs, workshops and resources that helped teach the students different values and skills to function peacefully in their schools, to find peaceful ways to settle disputes, and that was distributed to every student council in the state. The school climate work group also put together several pamphlets on student rights, which should be distributed sometime in the fall.

Every year we have a battle with outreach since a number of schools do not actually send the representatives to our councils, though we would like them to, but we did make strides in that this year. We put together a presentation to go to individual schools and to teach them a little something about SAC, and we did we get a number of new schools joining this year.

I'd also like to mention some of the great work the Regional Councils have done this year. In particular, Western Massachusetts has developed a student/teacher communication forum that should, hopefully, improve relations of students and teachers and improve classroom instruction, and the Western Mass Council actually worked with the MTA on developing that, and, hopefully, that should be a success. It's still somewhat of a work in progress in its distribution and implementation, but amazing work, nonetheless, to have that type of thing be supported by the MTA when it's created by students.

Several of our other councils advocated very much for legislation and for policies on this, which is something possibly a little bit new that the Regional Council, as well as State Council, made public comment and delved very deep into regulations coming before this Board on the history frameworks on the MCAS appeals, on the student records regulations, and I think, actually, got a little bit of something done and some changes made, which were very much appreciated. So, it was an amazing year for the Student Advisory Council. I was lucky to be there for it. It was a great group of students.

One of them was elected a couple of weeks ago, Jeff DeFlavio from Belmont, who will be replacing me. You'll see him, I guess, at the August meeting. I'd just like to say something very quickly about Jeff. He's been one of the most involved students this year even though he was only a sophomore. He'll be a junior next year. One of the projects that he was very much involved in was the revision of our by-laws, and we made a radical change in the by-laws in adding language that would allow for the censure of the Chairperson. Jeff actually wrote this language. A really big part of it is this language came out of concerns surrounding the last time the SAC Chair had to vote on History curriculum frameworks. The Council, at the time, was unhappy with that Chair. So, they asked for this to be developed, and he, Jeff, actually, wrote the language for it, and, now, he will get to vote on the new History curriculum framework. So, I hope he has good luck with that, and I'm sure he'll do a fabulous job.

CHAIRMAN PEYSER: Jeff, are you out there?

COMMISSIONER DRISCOLL: He's out there. There he is.

CHAIRMAN PEYSER: Well, Jeff, welcome. James, as I think as many of us said, some of your colleagues and teachers and staff from Randolph said at the last meeting, thank you and we congratulate you for the work you've done. I think it's, you've made a tremendous contribution to our deliberations and to the whole discussion of this area of open policy. If Jeff can live up to your high standards, I think he'll have a great tenure on the Board. So, thank you, very much. With that, let me turn it over to the Commissioner.

COMMENTS FROM THE COMMISSIONER

COMMISSIONER DRISCOLL: Thank you, Jim. Thank you, James, and welcome, Jeff. One of the better events I attend every year is the summer workshop with the Student Advisory Council. I open it up for questions, and it goes on for about three hours. They're very blunt and very refreshing, I might add. I'll be very brief. I do want to give a quick update on the new federal legislation, No Child Left Behind. It's consuming a lot of our work, as it should. It's a major piece of legislation that is going to cut across all of our initiatives, and we're busy at work complying, in some instances, with federal requirements.

The most noted, to be begin with, is an application that we must file along with other states on a consolidated plan to bring everything together. Carole Thomson has done a tremendous job. In fact, she's now talking to the US Department of Education, this morning, to wrap up that particular aspect, and we expect to be approved before the end of the week, and I believe that will make us one of the few states that have been approved. So, we're very pleased about that.

We also offered, through Mark McQuillan's efforts, the same kind of workshop and opportunity for local districts, and while it sounds easy, consolidation of all of these various federal programs, Title I, Title II, etcetera, is quite a difficult task at the local level. They tend to operate individually. We've had 110 districts who have stepped forward. It's an awful lot of extra work. We think it pays off in the end because, of course, there is a lot of effectiveness and efficiency that comes with consolidation of your goals, etcetera, across programs. We're very pleased, in this first instance, to have about a third of our districts step forward and join us in that regard.

We are filing, in the next day or two, our Reading First application, and that is going to be quite a change for all states, who are applying for monies under Reading First versus the Reading Excellence. We were one of 17 states, you might remember, that received grants under the USDOE Reading Excellence. There is no question that the Reading First application is far more prescriptive. It talks about the five basic elements of reading effectiveness. It talks about having to use scientifically researched models, programs, and assessments. So, that's going to be an interesting process, and we are filing our application soon. Otherwise, I think we're on top of all the issues. We've had workshops with local districts around supplementary services and other aspects. We've been working with both unions on the issue of paraprofessionals, and the new requirements for their training and preparation. So, it, it's a comprehensive law.

I also want to compliment Juliane Dow. We have been working directly with the US Department of Education and the Chief State School Office, around the issue of AYP, Adequate Yearly Progress, which is going to be the huge issue, I believe, as this law unfolds, in which not only every school and every district, but the state has to make Adequate Yearly Progress. Not only make Adequate yearly progress, but has to do so with respect to all of its subgroups, black students, Hispanic students, special need students, LEP students, etcetera. A daunting task to get all kids to proficient, leaving no child behind, by the year 2014. We believe very strongly that states should be able to design their own system as long as its in compliance with the federal law, and we've had discussions and USDOE is very interested in our approach of using our current system, which is a relative growth system that focuses on improvement and not just sort of absolute goals. We think that can be integrated with the USDOE AYP and, so, we're in discussions and, as they try to work, the USDOE has a tremendous job in putting out all the regulations and guidance. So, we're in those discussions. So, we're well on top of it, and I think probably, Mr. Chairman, we'll need to take a piece of most agendas in the future for No Child Left Behind updates.

DR. THERNSTROM: I do second that, and Dave, I would, speaking for myself as one Board member, I would really like to have an update on exactly the materials now being used by the Department to communicate the contents of No Child Left Behind to the districts. If you have a memo on how you're thinking of the question of meeting the AYP standards--the state designing its own system to meet that goal, I'd like some more information on exactly how the state is thinking about meeting the mandates of that legislation.

COMMISSIONER DRISCOLL: Just for the public, there is no mystery to what the goals are. Statistically, based on our 2002 MCAS results, we will be establishing a beginning point that's prescribed by law. So, we know where we have to start as a state, and then we have to draw what I call the great hypotenuse in the sky. We have to draw the line from that point right out to 2014. So, it's clear what our goals have to be under the law. The question is, how much leeway do we have within it, but I'll be glad to share materials with you, and I think it's a huge issue as, nationally, it's the current debate.

I want to note, again, even though it was carried somewhat in the newspapers, I noted one major Boston newspaper talked about the one-third of kids that aren't proficient. I do like to mention that two-third of our kids are proficient, and that means that it's up from 62 percent to 67 percent. You might remember, in

Grade 3 reading, we have three levels, not four. We have a Warning level, a Needs Improvement level and a Proficient level. It's too difficult at that level to make a distinction between proficient and advanced. While we, certainly want to make more progress, and I want to be clear that we're not satisfied or complacent by any means, I do think it is good news. It's not to be looked at as the glass half empty, when we've now gone from 62 percent to 67 percent Proficient, and 90 percent of our kids are above the new Needs Improvement bar, and I think it's very positive sign, and something we ought to celebrate. Celebrate for a couple of minutes, and then move on, of course, because we want to be even higher, and that's what starts it. As we all know, if we can get the reading skills of third graders up, that will bode well for everything thereafter, and should have an affect on all grades and all scores thereafter.

DR. THERNSTROM: Dave, I'm sorry. Proficient on what? Just the third grade?

COMMISSIONER DRISCOLL: The third grade reading test.

DR. THERNSTROM: Third grade reading test. I couldn't quite figure out how we got to two-thirds proficiency. Okay. On that one test alone.

COMMISSIONER DRISCOLL: Right.

DR. THERNSTROM: But NCLB, obviously, has a demand of proficiency—

COMMISSIONER DRISCOLL: I'm only asking that we take a minute to celebrate what is a positive 62 to 67, and I do think, with all due respect to headline writers, one-third not proficient is not the story. I'll stop there. We are releasing the tests--they, in fact, are on the web now-- including the Grade 3 reading test and the Grade 10 math test. It's up on the web. People can look at it. People can take it. As, you know, there has been some concern, rightfully so, about the difficulty level of the tenth grade math test. I want to make sure that people understand that is now public, and people can look at those questions. We also have provided for every school district in Massachusetts a software program called TestWiz, which has proven to be very effective. We've provided it free to all schools. It allows districts to easily analyze the MCAS data and, actually, manipulate that data, which I think is very, very important.

CHAIRMAN PEYSER: Thank you, Commissioner. Let's move on to the business part of the agenda. The first item is to approve the minutes.

APPROVAL OF MINUTES

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education Approve the minutes of the May 28, 2002 Regular meeting as presented by the Commissioner.**

The vote was unanimous.

CERTIFICATE OF OCCUPATIONAL PROFICIENCY: PROPOSED STANDARS FOR FOUR ADDITIONAL OCCUPATIONAL CLUSTERS

CHAIRMAN PEYSER: The next item on the agenda is the Certificate of Occupational Proficiency, and we've got standards put before us for initial discussion and for a vote to solicit public comment on four new occupational clusters. We approved four in the past and these are four additional ones. If we can just have a summary of what's here, and then some discussion, we'll take a vote on it.

COMMISSIONER DRISCOLL: Thank you, Mr. Chairman. I want to make a couple of preliminary remarks before turning it over to John McDonagh, who is going to lead the discussion. John is the Director of our Center for Career and Technical Education. I want to talk about vocational education, in general, as well as these Certificates of Occupational Proficiency, which are so key, in my judgment, towards driving

the system towards high standards. I think that we need, as a Board and as a Department, to pay attention to some of the issues surrounding vocational education. As many of you know, our vocational schools often accept students who have not had great academic success. In fact, the percentage of kids at our vocational schools that are special needs kids is quite high and has increased over the years. It's been my judgement, and I will continue to maintain it, that our vocational schools have some of the greatest success stories of any schools in our Commonwealth. They take kids in as ninth graders, who often have not had success or have poor self-images, have had poor skills, and, in a four year period, very often get many of these kids to a point where they have good academic skills and, also, vocational skills. So, I think it's a system that we need to value and support.

There are three issues in addition to the Certificate of Occupational Proficiency that I want to talk about that we're working on. One is the whole issue of admissions, and there we're looking for something that's going to improve the relationship currently between sending districts and the regional vocational schools because that's what we're talking about in this case. A high school that has its own vocational program, I don't think we have to worry as much about admissions, although, we ought to look at that as well. There is a danger here in not having an amendment to our admission's policy that recognizes both sides of this equation. Clearly, there should be, in my judgment, some criteria that vocational schools are able to use. As one superintendent said to me, "It's not that I don't want the lowest fifteen kids in a class, but I really would like the next fifteen." I do think that there are many kids who benefit more from a vocational experience than others, and I think that ought to be recognized. So, one of the issues we're working on is a little delicate, but is an admission's policy.

The second issue is the whole question of students who attend the schools outside of their regional district on a nonresident tuition basis, and this is become somewhat problematic for a variety of reasons which I'll go into again when we present recommendations to this Board in the fall. Finally, the whole issue of Chapter 74, which has been on our docket for a long time, which is the statutory guidance for vocational education, which was not included in the Education Reform Act and needs to be updated. I'm looking, hopefully for this fall, to have all three of those issues before this Board with recommendations, and hopefully approval.

On to the Certificates of Occupational Proficiency Our law requires, in addition to the competency determination and the Certificate of Mastery, the Certificates of Occupational Proficiency. This Board has approved four, and we have four more before you today. I think this is key because it establishes the high standards in these areas that are so important. It also requires some budgetary considerations, and I will be putting before this Board for your consideration for next year's budget. Even though it's going to be a very tight year, we have to invest, in my judgment, significantly in this area. It is not cheap, nor should it be, to assess students on these skills. I think it's crucial, in fact. Just as we recognize that we need to put monies into assessment for MCAS and alternative assessments and so forth, I think it's crucial that the Certificates of Occupational Proficiency be funded properly so that we can begin this proper testing program. With that, let me turn it over to John McDonagh, who is going to introduce our guests, and give us a brief presentation on the new four COPS.

MR. McDONAGH: Thank you, Commissioner, Mr. Chairman and members of the Board. We are very pleased to have this opportunity to come before you and present a brief progress report on the development of the Certificates of Occupational Proficiency for the students of Massachusetts. As the Commissioner mentioned, my name is John McDonagh, and I'm the Director of the Massachusetts Center for Career and Tech Ed, which is a project of the Department, and we are contracted, in part, to provide some management services on the certificate. To my left is Sheila Herbert. Sheila is the Superintendent/Director of Greater Lowell Regional Technical School District, and a member of the Department's Steering Committee for the COP. She will present a brief report on the work of that committee and plans for future progress. To my right, I'm pleased to introduce two employers, who represent the hundreds, really at this point, of employers and employees who have served us in this process by validating the competencies and providing advice as we develop the COP. To my immediate right is Steve Tamasi, who is the CEO of Boston Centralist and Machine Manufacturing Company, and Steve is a member of the Employability Skills Committee and will make a few comments on that today. He is, also, going to help us with the machine technology COP when we get to that. To Steve's right is Beth White. Beth is the Educational Director for the Printing Industries of New England, and Beth not only served on the Validation Committee, but she recommended and recruited several people who helped us validate the graphic communications

competency.

Today, we're presenting five sets of competencies and information on the progress of the COP development. The competencies cover the occupations of carpentry, cabinet making, electronics, graphics and marketing, and the employability skills, a separate set, that will apply to all occupations. These competency lists have been developed during the past several months by committees and teachers and workplace representatives using state and national occupational standards and work place trends as guides. A special committee of workplace representatives, not involved in the initial list development, helped us, was convened to validate these competencies. In each case, modifications were made to the list that we were preparing. The employability skills list was developed during the past year by a special committee that reviewed relevant material; including the Massachusetts Work-Based Learning Plan, surveyed and met with employers, and we received surveys back from 150 employers. We had a special meeting with a sample group of employers, and we shared the list with other committees working on COP development and occupations and clusters of occupations for COP. If approved, this employability skills list would be part of every COP. Now, I'm going to ask Steve, and then Beth, to make their comments.

MR. TAMASI: Good morning, everybody. Thank you very much for giving me the opportunity to speak on behalf of the COP and the employability skills. This is an extremely important issue to myself, my industry, and, I believe, the economy and education in the state and in the country. I am involved, not only with my company, but also with the national association for which I am the chairman of the Education Committee. I'm actually traveling to Kansas City to the VICA Skills USA Competition, the finals competition this week. To speak to the employability skills, as John McDonagh mentioned, I was on the committee and development of that. I believe it's extremely important that all people entering the work force obtain these skills to make them successful in whatever vocation they actually enter in.

As was mentioned, I'm the CEO of a manufacturing company. We do work for companies all over the country and even some international business, and we ask a lot about people. The Commissioner talked about continuous improvement. This is something that we stress and have stressed for a number of years now in our organization. The demand that puts on all our employees is tremendous. Tremendous demands to think about how they can do their jobs better, and how we can speed our product to market, and, ultimately, serve customers around the world and be competitive in this global marketplace, and those skills, the foundation of skills that are required in order to be able to perform in that environment are listening, communication, team work, the list of skills that we put forth in this employability skills set are critical. We're continually demanding, throughout the course of the day, not on a weekly basis or monthly, but everyday, and many times throughout the day, to ask people to work together in groups to figure out how can they do their jobs better, faster, more efficiently. It doesn't matter whether you're in sales, production control or operating a machine, you need to have these skill sets in order to provide the service to the customers which will enable us to continue to compete, and, therefore ultimately provide jobs. So, it's very, very important. I could talk about this subject for hours. I'm very passionate about it.

I'm pleased to hear some of the comments from the Commissioner regarding the importance of vocational training. Just as a side editorial, I think it's absolutely critical that we stress this in today's world, in today's environment, again, that we further enhance vocational training to a high level because we're asking people to work in a technical world that doesn't just require book smart, academic smart, the application. It requires technical problem solving skills that, that sometimes you can't learn unless you're involved in a vocational trade. Thank you, very much, for the opportunity to speak.

MS. WHITE: Good morning. I'm very pleased to be here today. It's a very unusual experience for me. Just to remind you, I'm Beth White. I'm the Director of Education for Printing Industries of New England, which is a trade association that has members representing all of New England, and also a good portion of Massachusetts. I was more than pleased to take part in the validation of the graphic communications competency, and, also, to recruit a few people from the printing field. Working for a trade association gives me a unique perspective, in that I get to work with voc tech schools and also with print professionals. When working with the voc tech schools, the issue that they bring up most frequently regarding their students is their employability in the sense that they want them to be able to actually go out and obtain employment using the skills that they have been taught over the years. When I interact daily with the printers, their problem, of course, is to obtain skilled, qualified work force.

The COPS Program, I think, will alleviate both those concerns, and I was very pleased to be a part of it in the sense that I had heard the grumbling from both sides that there was disparity in what was being taught and what was needed. So, again, this program alleviates that, that concern. I, also, want to point out to you that this competency program is in line with the national print ed standards, so that everybody is going to be singing from the same sheet of music. So, I just want to conclude in telling you that, as someone who hears the frustrations daily from both sides, I can assure you that we, as an employer, are very pleased with the COPS process.

MS. HERBERT: Good morning. I'm Sheila Herbert from Greater Lowell Technical High School, the Superintendent and a member of the Steering Committee, and I appreciate the opportunity to be back here again to give you an update on the COP. The Steering Committee, as you know, has designed a common format for the design of the competency profile, which includes certifications, licensing, regulations, the employability skills, the technical skills, and newly added academic foundation skills. As you know, when we choose technical programs upon which we will focus our attention, we do that with two critical factors in mind. Number 1 is statewide enrollment in the technical programs. We want to guarantee that we're focusing on those programs that have the highest number of students in those programs, and then, also, on those that would be easily developed based on existing national standards and state regulations.

When the occupational committees meet, they continue to ask themselves the following connections which keep them connected as Beth alludes to, well connected to the reality of what actually is existing out there in business, industry and the clinical professions. We think that's extremely important. They continue ask themselves a series of questions that enables us to do that. What are the regulations that exist within the, within the occupation? What's the regulatory authority? What are the licenses that are issued within those occupations? Are there any certifications, voluntary or involuntary, that exist within those occupations? What are the standards and who monitors the certification and those standards nationally? The last question is what are the emerging trends within the field and what impact will they have on the field? All of those, we feel, are very critically important questions to ask.

Additionally, the committee continues to focus on professional associations within the industry. We have two wonderful people who have made significant contributions here with us today. Large, small employers who can guaranty that we are well connected to the reality of what exists out there in the professional or business or industrial area on which we're focusing. John has already mentioned, as have our partners, Steve and Beth, the success of the work done to date with the Employability Committee. Once approved by you, the employability skills will become an integral component of the COP in each of the technical programs, and teachers will work to make recommendations to the Steering Committee as to how they will be incorporated into the overall design. The technical skills, of course, are the major component of the format, and we have stressed the importance of consistency and parallelism, and, as you see new programs coming to you, task lists coming to you, you will see that there is a standard consistency in terms of format and a parallelism in structure relative to those.

The academic foundation skills are the newest component, most recently added, and they—I made a list—focus on occupational vocabulary, technical communication skills, related math and science and other knowledge necessary for the mastery of those technical skills and entry into the occupational field that the student is involved in. We hope to have those academic foundation skills ready to send to you by the end of December, 2002. The Portfolio Committee has been extremely attentive to the task of developing a comprehensive assessment tool which can be used as a vehicle, not a receptacle. A lot of people have some very significant concerns about the whole concept of portfolio. We consider the portfolio to be a vehicle to measure student's growth in their technical major over the course of four years they spend training in the particular technical field. The Steering Committee has been extremely impressed with the work to date. We feel that this will be an extremely affective tool which will enable schools to ascertain the breadth of knowledge that's gained as well as monitoring the steady progress being made by the student in the area of technical requirements. A draft of that guide has been provided to the Steering Committee, and we have looked at it, and we'll, again, look at it in August at our next Steering Committee meeting, and it is our hope that we will have it forwarded to the Commissioner for sometime in early September.

I know the Commissioner has mentioned to you how important it is that funds be made available to further the work done to date. The in kind contributions made to date by technical teachers and administrators

across the Commonwealth are incredible. I want to acknowledge the support of my fellow administrators, fellow superintendents in terms of providing release time for teachers who have been allowed to work with John McDonagh and the tremendous direction that he continues to provide on behalf of the Steering Committee. Many in kind contributions that have really enabled us to move this process extremely well forward. The concern, of course, that we all have is that we have these technical competency profiles or task lists, and they're really only the foundation. You know, I was talking to a Board member earlier this morning, and he was speaking about the fact that he has completed the design in the building of an expansion of his particular training program. The COP and the task lists are really just a blueprint. So, we really need the financial resources to really build this further and to really see a product that we can then take into the schools and do some pilot testing. So, I urge your continuous support in that regard, and we'll do whatever we can to work with you; especially from the organization to move that process forward. Thank you, very much.

MR. McDONAGH: Thank you, Sheila. Just a few notes about what is on the immediate horizon. We did launch, on June 6th, an additional six Occupational Committees, and the Information Technology Cluster, which is a new cluster that we organized this year. They have four occupations under them, and we're trying something new, which is basically developing the COP for the entire cluster, and we'd like to see if we can't use that model in some other clusters and do them collectively; particularly with occupations that handle other crossover in their competency. We actually are planning on reviewing the first four sets that you approved in June of 2001 in the period of January to March of 2003. We set an ambitious schedule of 18 months for review of the competencies based on changes in the occupations based on the changes in the economy that's moving so fast, and, also, the fact that we're doing these, creating the COP for the first time.

So, our plan is to convene employer panels and employee groups and review those, and see if there is any changes necessary. We did hold two assessment meetings. We had the members of the first four occupational committees, and a test expert, Dr. Steve Sireci , from UMass Amherst, and the reason for that was to get started in sort of sketching the blueprint, as we call it, for assessment and train the teachers in the techniques and important points in, in testing, and, also, to get them to start to select test instruments they might recommend. Finally, another positive note really, on a side effect that we were hoping would happen, and that is that we get reports from Department staff and we've observed, ourselves, that teachers are using the first sets of competencies to revise their curriculum. Even ahead of any action on assessment, they're taking it on, and they want to know what the state wide consensus was, what the Board approved, and they're using it to update their own curriculum ahead of the implementation that they'll be awarded any COP. So, with that, we'd be pleased to answer any questions you may have.

CHAIRMAN PEYSER: Thank you, very much. A couple of quick questions, I think. There are 35 fields; is that, 35 occupational fields; is that—

MR. McDONAGH: This may sound like it's been a moving target, but we've nailed down a number at about 42.

CHAIRMAN PEYSER: Forty-two? And, so, these are now eight out of the 42 that we've got at least documented up to this stage in the process?

MR. McDONAGH: That is correct.

CHAIRMAN PEYSER: Which is a relatively small percentage of the total. What percentage of the students are we capturing with these eight; do you think?

MR. McDONAGH: Well, for the first eight, we are at about somewhere between 40 and 45 percent.

CHAIRMAN PEYSER: Okay. Are we taking them roughly in order of significance, in terms of student enrollments; so, the next four, etcetera, are taking the largest chunks that remain of the, the remaining 50 or 60 percent?

MR. McDONAGH: Correct. We will, with this next group, when we come to you in the spring of next year, we will probably be up in the neighborhood of 70 percent. Seventy, seventy-five, and, frankly, as we look down the road at the occupations that remain, number one, we see a lot of opportunity for groups. So, there are three on the list originally—we might call them part of the 42-- which, in fact, will be three together. We will investigate them together, and they are many times taught together. There are others, for

example, in the agricultural schools, where we can group them; so, they will be speeding through. Plus, we have some occupations that are taught currently only in one, two or three schools. It will not be as massive an undertaking.

CHAIRMAN PEYSER: Are most of the remaining occupational fields in the process now, or have some of them not started at all?

MR. McDONAGH: No, we frankly have been starting them, launching them as groups and not activating the ones that are—

CHAIRMAN PEYSER: Okay. So, these eight which are, well the new four, which are nearing completion, once they're done, then, or maybe perhaps now, we'd be launching the next set? Is that the basic structure in mind?

MR. McDONAGH: We've set a schedule with them so that they would be doing their employer validation between January and March, and we'd be able to come back and show this to you in April of next year.

CHAIRMAN PEYSER: Okay. A couple of other questions, particularly around the employability skills. First, you've indicated that you had consulted the work-based learning protocol or set of standards, which is, obviously, a good thing, but I wonder if you could identify any distinctions between the employability skills and the work-based learning standards, and explain why those differences exist and whether there is any feedback looped to the work base learning standards as a result of this work?

MR. McDONAGH: Actually, I'm happy to report that it's almost the same. We have ten sets of competencies, if you will, under the employability skills. The first nine are the work-based learning plan. It's exactly the same. The language is the same. The only one added is character, number ten, and that's been on the consciousness of everybody in schools --previous to this, but especially in recent years. They felt that it was an important highlight. The feedback loop is that, you know, we need to have probably direct discussion with these people responsible for the work-based learning plan, but it's almost the same. It's a set of emphasis on the character skills really.

CHAIRMAN PEYSER: Finally, with respect to the first three elements of the employability skills, communication, literacy, organizing and analyzing information. I know there has been a lot of discussion in the context of the work-based learning program around using those three as a vehicle for trying to focus academic instruction over the summer in preparation for students passing MCAS, which many of them have not yet passed one of those, one in regards to the math section of the exam. Have you all had any conversations about the extent to which those three competency skill areas do connect to MCAS, and, in particular, what kind of performance on MCAS one might expect for students who have mastered or met the standards implied by these three areas?

MR. McDONAGH: I have to say that we've had discussions. One key difference that we've thought about is the communication skills particularly. When they flow through the occupational study, they will be working in technical manuals and documents that are nonfiction literature—not that that's not part of the plan we have—but we can connect just about everything we do with frameworks. Occasionally, it's more of a stretch, but that probably is the biggest issue, the technical journal business that the communication skills are going to focus on. Also, the, the fact that we tend to do them in a system so that we have the student doing, listening, speaking, reading, writing collectively rather than isolated. So, we do all four around the same time. That's basically a reflection of the workplace; that people tend not to do one. They do all four.

MR. IRWIN: I want to commend everybody for the work that's being done now. It's been a long road. 1993 was when we were supposed to be starting, and, and here we are in 2002. I want to commend the Steering Committee for getting us up and going, and, more importantly, for doing it with a very small, small budget. I think we all know, if anybody has been listening to me through the years, every time budget comes around, I start looking for the money for the COPS and we don't seem to get it. The superintendents and directors throughout the Commonwealth of Massachusetts have been great, and they should be commended for release time for the people that are involved in this, for the teachers and the staff that are involved in it. As Sheila said, it still is a blueprint. It's the foundation to be built upon for a lot of other things that are going to come along, and I was heartened to hear the Commissioner state that there is

going to be a budgetary commitment for 2003 for funding for doing all of this. It's needed. It's the next step that's needed, and without the money to do it, we won't be able to do it, and I just want to say that I'm glad to see these four go out for public comment, and to hear the next six are being are launched. I think we're on our way, and I commend everybody for doing a good job.

MR. MADDEN: Thank you. First, I commend you for the amazing work that's being done. Vocational education is extremely important. Much of my family has gone through Massachusetts' vocational schools, and it has made a huge difference in their lives, and many of my friend's lives. So, thank you on the continuing progress being made here. Actually, I have a question regarding these competencies as related to the ESEA. If, in this school, an accountability program results—this may be looking ahead a little bit, but results on the Certificate of Occupational Proficiency, portfolios and exams could be used, could be accountability measures. I think that would possibly give a much better picture of what's actually happening in the vocational schools than just using MCAS exams. Also, all but two of the state's vocational schools were in the list of low performing schools that was recently released. In the future, that could pose a problem with the complying with federal legislation. Possibly including COP in school accountability could help.

COMMISSIONER DRISCOLL: I agree on, on both counts. I'm sorry to say that list, in my judgement, is an old list, and it got resurrected with the visit of the Secretary. We know that many vocational schools had significant improvement this past year in 2001, and we suspect the same in 2002. So, I think many of those schools will come off that list because they have that kind of improvement, and we, we will have a new list as of December of this year. We get the 2002 results in September, etcetera. So, I think that's the first thing, but I do think, as I stated before, I think that the and the challenge that vocational schools face is not something that's always appreciated. They have high percentages of special needs students, and real challenges, and I think this will help. I think your idea of taking this into account when we do the school accountability is important. So, I do want to mention the COP is on top of the competency determination of course. You must earn one before the other.

MR. MADDEN: That's why I was asking if it could be added to the COP.

COMMISSIONER DRISCOLL: A couple of things. When we put it out for public comment, do we intend to have the employability competencies included?

MR. McDONAGH: We would hope so.

COMMISSIONER DRISCOLL: Okay. And, does that, then, become part of the regulations? That's the question. Not that they're not, but I think they are crucial, but I'm just not sure how. Can they be considered part and parcel from your perspective?

MR. McDONAGH: They, we think they're very important to be part of the COP, both in terms of, in a curriculum device, but, also, the assessment.

COMMISSIONER DRISCOLL: But you see them as a formal part of the process?

MR. McDONAGH: Yes.

COMMISSIONER DRISCOLL: As well as the academic competencies that will be coming? It will be a package? Secondly, are other states, Oklahoma, Ohio, there are very few states moving in this direction. Do, do they have anything of this sort already working?

MR. McDONAGH: Oklahoma has the most complete system, and, of course, they have 300 people at the state level working on both tech ed and—I mention that, not to, but we do kind of cast a chill aside there occasionally. They, they have a system of a statement wide written, and, then, the schools are allowed to create their own performance, but it must be approved by the state, and they must appoint a test coordinator in each school who is almost on a dotted line to the State Department of Ed. They must come when there is training called, and if the training is two weeks, they come for the two weeks. Then, the State Department

staff fill out and spot test audit the process by dropping in the school room looking at the performance and how it's managed. So, they have some flexibility. There is no other state that I know of that has any system approaching that. There is some work being done in Kentucky. There have been stops and starts in a few states. You know, it's a pretty sizable task—

COMMISSIONER DRISCOLL: Will our standards, and, therefore, our assessment mirror Oklahoma or will it be different?

MR. McDONAGH: It will mirror it only in the places where we each picked, say, the national standards. I don't know what they're doing in graphics, but it, I would assume they're probably taking print ed. To that degree the national standards will give you some equalizer, but it's not automatic. I mean, they've done some tremendous work, as we have with our own committees, and there are some occupations where there are some differences, regional differences.

CHAIRMAN PEYSER: One quick question. The employability skills that we just talked about, in particular, the first three of them are, at least, partially academic skills as well. I just wanted to clarify what the distinction is between the academic foundation skills and the academic components of the employability skills. My understanding, based on the presentation, is that the academic foundation skills tend to be specific to the particular occupation; is that fair?

MR. McDONAGH: They're imbedded. We noticed, for example, that in horticulture there was no use of the word "photosynthesis", but, in fact, you must know that in order to perform the competencies, and it, it's the imbedded skill areas. The teachers do teach them. It's taken almost for granted. Now, we say that we we're going to make it explicit.

CHAIRMAN PEYSER: Okay. Great. There is a yellow sheet at the back of Section 1 here, just before Section 2, which is the motion to send these four sets of COP standards out for public comment.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with G.L. chapter 69, sections 1B and 1D, hereby authorize the Commissioner to solicit public comment on the proposed standards for the Certificate of Occupational Proficiency in four occupational clusters: carpentry/cabinetmaking, electronics, graphic communications and marketing.**

The vote was unanimous.

CHAIRMAN PEYSER: They go out for public comment. And the schedule, again, for coming back is end of September or October, to the Board?

MR. McDONAGH: If you run the comment period through the end of September, it'll be October, I assume.

CHAIRMAN PEYSER: Okay. So the comment goes through September 30th. I think that's the plan, and then should be back on our agenda in October.

MR. TAMASI: Can I make one comment? Something that we've, in the manufacturing industry, been struggling with for years and years is the educational issue is really broken down, as we see it, into two main components, the first being the whole curriculum and actual materials and skill standards and employability skills and all the things that we need to actually teach the students or that people are going to be entering into our field. That's, obviously, extremely important, and the focus, typically, has been there. But there's another side to this issue and to all vocational issues that is extremely, that is extremely important, and that is recruitment and public perception and, and public relations, and the understanding and the importance of vocations in our industry, in our economy, the need for high level, what they—let me call them technicians in working with very high tech, highly advanced mathematical skills needed to

perform these, and operate these, computer machines things of that nature, is extremely important. And I think all I ask is I'm hearing it here, but whatever can be done to raise the level of awareness with the masses, okay, and with the public as to the importance of these vocational trades and the skills needed to excel in these areas is just as important as creating the skills for, for what you're going to teach because if you create all these skills and create the blueprint, as has been mentioned, but you have no one to teach it to or no one that has the aptitude to actually accomplish and succeed in these, we're not getting anywhere. So that's the comment I wanted to make. Thank you.

MR. IRWIN: I'd just like to make a comment. This is why the math and the English MCAS is so important included in the vocational technical schools. It's a foundation included in all parts of the foundation, but it's important.

CHARTER SCHOOLS: PROPOSED RENEWAL OF CHARTERS FOR MYSTIC VALLEY REGIONAL CHARTER SCHOOL AND STURGIS

CHAIRMAN PEYSER: Next item on the agenda is the two renewal applications for Mystic Valley Regional Charter School and Sturgis Charter School. Commissioner?

COMMISSIONER DRISCOLL: Well, the first thing I want to comment on is this is before you as an initial review, and so there is time, if any Board members continue to have concerns as we have this sort of conflicting testimony. I'll give you my very brief synopsis of where I see it from the, from my perspective. Obviously, we can all read the reports and see what's, what's going on. This was a school that had many difficulties—I'm talking about Sturgis—I'll let the Mystic Valley report speak for itself, I guess. On the issue of Sturgis, this was a school that had a number of issues and problems as it began. There were concerns financially; there were concerns of governance, etcetera. It is clearly a school that has come a long way. All of the, and I have the other materials presented by one of our speakers this morning, and all of that will be investigated by our staff and looked at carefully. The inspection report speaks for itself right now.

I want to talk about the issue of the International Baccalaureate. This was the goal of that school as they opened. In fact, they applied at one point and were rejected. There seems to be this major concern about the fact that they're not back on track applying for the International Baccalaureate. I must tell you that's of not major concern to me because it has to be allowed within any school, any plan, to adjust, and this was a school that was in really dire straits in many ways upon the time that it first applied, and I don't have any concern with the fact that the current Board has said it dropped back from that and is taking time and is going to apply in the future. I don't have a problem with that. I don't consider that to be not keeping faith with their original charter because the original charter, while it set that as a goal, was really talking about academic success, and to my way of thinking, this school is on that track.

As far as the auditor's report is concerned, the auditor was very clear on where the problems were, what needed to be done and even indicated upon places where Sturgis had addressed certain issue. So the bottom line to me, and this is an initial discussion today, and I would value whatever Board members need for information. The broadest strokes are this was a school in crisis, almost seemed at least to my way of thinking, based on some people's opinions, was in danger of going under, and has turned around. Parents seem to be very pleased with success. You have the renewal report. And I take at face value their statement that they will apply for the International Baccalaureate Program, and they will do so when they're ready, which is the right thing to do. And just to apply and get turned down and say, well, we kept faith, how is that keeping faith compared to people that are making progress and then intend to apply in the future? It's like the AYP issue which, if you're above AYP and heading in the wrong direction, how are you better off than if you're below AYP, but making progress? It just doesn't make any sense to me. So, a school that was about to fall apart, who applies for International Baccalaureate and gets turned down is supposed to be, in our view, better than a school that's turning things around and succeeding well academically, by all I can tell, and says we will apply when we're ready. I think that makes perfect sense to me, and that, to me, keeps faith.

On the issue of Mystic Valley, the only issue there, as you may know, is there has been a shift in the management contract, that Mystic Valley ended its contract and, other than that, as I say, I'm going to recommend both of these schools, absent any facts that can be brought to me to suggest things to the contrary, I rely on the inspection report.

CHAIRMAN PEYSER: Thank you, Commissioner. Kristin, Rebecca, do you have any summary comments to make about these two applications?

MS. McINTOSH: Not unless the Board has specific questions, and we're, certainly both available to answer any questions the Board may have prior to its discussion and vote on these issues.

MS. WOLF: I just want to say— I think there's significant information in there which shows how the school has made progress towards the IB status, including that the IB frameworks or interviews in their curriculum in there, and there's a list of things which they've done to make their application more likely to succeed so that's the important aspect, that it hasn't just been put on the shelf, but is—

CHAIRMAN PEYSER: And they actually have a plan and schedule to apply for IB status?

COMMISSIONER DRISCOLL: Correct.

CHAIRMAN PEYSER: It might be helpful to provide just some basic information about the International Baccalaureate and the guidelines or standards that they have in place for applying for certification or accreditation as an IB school, just so Board members have that as a background. The only comments or questions I have had more to do with Mystic Valley than with Sturgis.

COMMISSIONER DRISCOLL: We should probably start with that one because that was first.

MR. BAKER: I have plenty of questions about both. So I'm happy to go with either one.

CHAIRMAN PEYSER: Well, maybe we can just bounce back and forth. It doesn't really matter. You want to stick with Sturgis? In that case, does anybody have any questions or comments about the Sturgis application? And just, again, keep in mind, we're not taking any vote today. This is just an initial submission of the report and initial discussion. We'll have further discussion and a vote to follow.

MR. BAKER: First of all, thanks for giving us the opportunity to take a look at this stuff without asking us to make a decision today. A little runway is not necessarily a bad thing, and these aren't even questions I think you necessarily have to answer today. They're just things that came up in my mind as I was reading through the reports. You know, the whether or not it's a success thing, just from reading the materials, I concluded that's sort of a yes or no. It depends, to some extent, on how you want to define success. When you've got 65, 75, 85 percent of the kids getting advanced or proficient on the MCAS scores, that's like 30 or 40 points above what you typically find on a statewide basis. At the same time, there's a fair amount of turnover in the student population, and there's not even really a standard distribution curve on the grading stuff. It's more like a flat line. I mean, you've got almost 25, 25, 25 and 25 with regard to how the kids are doing, and that could be a function of the way they're choosing to grade the programs. I was struck by how large the number of percentage of kids were getting Ds and Fs were.

On the viability question, I guess my comment on that is it's obvious that there's been tremendous improvement made. Bill and I were talking about the last time we talked about this particular school here over the financial issue on the loan. I guess my one question there is, you not only have a fair amount of student turnover, you've also got a fair amount of faculty turnover, although there seems to be less student turnover and less faculty turnover in the last couple of years than there was previously, and I don't know what to make of the letter from the Barnstable Public Schools which is, just from my uninformed point of view, pretty rough relative to what you usually see coming from local public school officials in terms of community support and that type of thing.

On the question of whether it's faithful to the charter, I guess my comment there would be a very qualified maybe. If I view this one through the same lens, James, that you used on another charter school that we discussed, the answer might be no. It's pretty clear to me they didn't deliver on virtually all of the accountability plan that was developed in 1999, but I would argue that the bar that they set for that thing was unbelievably high, and I wonder, on some level, if part of the issue here with regard to this is the reach versus the reality when you're trying to do something like this, and I'm a big believer in practical behavior. I just wonder if part of what happened here, with regard to the charter question, was, there's a place where you can get to, and we can get there given the constraints associated with starting something new, trying to get it off the ground, trying to stabilize and all the rest, and then there's this other standard which may, in fact, be one that you simply can't get to until you've been in the business for a longer period of time.

I guess I would bring in my final question which is, when I look at what their plans are for 2002 to 2007, they're really not that much different than the stuff that was in the accountability plan that was developed in 1999, and, when I read the actual language around capacity to achieve plan in the site visit report, you could read that and conclude from reading it that the people who did the site visit think that it's going to be a pretty tall order for these guys to deliver on the 2002 to 2007 plan they've put in place. If you take the Mystic Valley one just as a comparison on the capacity question, the folks that wrote the site review basically, said, yes, we think for the following reasons they have the capacity to deliver on what they're saying they're going to do over the next five years. On this one, what they, basically, did was laid out the things they think people need to be paying a lot of attention and focus to, if they are, in fact, going to be able to have the capacity to deliver on what they're planning to deliver on here, which is sort of a polite way of saying we don't know.

So I'm glad to have had the opportunity to talk about this. It's very clear to me that by most standard measures, this place has made tremendous progress over the past few years and is doing quite well on most of the criteria by which we measure most organizations around the Commonwealth. I guess my one question is whether or not, in fact, that expectations of themselves are realistic given some of the disparities that exist around the turnover issues and the student performance questions.

MR. IRWIN: Charlie actually said a lot of things I wanted to, but I'm also concerned about this letter from the Superintendent of Schools, the Assistant Superintendent and the whole School Committee in Barnstable. I mean, there are some allegations made in here that are fairly serious. They need to be looked into, and I'll rest that in the Commissioner's hands to look into these allegations.

A couple concerns I have, though, is the lack of future budgets for the school and for their planning. That was one of the pieces that was pointed out that, as they plan to go forward, there aren't any future budgets. The other piece that I just picked up on, and I'm going to be brief with this, is that, for instance, the library that's required on the IB, I know that there's new requirements that they have a library, but where it said that it was supposed to go up on the top floor and said it couldn't accommodate it, there wasn't anything said about where it was actually going to go and if they were planning to do it or move things around or anything like that. I imagine it's just something the school's going to take care of, but it's just one of those things that pops up into my head, and there's an awful lot of other issues in here, but I just won't get into each one.

DR. THERNSTROM: Yes, I've got a bunch of concerns here. I wish that on these MCAS scores that the bar chart here, wherever it is, that the comparison had been not only between the charter school and the state, but between the charter school, the district and the state. There seems to be zero students in low income families in the school, and that, of course, has an impact on MCAS scores. I am concerned on the, which I've just glanced at, so I haven't had a chance to read carefully, the letter from the Barnstable Public Schools, this one from the Superintendent and so forth, that the demographic profile at Sturgis is not comparable and that, indeed, its MCAS scores can't reflect what the school has done, given the new high turnover. I thought that in the site visit report there was an awful lot of material that I found troubling, and we certainly need to, it seems to me, to be thinking much more at greater length about this, according to school needs, the predominant motive planning, decision making committed describe this plan as we go, no time table accounted, defining which projects other than the IB application and the undertaking of the clear

definition of action steps, etcetera. I mean, there's just an awful lot of stuff in that report that kind of raised questions in my own mind.

Some of the language of what the aims of the school were, it's kind of rhetoric that I never know what it means. The course of study aimed at independence of thought and generosity of spirit, I don't know what that means, and there's a number of points, stuff like that. And the primary focus of Sturgis Charter School in earlier years has been the establishment of a cultural respect. We're talking here about a high school. You know, I would hope by that, it's not first graders, I would hope that that wouldn't have to be a primary goal, in particular, again, as we've got a middle class population here. And I'm also interested in why, the reasons behind, for instance, the resignation of the original founder, I've forgotten his name, who testified today. I mean, six months, and he was gone. There's got to be a story there that I would like to know. That's an extraordinarily short amount of time. And then there's the disparity in exactly what's happening to the high school graduates in terms of college attendance and so forth. I think there are an awful lot of questions on the table about the ethics of this school, and I do think we need to take the time and see if we can come up with some answers.

MR. BAKER: Just for point of clarification, they did do their scores on MCAS relative to Barnstable are in the body of the full report—

DR. THERNSTROM: They're not on that bar chart—

MR. BAKER: No, but they're in the report, and they did quite well.

MS. WOLF: They're not on the bar chart because they draw from so many districts so it had to be a composite district, and we didn't have the capability to do that in the office, but it is in the renewal—

DR. THERNSTROM: Okay, but it still leaves the question of whether it is correct to say that the demographic profile of the school is not, is quite distinctive.

MR. MADDEN: Abby mentioned most of my key concerns and thoughts, which is somewhat strange.

DR. THERNSTROM: Rare occurrence.

MR. MADDEN: Very rare occurrence. I do have some concerns over the academics, as Charlie mentioned, the disparity between classroom grades and the standardized test scores, and I'm wondering if the dissemination of scores and the demographics was done, if that would start to explain and I'm deeply concerned about the zero percentage of low income students in school compared to 17 percent in the district -- 17 district, 25 percent in the state and, also, the much lower percentage of Special Education students and bilingual students, minority students, all the subgroups that tend to have greater problems with standardized exams and MCAS, in particular. I'm wondering if a statistical profile, not like what was done with Lynn, could pull in the demographics and would maybe cast some more light on what's happening academically at Sturgis.

CHAIRMAN PEYSER: The only other point I'd make about this application, and, actually, this applies to both of the applications, is that they're coming in the fourth year of the school, which was done for both schools at their request. On the one hand, obviously, that's been their choice for reasons that we can explore. I think they have more to do with some pragmatic concerns about expansion and financing and other sorts of things than they do with trying to make sure that these schools come forward at a peak moment in their five year development, but I think it does give us a little bit of flexibility as well in terms of considering the applications and, in particular, the time frame that we have to place upon them. We don't want, just as a matter of course, to allow applications to linger and information to get old. On the other hand, we don't face the same kind of deadline that we often face here, which is we're coming up to an enrollment period for the coming school year, and there has to be some clarity about whether the school is going to be there or not. Nevertheless, given the fact that they have come forward early in the process, I think we do have a little flexibility, perhaps, to explore some of the issues that have been raised and gather

some more information that's necessary in order for Board members to feel comfortable about ultimately taking a vote on this.

MS. WOLF: Right.

DR. SCHAEFER: That's true, but I think it's not healthy for the school, itself, to be in limbo—

CHAIRMAN PEYSER: No, I agree—

DR. SCHAEFER: --for very long, so that I think it's incumbent upon us to make a decision as expeditiously as possible.

COMMISSIONER DRISCOLL: Well, absent any more last minute communications, assuming we've now received the communications that we're going to receive, the staff will be able to turn around the information, both in the testimony today and in the letter from the Superintendent, and we can go back and look at the factual matters. To me, the question of the makeup of the student body is more to the process of the student body and how it becomes selected. Is there a lottery? There are fundamental questions of who winds up at the school as to the selection process, and then you deal from there, but that's why I said at the beginning I knew there were going to be questions. It gives us an opportunity to answer those questions, but I think there is, again, the overall—the only thing I won't hold against this school is the fact that it is now back moving along.

I think Charlie said it right. I don't know whether they were unrealistic goals at the beginning or they were very high goals, after you go through a crisis, and then you get the school on strong footing, I don't think they should be penalized for the fact that now they're going to try and go back to those goals. I just don't see that as a penalty, a lack of keeping faith or anything else. They had a crisis; they scrambled and put things back together. I think all of the other questions, including some of the statistics, there are facts, and we ought to put them right forward, and the Board can then deal with it, and I'll be prepared to make a recommendation in the next month.

CHAIRMAN PEYSER: And, again, I think as you've implied, the standard at one level is have they achieved the goals that they set out for themselves either in the charter or in their accountability plan, but a secondary standard, I suppose, is are they making adequate progress towards those goals? In fact, many schools have come forward that we have renewed, and have not met the goals that they'd originally established, but the judgment was made as part of the renewal process and part of their own site evaluation that, in fact, they were making progress at an adequate clip to justify renewal, and I think that's the judgment call we need to make, not whether they're there or not, but whether they're on their way. But I think the issues, certainly, that you raised, Charlie, about their capacity to meet the goals that they're establishing for themselves going forward and whether the goals they've established going forward are realistic given the track record that we're putting on the table as well.

DR. THERNSTROM: Well, and it seems to me that you've just raised another important issue, the answer to which it would be nice to have spelled out, and that is this Board has been accused of some inconsistency in the way that it has applied the standards for renewal. We need to have that charge, which will probably be coming down the road, answered for us in some kind of memo. This is not inconsistent with previous decisions we have made, if we, indeed, decide to renew this charter, for the following reasons. Because it is an issue that is out there.

CHAIRMAN PEYSER: Right. And we can, obviously, provide more information in writing or otherwise, but just so we're clear, procedurally, we've followed the same procedure to get to this point as we have for all other schools in terms of the use of the on-site inspection teams and the protocols that they've followed and the kinds of people and the kinds of training that they have had as part of that process to ensure reasonable consistency across all the reports. They, and actually the Department, based on the information provided by the inspectors, as well as other information that the Department has as its disposal as a result of not only information that comes from various other sources, but as a result of their own observations and their own knowledge about what's going on in the schools, make a judgment based on all

that information with respect to the three questions that are before you. The judgment is not one that is entirely mechanical or quantitative or a simple one—

MR. BAKER: But it's informed.

CHAIRMAN PEYSER: It's informed. There is judgment, however. There is informed and professional judgment as part of it. And then, obviously, it comes to us to validate that judgment or to raise questions about it, which is exactly what we're doing, all of which is to say is that the process itself is the thing that tries to ensure that the end product or the end decision is one that is reasonably consistent from one decision to the next. But at various points along the way, there are different people exercising judgment, and we are the ones who are ultimately responsible for determining whether their judgment was sound, whether it was consistently applied, and whether the facts of the case that has been presented to us match the facts that we've seen in other cases.

The other thing, just to comment, and this came up frequently in the Lynn context, is that each of these schools does present a set of unique circumstances, both in terms of the student demographics, the nature of the charter, the community in which they're located, what happened during the first couple of years and what progress they've made subsequently. There are many different factors that make each school somewhat different from the other and so, again, it's not an entirely mechanical process that we go through. So having said that, to the extent we can add more clarification either through the dissemination of documents that already exist around the protocol, itself, or through other explanatory memos or information, obviously, we've got to do that.

MR. BAKER: Can I just add, Jim—as a practical matter, I think these reviews are really well done, and I wish every school in Massachusetts took it upon itself every year to have four or five smart people who knew something about education to come through them and to answer those three questions. That would be great.

DR. THERNSTROM: Dream away.

CHAIRMAN PEYSER: And I also think, having said that, I think it's important to note, as the discussion indicates, that the reports themselves identify warts, as well as things that schools should be proud of or are proud of, and that's part of the process, and if the process did not bring to the surface things that were negative or of concern, it wouldn't be doing its job.

COMMISSIONER DRISCOLL: The only comment I would make, and I certainly understand the atmosphere that we operate in, one school versus another, having just gone through a difficult legal process or are in the middle of it perhaps, again, I think that what I look for is a combination of some kind of a feel which you get out of the inspection report and the basic facts. To me, the basic facts are the basic facts, and people reiterate them as if they're not the facts or something. I mean, it's very clear. You heard about this International Baccalaureate issue as if it's a secret. I mean, it is what it is. They started out that way, they couldn't make it. The place was in chaos, and now they've come back, and now they've set a goal for the future with that same goal, so I guess I'm a little concerned about the fact that there shouldn't be confusion about the facts. This is not a school that has MCAS scores that are below the district and below the state. This is a school that has MCAS scores that are way above the district and way above the state. Now, good question: is it because they don't have any low income kids, and we do? Perhaps—so I guess I'm a little concerned about the fact that we're not—that I want to make sure that we have a process that's objective, and I think the inspection report clearly points out where there's work, and I would agree with Abby about some of the language. Ultimately, we have to come down to the answer, and absent facts that come new to us that change the picture, I do believe that the answer to the three questions is yes, but we have a month to get back to you, and we have plenty of information to investigate, and we'll get back to you with the facts.

MR. BAKER: Dave, not to put too fine a point on it, don't forget about question number four, because that's how I think we ended up here in the first place because they had a big reach, and the reach may not have been realistic. I'm telling you, the answer in the site visit report does not imply that they think these guys have a reasonable expectation with regard to where they can get in the next five years. And I can tell you from my own seat and my own day to day, the one thing I spend a lot of time thinking about, when it

comes to relating to my Board and to my constituents, is if I'm going to make a commitment on something, I'd better be able to deliver on it, and that's exactly what worries me the most about—well, if I'd gotten a number 97 on the capacity thing, and the answer from the site review was, yes, generally speaking, we think they cleaned up a whole bunch of problems, and going forward they've got the right gears in place to make the next five years a little less interesting than the last five years, then my view would have been okay. But the answer here is, basically, these guys have set a really high bar, again, and they may or may not be able to get over it.

MS. WOLF: It'd actually mixed--part of the thing is that the bar is too low on some of the standardized tests because they've already reached it, and 80 percent is too low—

MR. BAKER: I was trying to be polite.

MS. WOLF: I think it's mixed. The one point I make about the accountability plan is that's amendable and changeable, and how I see this school in its process is maybe because of the first two years and the instability there was, they've taken awhile to move from the start up to the long term sustainability situation where I think they're at that edge right now in their fourth year maybe because the first two years had such turmoil. Their accountability plan is amendable and changeable, and it's not been accepted yet by the Department so that, and they can change their gears on that.

MR. BAKER: Okay. Good.

CHAIRMAN PEYSER: What's the schedule for approval of their accountability plan?

MS. WOLF: It would have to be, I think we were going to try and go for renewal, and then that was going to be the real focus, is getting that. The school would, obviously, could get outside help on how is that measurable to realistic goals, etcetera, moving forward.

CHAIRMAN PEYSER: If it's okay, can we shift our focus to Mystic Valley? I have two general concerns. One is, just as under the Sturgis scenario where there is a history that is not fully described in the evaluation report, in part, because that's not the purpose of the on-site inspections to write a history, but rather take a snapshot of what exists currently. There's also some history to Mystic Valley, and it's a little bit more recent, and I guess one of the things I'd be interested in perhaps some further information on is the extent to which the transition from the management under Advantage Schools to now their contract with Beacon and the existing governance in that structure, the extent to which that transition has been a smooth one, one in which there continue to be possible questions about their ability to manage under a new governance and management structure or the extent to which this has become a non-event and is a distant memory. Given the recent shift, that's an area that I'd be interested in hearing a little bit more about.

The other thing which may relate to it is the student performance data presents a very mixed picture with some troubling trends in the 2001 data, some of which may be counterbalanced by 2002 data which doesn't exist yet, at least, on MCAS, some of which may be explained by the transition that was going on in the school at the time the test was being administered. In any event, the numbers themselves, and the performance, both at the upper and the lower ends are of great concern and, again, in part, it ties back to this question coming forward at this time.

I understand their reasons for doing so, but there are some questions in my mind as to whether, in some ways, the jury is still out on the academic achievement of the school, and I'm just a little bit concerned about whether we might be acting prematurely on this application, given the data, and given the trend that was demonstrated in 2001. So, I guess if there's any further light that can be shed over the next few weeks, either in terms of any assessment data which may be coming back as a result of the return multiple choice data from the 2002 administration or any other added information around the academic performance through external measures or with respect to the governance changes and the management changes that have gone on over the last year and a half, that would be helpful in elevating my confidence that this is a timely point at which to make a judgment about this school.

MS. WOLF: From the information we do have from the school and from the inspection report, the transaction from the management to Beacon has been very smooth, and it was because the school felt that, under their former contract, they didn't have enough ability to change and flex within their educational program to meet some of the needs they thought were being shown through their MCAS scores, etcetera. So that, as far as we know, the transition has been very smooth.

CHAIRMAN PEYSER: It appears, based on my reading of the report, that the academic program remains fairly consistent, but I'd be interested if there are any distinctions or changes that have occurred, I mean, direct instruction still—

MS. WOLF: Yes. I think it's supplemented. They've chosen to supplement rather than replace it—or admit it to their DI still, but it is supplemented.

CHAIRMAN PEYSER: Well, again, any further explanation or explication of what's changed, and the importance of that to the extent possible, to draw some connections back to the achievement data would be helpful. Any other questions that Board members might have?

MR. BAKER: I have a couple. One is this idea issue comes up again in here as part of what they're proposing for their high school program, and I'm back to my reach/reality question. If a school that's got MCAS scores that are 50 points higher in advanced and proficient than this school, who's having a hard time getting to the point where they can actually deliver on the IB program, I really wonder if, in this case, the IB program is the right way to be thinking about to go forward. It did strike me that the report just says over and over again that when they kind of dropped the more lofty approach, for lack of a better word, and went with the direct instruction approach, they found they were far more effective in terms of actually getting one thing or another in a classroom. And other than that, I share the same concerns you do, Jim, which is that the MCAS stuff both as it stands and relative to the peer groups around there is a little troubling, although it does sound like the place is very popular with both the parents and the student body, and it's got a pretty solid and stable management team and faculty in place and a good balance sheet, all of which are important.

CHAIRMAN PEYSER: Let me just follow up on Charlie's IB statement. I'd be interested in some discussion at some point or some consideration of the extent to which direct instruction morphs into an IB program. I mean, in some ways, the two seem in converse with one another. Maybe they're not—

MR. BAKER: I agree.

MS. WOLF: They start direct instruction in kind of Newton One, the core knowledge, and then they --in their middle school during that middle year program which leads up to IB and then—this was all in their original application— from the onset, they planned to do an IB.

CHAIRMAN PEYSER: Right. I understand, but now that they've got some experience, both with direct instruction, as well as sort of the transition period, I think a further defense of why the IB fits and why the preparation up through high school prepares students to enter into the IB program might be worthwhile.

VICE-CHAIRMAN THOMAS: And looking at the audit, it appears that they are. Mystic is $1.1 million in debt year end, a 32 percent decrease from the previous year albeit, but that's a lot of debt. I'm just curious as to are we considering them a viable organization with that type of debt service hanging over their head?

MS. McINTOSH: I suspect that if you look at the charter schools, you may not find a huge amount of dissimilarity. I'm sure that the vast majority, we would certainly inquire of the school regarding that, but I would be very surprised if most of that isn't facilities related, which is the number one challenge facing any charter school.

VICE-CHAIRMAN THOMAS: We understand that being a significant challenge, but, in this specific situation, what is the game plan for mitigation and is it projected outward for, particularly, in a longitudinal way, are we looking at five years of the reversing that particular picture or—

MR. BAKER: These guys added a million dollars to their asset base last year, so they're in, I'm not an accountant, but from my point of view, they look a lot better than a lot of these when they show up here even with the incurred obligation associated with some of their capital expenses. I mean, these guys could write a check tomorrow and, basically, pay off the whole thing, which is a much different position than most of these people find themselves in.

MR. CROWLEY: They actually have, $3.1 million in cash, and that's one of the things that caught my eye. They can wipe out the debt. I actually was surprised that they would have that much money in cash at June 30 because, and I'm curious as to the collection cycle, but the net answer to that question is a positive answer, I'm sure.

MR. BAKER: I'm assuming that means they have more kids than they thought they were going to have and relatively fixed cost equation and, I'm guessing, fixed variable, it's step equation. You can go up a certain number of kids relative to where your benchmark is—and your incurred variable expenses are really light, but your incurred average revenue growth is very big until you get to that point where you got to reconfigure.

CHAIRMAN PEYSER: The other thing that we ought to keep in mind here is these statements are dated June 30, 2001, so they're a year old. The amount of the long term liability that was due in this current year is about half of the outstanding, so assuming payments have been made on a current basis, they're probably down to $600,000 or so in outstanding debt, and I have no idea what the capital—

MR. BAKER: That sounds like a good question to get the answer to.

CHAIRMAN PEYSER: Well, we won't have it June 30, 2002, so, but we can get some current— if we can get an unaudited statement from their last closing, maybe that's—the end of last month, that'd be great.

DR. SCHAEFER: Charlie made the statement that this school is popular, waiting list so on. That's something that, you know, we've encountered with quite a number of charter schools, and I think that we really need to be looking more at whether they're educationally sound, because just because there's a waiting list doesn't mean that necessarily that that's the case, and I hope, that we—

DR. THERNSTROM: Well, I was about to zero in on the same point, but look, this question of popularity with students and parents, it doesn't seem to me that this should be part of the mix at all. I mean, I noticed, for instance, recently, I think it's Montgomery County got about 20 low performing schools that under No Child Left Behind, their parents are eligible for transferring their kids to a higher performing school. They've been failing school for several years. Well, they already qualify for the public school choice that's built into NCLB. Are the parents choosing other schools? No, they're not, because parents are generally enthusiasts about the schools that their kids go to, and I just don't think this is part of the mix—

DR. SCHAEFER: Well, it's got to count for something. I mean, if there are no parents waiting in line, then, you know—

DR. THERNSTROM: Well, but if they, but if the parents were already there—

DR. SCHAEFER: Well, you know, I mean, it's just how it works.

CHAIRMAN PEYSER: Well, I think that's generally the case. Obviously, we've seen that repeatedly, even with schools that are not performing well. Having said that, I think it's an indicator. It's just not a dispositive indicator, and parents are sometimes a source of many complaints about their school, and I think that's worth our taking a look at, but certainly, as in the case with Lynn, I think we treated that properly as an indicator, but not one that overrules or outweighs other factors.

DR. PLUMMER: I just want to make a comment about the IB program. I noted that it includes, part of it is to grant college credit for some of the courses taken in high school. To my knowledge, we haven't heard from either of these charter schools about that, but I would certainly expect to if they were getting very serious about applying for that, and that's a good concept, we've talked about it before, with some of our schools, but I would certainly expect them to be in touch with us about that.

CHAIRMAN PEYSER: So, just to clarify, if you are graduating from an approved IB program, that doesn't automatically ensure that when you go to a state college or a UMass campus that you're going to get credit for any of the courses that you took as part of that program unless you got a specific agreement with the campus.

DR. PLUMMER: I don't know that. That's why I'd like to hear from them and, and have that up front so there wouldn't be some expectations that we weren't able to—

MR. MADDEN: I have more concerns about the academics here. From MCAS scores, we're down looking the class that took the 1999 exams in fourth grade math and then the, again, in the sixth grade math and actually saw an 18 percent increase in failing. These are disturbing results, and most of the time, if you look at them in light of the demographics of the school, which aren't this stark contrast as Sturgis with some districts, the 2001 charter school report by the DOE, Mystic Valley has half the number of low

income students as the sending districts, a third, less than a third of Special Ed students and a third of the bilingual students, a much higher percentage of white students. So to take maybe almost the cream of the crop of the students in the districts and then not do so well as the districts are doing, I find very disturbing, and I'm also wondering if we should perhaps look at the MCAS scores here in light of adequate yearly process. If these, this trend continued, would Mystic Valley make adequate yearly progress? And if not, that should be a serious concern. I'm not quite sure how a school choice—part of AYP would work with a school choice school. I think that's a serious concern and needs to be looked into as we go through this, also.

COMMISSIONER DRISCOLL: Just one point on the fourth to sixth grade math. That's, unfortunately, a statewide trend. In fact, the school is better compared to the state in sixth grade than it is in the fourth grade because the entire state drops off. That's why we introduced the sixth grade math tests, because there was this tremendous drop from four to eight. Now, we know the drop is four to six, so in, not to defend their scores, because they're not defensible in many ways, but in this particular case, that's, even though their number of failing went up, their actual overall performance at sixth grade is better than fourth grade when compared to the state.

CHAIRMAN PEYSER: Also, I think it's important to step back for a second and make a general comment about the discussion that we're having. I think it is very important for us to have this discussion and for us to be very critical of not simply the materials that are handed to us or delivered to us, but also to be very critical and analytical about the actual performance of the schools and to have a discussion in the context of high expectations for student performance and achievement, but we also need to step back and think about the decision that's pending before us, which is about to renew or not renew.

I think some of you may remember what we just went through with the Lynn Community Charter School where I think the issues before us were much more stark in terms of student performance and in terms of viability of the organization and in terms of faithfulness to charter. Yet, I think you all can remember, since it was just a couple days ago, how difficult and painful that process is and, in fact, may still continue to be, as we go forward. I've always contended that charter renewal is not the same as a decision of not under-performing. In other words, our standards ought to be higher than the school is not a failure. On the other hand, I think the question of how high our standards should be and how high the standards should be for renewal remains a somewhat open question. They ought to be higher than simply not failing, but do they need to rise to the level of excellence? Do charter schools, in order to earn the right to renewal, need to strongly outperform the state average or the local district or local schools? I think that's an open question.

I think we've said, clearly, in the context of the Lynn case, that they can't be at the bottom of the distribution, and not just on MCAS performance, but overall in terms of their academic program, in terms of their organization. If they're at the bottom of the distribution, that presents some very serious concerns, and such schools should not be renewed. If they are somewhere in the middle, this is a gray area, and I think it's appropriate for us to continue to have high expectations and, indeed, continue to ratchet those expectations up, but we need to understand what the context is and the implications might be of doing that both in terms of maintaining choices for parents that are of acceptable quality as well as in terms of fairness to the schools that are being put through this process, not only relative to one another, but relative to other public schools.

So, that's not a speech in favor of low standards at all. I think that's a speech in favor of the kind of conversation we're having to keep the pressure on the schools and the process to constantly raise our expectations, but in thinking about the vote that lies ahead of us, I just want to make sure that we're not moving from our decision on Lynn to make a similar judgment on every school that falls short of the objectives they may have set out for themselves or that it is not yet excelling relative to external measures of student achievement.

COMMISSIONER DRISCOLL: Just two things that I think I've concluded. One is I think we should provide more of a summary of the history of the school and the situation. Abby mentioned that, and Jim mentioned it with respect to Mystic Valley. I think it would be well worth it to put a couple pages together of sort of a scouting report on the overall school. I think that would help the Board with an orientation. Secondly, we need to think carefully, I think, about this issue that Charlie has raised about reachable goals. On the one hand, I think it's important part of it, as in No Child Left Behind, to set very high goals. I mean, it's a good thing. On the other hand, unrealistic goals are not a good thing so I think there's quite a

difference in my mind between a Sturgis that's reaching for an International Baccalaureate Program when they have 84 percent of their kids that are proficient and advanced and Mystic Valley who wants to do it eventually. So I think we need to spend more time thinking about pushing the school on their accountability plan as to realism versus idealism, I guess, and I think we want a little bit of both, but where it gets out of whack, I think there's room for concern.

I also think that getting the overall picture of the school gives a better sense of why we think in some cases that schools are viable. It's not just the raw numbers. I mean, as I think we all would agree, it's a very difficult process. Many of these people have faced facility issues and growing pains and changing Board members and changing leadership and turnover and whatever, and it takes a while. It's very difficult, and it takes a while to get it going, and so I think that has to be put in the mix, too, as we have a sense of comfort as we get closer to the end after they put things in place, so I think that would help.

MS. McINTOSH: I hear you, and I certainly have heard the Board's questions. Accountability plans are actually a part of the accountability process that we're focusing on a lot this summer in terms of moving it to a better place. The other issue that I wanted to say for the Board's consideration is that these renewal recommendations come to you in a fashion consistent with the previous 22 recommendations for renewal or non-renewal that have come to the Board. Lynn was not a sea change. It was not a notching up of the accountability process, and these two recommendations for renewal come to you consistent with that process that has been in place now for several years, so I just wanted to highlight that for you. I just want to be concerned that we're not all of a sudden expecting, as the Chairman put it, excellence and perfection from charter schools as opposed to a higher standard of accountability, and that's a very important context for the Board to consider as it undertakes these decisions.

MR. BAKER: Yes. Speaking for myself, and as one of the people who was in a different place than the rest of the Board on the Lynn decision, there were all sorts of issues that had something to do with a lot of the quantitative information associated with Lynn, but there were also a bunch of issues associated with a whole bunch of qualitative issues, too, whether they had a Board, whether the Board was real, whether the Board ad any stability. There were a lot of other things going on there, and I certainly don't want anybody to think that my comments today mean I've somehow changed my general sentiment on how I think about these things. I haven't. I find these reports, as I said before, very well done and very comprehensive and very thorough.

DR. THERNSTROM: I believe you that there's been consistency. My request is simply that you spell it out because I think that that would be useful given the fact that that question is, obviously, on the table and has been raised in the context of Lynn and that will continue to be raised, but I'm sure you're right and very much appreciate, as others, and others have expressed very much appreciated, the work you've done.

MS. WOLF: Some of the histories are little more confusing, in part, to get down than others with varying accounts from people, and we'll try our best to do that.

MR. MADDEN: I agree that we shouldn't be expecting perfection, and that's all the renewal process should be about, but I'd like this Board to hold renewals to the same standard that we held Lynn. If we back off from that, and we are not as critical as we've been today and as we need to be with that, then we have done a disservice to Lynn, and we have done a disservice to ourselves in making that decision and then not sticking to the standards. So I hope that you wouldn't just think, well, maybe, you know, we did it there and this is a different standard. Try to keep the standards and don't expect perfection, but keep to that standard, at least.

CHAIRMAN PEYSER: I think that's exactly right.

DR. THERNSTROM: And what we're doing. That is what we're doing.

MR. MADDEN: It is what we're doing so far.

COMMISSIONER DRISCOLL: Okay. Thank you all very much. Let's move on through the agenda. I think we actually may have more on the agenda than we can handle today, and I'd look for some guidance from you, Mr. Chairman, as to which—

CHAIRMAN PEYSER: My sense is that we, obviously, need to do our scheduling issue, but we also need to get the report on the school performance reviews--since it included some determination along the

performance—

COMMISSIONER DRISCOLL: It may be wise if we just move quickly through—

DR. SCHAEFER: Dave, some of us have got a meeting afterwards. It's not going to be possible—

CHAIRMAN PEYSER: Well, let's get through three and four and see if there's any time left. We, obviously, need grants as well.

SCHEDULE FOR REGULAR BOARD MEETINGS THROUGH JUNE 2003

CHAIRMAN PEYSER: There are the dates. I think you all received them by e-mail. The first question is, do any of the dates that appear here present any conflicts or scheduling problem for Board members?

DR. SCHAEFER: I'm not going to be here in July.

CHAIRMAN PEYSER: Well, does anyone else have a July problem? This year, August 27th or July 23rd. Because I think, based on discussions the Commissioner and I have had, I think we only need one meeting over the summer, so we will pick either July or August, and it sounds as if Roberta's the only one who's got a problem with either of those dates. Should we shoot for August then?

COMMISSIONER DRISCOLL: Well, August, at this point, is the date because I don't think we'll have much to know in July, so August, some years things wrap up, and we need that July date. Other years, I think we probably won't even have a budget by July 23rd—

DR. THERNSTROM: So we're going with the August date.

CHAIRMAN PEYSER: We will not meet in July. We will meet on August 27th.

COMMISSIONER DRISCOLL: The other dates, we've tried to be fairly consistent with, the last Tuesday except in December and so forth.

CHAIRMAN PEYSER: Okay. Is there a motion to approve the—

MR. IRWIN: I'm assuming, by the way, that November 26th, that's the Tuesday after Thanksgiving?

COMMISSIONER DRISCOLL: It's the Tuesday before.

CHAIRMAN PEYSER: Okay. That's dangerous. Is that a good thing?

COMMISSIONER DRISCOLL: Yeah, that's just—

CHAIRMAN PEYSER: Is that all right? Should we do it Wednesday night instead?

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education approve the schedule of regular meetings through June 2003, as presented by the Commissioner.**

The vote was unanimous.

PROGRESS ON SCHOOL PERFORMANCE REVIEW

CHAIRMAN PEYSER: Next item is the school performance review, and Juliane is here to walk us through these materials and, I guess, also, to give us an update on the state of the reviews that have been going on over the past year and those schools that have been put in the under-performing or not categories.

MS. DOW: With me is Lynda Foisy, who's the director of our School Performance Review Unit, and Lynda does a champion's work with a very few people, and working with many practitioners, actually conduct all of the reviews that you've received the reports on over the last several weeks, both, related to under-performance and related to the section of Compass Schools.

As the schools we've just been discussing have unique, interesting and complex characteristics, so do all these schools that we've been reviewing, both, for under-performance and to try to understand what kinds of charges that are being made are actually having a positive impact on improving student performance. We did review, again this year, 12 school for potential declaration of under-performance, and when I reported back to you on last year's work, we had last year deferred the decision on a number of schools pending some additional training and support. This year, we did not defer decision on any schools. We've made a declaration of under-performance as to six of the schools with three other schools that did not have, in our judgment, fully adequate plans for improvement, but had good conditions in place and seemed to have support and a willingness on the part of, both, the school and the district to proceed along with that planning work.

We referred those schools for district planning assistance, and our intention is to work with the district staff in those cases to the benefit of both those individual schools and other schools in the district as they refine the planning processes that are being used in those districts and in other districts to try to better assist schools to focus in on key changes and key activities to improve student performance. I think the most important thing I want to put on your radar screen about those, you've received reports on the under-performing schools, but under separate cover a couple of weeks ago. Those schools now, there's six schools that have been declared under-performing out of that group of twelve, are beginning their process of beginning to work on the development of a plan that would come to you six months hence for your review and approval. In the meantime, in the early fall, there will be fact finding reviews at those schools. That's part of the statutory scheme, and so out of those schools, there will be an independent team going in.

We are reworking the protocol for fact finding based on some of the things we learned during the first year when we did have fact finding reviews for four schools and, based on the work that has gone on over the last year, to try to hone in on that process to make the information that's generated through the fact finding report very useful, both, to the Board and, Commissioner, for your decisions purposes, but, also, to the school and to school and district officials for purposes of their planning, so that fact finding will be going on in the fall. It's an extensive undertaking, so I just raise it to put it on your radar screen, too, that each year, as we undertake these reviews, there's the process of doing the initial review and then there's the process then of trying to, once we've identified a problem and determined that really it's appropriate for state intervention, then we have an obligation to go in and really diagnose the reason for under-performance and say, what are the prospects for improvement or what will be required in order to generate improved student performance, that that fact finding process then leads to the planning, leads to an ongoing process of assistance of, at least, two years' time, so we are at the beginning of the engagement with that set of schools.

On the positive side, under the second tab in your materials is, again, the list of schools that have been selected this year to serve as Compass Schools. This is part of our exemplary schools program. These are schools that are exemplars of an improvement strategy or improvement strategies that have actually generated improved student performance on MCAS, and that's the primary indicator that's used. As you can see, this year, for the first time, both, in the category of reviewing schools for under-performance and for Compass School involvement, we have reviewed high schools for the first time. In the first two years of the program, we focused on middle schools and exclusively on middle schools because of low performance at that area and that being a key point in the lives of students to try to get them the quality of education that they need if they were already behind coming out of elementary school. We have now, with having the high stakes testing at the high school, we feel like we have more accurate, perhaps, reflection of student work and student capabilities at the high school level than what we had in the early years of the testing when it was, we were uncertain how much, how hard the students were, to what extent that they were showing us their best work on those tests. And so we, it's been successful to begin to use these protocols at the high school. Again, these are, you've received copies of the reports on those individual schools.

Some of what you will see in those reports, as we found last year, are not bells and whistles and rocket science. They are sold practice of beginning to implement standards and undertake instructional work together in order to make sure that the standards are actually being implemented classroom to classroom and across grade levels, so those reports are the beginning point. For the Compass Schools, there will be both a recognition event in the early fall, followed by a conference for information sharing among schools, and then there will be school site based events in the winter/spring hosted by the Compass Schools, and this is all for the purpose of trying to disseminate information and cause discussion and debate about what's

working and why and how might I do things in my school, what might I learn from what another school is doing, opening up that conversation and encouraging that as an important thing that has begun with the Compass Schools work this year.

VICE-CHAIRMAN THOMAS: Just one question on that. Are charter schools eligible to compete for Compass School status?

MS. DOW: Yes. This year, we had 175 schools that were eligible. Eligibility was based on both the Cycle 1 ratings that were generated for performance and improvement, and then we took, we also ran the 2001 numbers and did a combined three year average, and we looked at improvements since 1998. Now, as David mentioned earlier, there will be, this fall, we'll be generating ratings for the seventh cycle of our accountability system, and we will then be comparing results in 2001 and 2002 with the base line in '99 and 2000. We'll have a new set of candidates for, based on the improvement that's demonstrated during this cycle.

Of the 175 who are eligible to apply this year, we had 84 applicants, and we narrowed it down to 18 finalists. Ultimately, three of those schools were determined really not to be in a position at this time to do the, to serve as a model and an exemplar for various different reasons, and fifteen have been selected to participate in that program for the next year. Some of you will recall, we did do a publication last year that had a profile of each of these schools, as well as some information about the general findings from the first year, and we do intend to publish another similar report this fall, and that will be available at the time of our recognition regarding contents in the fall. Trying to do the Lord's work here keeping things moving along so I think you have questions.

CHAIRMAN PEYSER: Yes. Let me ask you a couple things. One is that we have the non-under-performing category and non-under-performing, but in need of the district assisted planning. Could you, what's the dividing line or the performance dividing line between those two things?

MS. DOW: The dividing line for us is whether they have actually had a plan at this time that could be considered a sound plan. For the three schools that we referred for district performance, district planning assistance, those schools could have been, on the basis of their plan and their current condition, considered to be under-performing schools. We did not have an affirmative answer, in other words, on that question. The two key questions that are asked at this stage are does the school have a sound plan for improving student performance and are the conditions in place for the implementation of a sound plan? On those three schools, we found that they had some of the elements of a sound plan and that they had a general orientation toward improvement that was on the right track, but they needed to do more work, and they needed to do more work to particularize those plans and to do more looking at more work with item analysis, more disaggregation of their data, more study of the instructional practices in their school to have a clearer sense of the path forward to improve student performance, so that they've begun. They're headed in the general direction. I'd like to talk about this in terms of, you know, if they're trying to get from Oklahoma to California, they first have to know whether to face East or West, and then they have to find the major highways, and they've done that part of it, but as they head down the path, they have to make some more particular decisions about how to best serve different sets of kids in the school, and that's the level of work that, that, there's still additional work to be done.

Our judgment was that, in those three instances, the districts were, both, ready and willing to support that more particularized work at those schools and that they would do that in the context of recognizing that there was a need to do that across the schools and their districts and that we could better work with the district to accomplish that rather than picking out this individual school, and those who had differentiated those schools in part from the six that were determined to be under-performing is that, in those three schools, we felt strongly that the conditions were in place, in terms of leadership, support from the district and faculty engagement and some amount of the planning. So with the others, there were mixed findings or negative findings on one or both of the key questions.

CHAIRMAN PEYSER: Do we go back and review the non-under-performing but in need of district assisted planning at some point to determine whether or not they actually headed down?

MS. DOW: This is a major piece of—we don't currently have any infrastructure or capacity within the current scope of staff that we have and budget that we have to go back to the schools that we have visited once and declared not under-performing. So we have not been able to do that for the schools, the other four

schools that we did during the first year. For those schools during the second year that we didn't put in the deferral process and we don't—but I couldn't agree with you more about the need to do so. We will, certainly, look at the MCAS results in the fall and see to what extent there is a correlation between what we found in these on-site review processes and the kind of improvement plans that have been developed and whether we're seeing actual results on MCAS. Beyond that, we don't have a follow-up visiting program at this time, although I think it would be desirable to have some kind of a follow-up process.

CHAIRMAN PEYSER: I guess my only, and this is more of a reaction to the creation of this interim or distinct category is that I would assume that the under—the non-under-performing as well as the non-under-performing but in need of district assistance, both of them have real issues and challenges they need to address; otherwise, they wouldn't really have even been on our list to evaluate. So I think there is either advice or commentary that could be made on all six of these schools, and so I guess I would question whether we ought to be creating an interim category or whether we just ought to be saying they're not under-performing, but here's what this school or this district needs to do in order to make them better than just not under-performing. I'm just a little concerned that we may be creating too many fine distinctions between the terminology that we're using. That's one thought.

The other question I've got, which is more significant, I think, is in the six schools that are going to have fact finding teams come visit them this fall, some of those are in areas where we're likely to be doing district level evaluations. And have you thought through and talked with Joe Rappa about trying to coordinate this, the fact finding visits at the school level and the district evaluation teams that will be occurring probably after the fact finding teams have come and gone?

MS. DOW: My discussion with Joe about that is that the information that's generated from the fact finding process would help to inform the larger district review and, obviously, depending on the sequence of events on these things, I think you're right that, for this fall, our anticipation is that the fact finding would occur first. One aspect of the fact finding always is to look at the organizational structures which means looking at what the district is doing to help the school, to enable the school to deliver good quality for human instruction so there will certainly be a piece of that that the fact finding will have done, but the major focus of the fact finding work or the thing that is unique about it, and it goes beyond what a district review would be able to do, is to go in depth and looking at teaching and learning at an individual school and spend a significant amount of time following the experience of individual students visiting all of the classrooms in a school and really having, being able to provide some very specific feedback around curriculum instruction, around the learning experiences the students are having and looking at program adequacy—

CHAIRMAN PEYSER: Is it your general sense that this sequence of events, meaning school fact finding team followed by district level evaluation team, makes sense, that there's a logic to it? Does it stretch out the time in which a district is being inundated by state evaluators? What's your sense for the trade-offs here in terms of trying not to become such a burden on the school and the district that they aren't able to focus on their primary mission and, at the same time, providing the kind of information at the school district level to allow us to make the most important judgments?

MS. DOW: There's no question that it is, it is a time intensive and energy intensive engagement for a district to host an on-site team or for a school to, so I'm sure that if you ask the folks in any one of these districts that has already undergone school review this year and that will be undergoing a follow-up fact finding review in the fall whether they are enthusiastic about also having another group come in to do a district review close in time to that, I'd be surprised if anyone was—

CHAIRMAN PEYSER: I'm sure they're not going to be enthusiastic. My only point is, is it, does it make more sense to do these things simultaneously or in sequence? We haven't done it yet, so we only know—

MS. DOW: I think there's no problem with doing them in sequence in that the focus really is different. When you're doing a district review, you're doing some sample visits to, and the districts that we're looking at, urban districts that have 20 and 30 schools, you're doing some sample of visits to individual schools in a district review.

You're looking at system-wide processes and district level operations and district level coordinators of things. Some of those people are going to be involved and inquired of in the school fact finding process, but the experience will be much more at the individual school level, so I don't think it's necessary in any

way that those things would go on at the same time.

CHAIRMAN PEYSER: Okay. And one last quick question. Are you planning to do panel reviews this fall? Or is that something that would occur—

MS. DOW: The only panel review right now that would be scheduled for this fall is a follow-up review at the school at Chelsea, which is in the next section of the report following up on last year, and that was deferred from the spring to the fall. But otherwise, the cycle of reviews that we're doing now has, the panel reviews defined under performance and defined Compass Schools happening in the winter/spring and then the work with those schools by way of fact finding and preparation of the plans and whatnot happening in the fall/winter. With regard to the three schools, it's under Tab, it's under the third blue page there which is Section C, I just want to briefly review that we did have, in 2001, we had a total of 12 schools that we reviewed. We found eight of those schools initially not to have a sound plan and the conditions in place for its implementation. Those eight schools turned into nine schools over the next six months, and at the end of—and last fall, we were involved in the review. We conducted nine follow-up panel reviews in the fall of 2001 at those schools where we had deferred the decision. At that point in time, six of the nine schools were found to be under-performing, and we had three remaining schools that, although they had made some progress, they still did not, at that point in time, have a sound plan in place or the conditions in place, and so we continued working with those schools over the last six months.

We have now just completed follow-up reviews at two of those schools, the Normandin School, in New Bedford, and the Consentino School, in Haverhill, and the third school, the Williams School, in Chelsea, asked for their review to be, to take place in the early fall rather than in the spring, to which we agreed as a result of some changes that were going on at that school. A number of these schools have had changes in leadership, some at the school level, some at the district level, and that is true across all the schools we've been interviewing in the last few years, but we, I think that there are still weaknesses, as there will be in all of these schools. We cannot get from where they were to the point of, again, of exactly where we'd like them to be—but for going forward, but I think we've made incremental progress in all three of those schools. We'll see once the final reports are in. We'll make a final determination at this point as to whether or not those schools should be, at this point, declared under-performing or taken off that list, and, again, we continue to follow them in terms of their MCAS results.

CHAIRMAN PEYSER: In looking back, what's your view on this process of deferring judgment for six months or more?

MS. DOW: The reason that, my, my feeling about it is that I'm glad we did it in the second year. We did it in order to put ourselves to the test of could we step up to the plate and assist those schools with planning, provide them some guidance and assistance, and if we did, might we narrow the scope of how many we would need to intervene with at the state level. So it was positive in that sense, and I think it has now created a basis for us to provide more guidance, in general, to districts and their schools about the kind of planning that they need to engage in, in order to be ensured of some improved student performance. The effect, though, of deferring is that if you begin to work with those schools, hopefully, they get better, not worse, over the six months between when you started working with them and the point when you come back to refer to—and if at the end of six months they still haven't really gotten to where you need them to go because it was a big undertaking to do over six months' time, then it's hard to give them worse news then, and that's where we found ourselves in 2001. There we were in the fall. We had three schools. All of them had made some gains. They were not at the same point as those other six schools. The other six schools at that point, we were confident, actually had a plan. They were on the road, and those schools were not, they needed to do additional work, so they had gotten, they had figured out which direction was East and West maybe, but they had a significant amount of work to do to put the conditions in place to get their faculty engaged at a different level, to get their leadership engaged in a different level of thinking. So, I don't regret, I have no regrets about having done it that way in 2001, but I also have no regrets about making the decision these six, and not these six, and I take your point about that other category, and for our, technically speaking, we have six schools that were declared not under-performing— and six schools that were declared under-performing, but there is a distinction that we thought important to make in the letters to those schools that were declared not under-performing, but where we had not been able to say, yes, to the question if they had a sound plan. We do have an expectation of further work, and we'll hold the district accountable for making sure that they do the follow-up work at those schools.

VICE-CHAIRMAN THOMAS: Just a quick question. By and large, are you finding that the districts are fairly cooperative and do go in and—

MS. DOW: Yes. I don't think it's for lack of cooperation, but I think that it has not been an infrastructure in the districts to really think about the individual needs of the schools in the district and the performance problems that they're facing, and in the same way that we are, we talk a lot now about the need for differentiated instructions for individual pupils. We need that in terms of the way school districts look at schools and the different configuration of human beings, both, students and adults at those schools and what kinds of support, training, assistance, guidance are needed at the different schools, and we're going to be working with districts around trying to create more of an infrastructure for school support which will be consistent both with what the new federal legislation requires and what we recognize as an unmet need right now. The final thing that's in your book under the fourth section under D is a brief summary on the four schools that were declared under-performing back in 2000 and which will be coming back to you for a decision as to whether or not those schools should be declared chronically under-performing or not in the next year, and you were sent out, with the Board packet, I think, even in the same envelope perhaps, but, or under separate cover, the progress reports and updated school plans from those four schools. We, obviously, don't have time in this session to talk individually about those schools, but I urge you to review those and give some thought to what your expectations are of the kind of information that you're going to want about those schools. We will be, in January of next year, it will be two years for the Arlington and the Lynch Schools, and in June and July of next year, it will be two years from the date on which you approved the plans for the other two schools, the—

CHAIRMAN PEYSER: As a practical matter, do you think looking ahead, will it make sense for us to be trying to do the two year review in the spring of 2003 or in the fall, after the results from the spring administration MCAS are available?

MS. DOW: The statute says two years, at the conclusion of two years. It will now, it will have been, because there's the time period between the declaration of under-performance, which for these first two schools happened in the spring of 2000, we will be already at two and a half years because you have the first six months before for the development of a plan. I think for those first two schools, you're going to have to look at 2001 and 2002 date and, you know, and see where you think those schools are at that point in time and then—otherwise, we will always be in this—

CHAIRMAN PEYSER: Well, no—

MS. DOW: In terms of the statutory scheme, I think that that's the point at which we will be obliged to more forward on those schools with the data that's available. One of the things that we will make available at that time is not only MCAS data, but also data that the schools have on the assessment programs at those schools, and there was quite a bit of information from a number of the districts in terms of other testing, other standardized testing, that's done at the school district level that will help enrich the picture.

CHAIRMAN PEYSER: Well, I mean, just putting it on the table, I think it's worth, at least, thinking about as to whether we are in a position to pull the trigger of chronic under-performance when there is some data that's hanging out there that will become available within a matter of months that may shed some very important light on the decision one way or the other, and part of that may just have to do with the cycle that we get into and get into a rhythm that makes that more of a natural part of the process. I'm a little nervous about coming back in the spring of 2003, making a declaration one way or the other and then being kind of embarrassed, surprised, pleasantly or otherwise, when the results of the next administration come back because there are some, you know, very serious implications with the declaration of under-performance, and similarly, if we decide not to make such a declaration, there may be a very serious loss of leverage if we discover, you know, a couple months later that, in fact, maybe we made the wrong decision. At any rate, it's something to think about.

DR. THERNSTROM: And that is particularly true, again, in terms of the No Child Left Behind because there are now federal mandates that kick in with chronic under-performance in terms of school choice.

APPROVAL OF GRANTS

COMMISSIONER DRISCOLL: I'm going to try to wrap it all up. I would like the Board to consider the grants which are three sets, the comprehensive school reform, the early literacy and the autism grant

package I gave under separate cover.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education approve the grants as presented by the Commissioner; provided that the state grants for FY03 shall be subject to appropriation.**

The vote was unanimous

CHAIRMAN PEYSER: They're adopted. So we've adopted both motions based on your comments, both grant motions. The next part or the next section in here under the next yellow sheet has to do with the non-maintenance of schools rules which say that if, that, basically, you can be exempted by a vote of the Board from having to maintain certain public schools, basically, because of the small size of a community, and so there are twenty or so school districts that are on the list, on the yellow sheet of paper.

On a motion duly made and seconded, it was:

VOTED: **that the following public school districts, in accordance with provision of M.G.L. Chapter 71, sections 1,4, and 6, be permitted not to maintain certain public schools for the school year 2002-03 and to tuition their students to other school districts for said year**

SCHOOL DISTRICT	GRADES
Acushnet	9-12
Berkley	9-12
Clarksburg	9-12
Devens	K-12
Erving	7-12
Farmington River Regional Otis/Sandfield	7-12
Florida	9-12
Gosnold	K-12
Granville	9-12
Hancock	K-12
Lanesboro	9-12
Monroe	K-12
Mount Washington	K-12
Nahant	7-12
New Ashford	K-12
Pembroke	7-12
Richmond	9-12
Rowe	7-12
Savoy	6-12
Shirley	9-12
Truro	7-12
Tyringham	K-12

The vote was unanimous.

CHAIRMAN PEYSER: It's adopted. The last sheet, which is following the list of represented school districts is authorizing the Commissioner, in consultation with me, to approve grants and take such other arbitrary and capricious actions as may be necessary over the course of the next couple months before we meet again in August.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education authorize the Commissioner, in consultation with the Chairman, to act on behalf of the Board in approving grants and any other matters that require action between June 26, 2002 and the next regularly scheduled meeting of the Board; provided that the Commissioner shall report to the Board at the next regular meeting on grants and any other matters that have been so approved.**

The vote was unanimous.

COMMISSIONER DRISCOLL: Two quick things. On the information section, there is a report on foreign languages, which will obviously come back to the Board. I thought it would be interesting for you to see the various--we always hear about all these languages spoken in our schools. Well, I took that from one of our reports, and it shows you all of the languages by grade level that are spoken in the Commonwealth of Massachusetts.

There's a report from the former president of the Secondary Principals Association, Donald Rebello, on his reaction to his experience with the Department, very positive, and something about a guy from Springfield and his prominent family, and it's a terrific report.

DR. PLUMMER: Excuse me, Dave? Could I just, on the foreign language report—

COMMISSIONER DRISCOLL: Sure—

DR. PLUMMER: --I had noted a number of gaps in information from Higher Ed and some inaccuracies within it ahead of time, and since we're postponing until another meeting, could I just ask that there be some contact with Higher Ed so we could make those corrections when it comes to the Board? Thank you.

COMMISSIONER DRISCOLL: On the issue of the ELAR, perhaps I could indulge the staff to understand how late it's getting, and I'd simply say this. We're really in a conundrum. We have a very, very serious matter at the Department. We've been shorthanded. In fact, it's the one area that I had to lay off the most people, and that's because of the way the state's structured and that line item was cut. We've had a tremendous backlog, months and months and months, people trying to get certified. It's been a tremendous problem. Joe Giannino and Brian Devine, who are from our legislative staff, have stepped in to take over with the retirement of the administrator in that area. They've done just yeoman's work, as have the staff, I see Dennis DeCarlo and Marion Gillan. The staff has done just a tremendous job in taking these thousands and thousands of backlog of paper and dealing with it and getting it down to a manageable size. Hopefully, within about another month, we'll be completely caught up.

That coincides with a brand new electronic system which you had a brief presentation of before, and I wanted to do it again today, but I think, in the interest of time, we'll put that aside and bring it back. Not only will the new system allow teachers to come, or potential teachers to come right on and get in and even process their check and really get in the system within 48 hours, which will be a tremendous help for us, but there are also a number of other aspects and advantages to the program. Superintendents can, for example, obtain waivers for people right on line, basically, instantaneously. We can match up teachers with jobs. If someone wants to know what jobs are available, schools can post the jobs right on our system so they'll know where there are jobs in their areas, and likewise, superintendents and principals can access resumes of potential candidates. So it has tremendous potential and actually realization because people are using it, so we're very pleased about that; however, I do need to tell the Board, we still need to build staff in that area because the system is only as good as the orientation and the amount of time we can give it and so forth, so having insufficient staff with a Cadillac system doesn't help either, so we still have some issues to address. But those are the things I wanted to bring to the attention of this Board, A, that we had a huge

problem that is being resolve through tremendous hard work of our overworked staff, and we have this new whiz bang system coming in which will be very effective, but we need to make sure we have some capabilities, and I'm going to be dealing with state leaders and others to try and get some money in that account because we've got to have staff under any circumstances, but it is a great improvement.

CHAIRMAN PEYSER: Are we looking at any particular bottleneck in terms of processing certification applications and recertification applications so that there's some danger that, you know, for instance, come next fall, we're going to have teachers who are ready to teach who are there with employment contracts, but their certification hasn't come through?

COMMISSIONER DRISCOLL: I think we're on line to get that resolved and have resolved it, so we're going to be all set with respect to this fall. That was a danger a month or two ago, but is not a danger any more. So we've kind of plugged the dike, if you will, but we still have some structural issues to deal with.

CHAIRMAN PEYSER: And perhaps over the summer, or some other time, we could try to arrange the demos on ELAR—so they can get a sense of it beyond just the power point presentation—that we've already seen.

VICE-CHAIRMAN THOMAS: Two quick questions on the new business. One, is the TestWiz on line now?

COMMISSIONER DRISCOLL: The TestWiz has been given. It's on CD. It's been sent out to all districts, yes.

VICE CHAIRMAN THOMAS: Okay. Great. And, secondly, do we have a copy, I know this is a thick package, but the Leave No Child Behind legislation. I know it's over 100 pages, but—

COMMISSIONER DRISCOLL: It's over 1,000 pages—

CHAIRMAN PEYSER: A thousand, I think, yes.

VICE-CHAIRMAN THOMAS: A thousand pages, okay, so maybe we don't want a copy.

COMMISSIONER DRISCOLL: Well, no. What I figure—

CHAIRMAN PEYSER: Well, there are a variety of summaries there.

COMMISSIONER DRISCOLL: Right. I think what I've, based on what Abby has asked for, I think what we ought to do is put a package together for the Board that gets some reasonable summaries and has an update of where we are, so we'll get that out to you.

DR. THERNSTROM: And, actually, the White House Web site, itself, has a very good summary of it. There are a number of very good summaries of it. The Business Round Table has a very good summary. Educational Leaders Council has a very good summary.

CHAIRMAN PEYSER: I got an ECS summary.

COMMISSIONER DRISCOLL: Yes. ECS was about the best, I think, but there are several.

CHAIRMAN PEYSER: So we'll try to get copies of that.

COMMISSIONER DRISCOLL: Anything else we need really?

DR. THERNSTROM: You may want to mention our Web site has No Child Left Behind.

COMMISSIONER DRISCOLL: That's correct. We have our own, , thank you. We have our own on our website, the same version as the federal. The last, I should have mentioned before, and the Chairman asked me to make sure I announce this. We are in the process of putting together the Blue Ribbon Committee on the issue of what to do with students who fulfill local requirements, but have not passed MCAS, so we'll becoming back to this Board, hopefully, early in the fall with recommendations on how that should work, and what we're looking at is a state-endorsed local certificate that can be given to those students, and we're going to be pursuing what kinds of options they will then be able to have.

MR. MADDEN: Will there be a way to have a student representative on that advisory council for that?

COMMISSIONER DRISCOLL: That's actually a good idea. Jeff, the good news is before you get impeached, or whatever your new system is, you can appoint someone. You don't have to do it yourself, see. Just like James, you can delegate, but we should, we really should have a student. That's a good suggestion.

DR. THERNSTROM: And who else is on—how are you picking people?

COMMISSIONER DRISCOLL: There's a whole series of people for the superintendents, associations of principals, from the unions, et cetera, business, higher ed.

CHAIRMAN PEYSER: All there, it's another list, and, obviously, the Commissioner will share it with you if you've got any questions or suggestions, but, hopefully, that list is going to be, actual names are going to be put together shortly and some meetings will be held so that when we get back in September, we'll have a concrete proposal we can put before the Board. With that, unless there's any other comments or business—

On a motion duly made and seconded, it was:

VOTED: that the meeting adjourn at 12:20 p.m., subject to the call of the Chairman.

Respectfully submitted,

David P. Driscoll
Secretary to the Board