COMMONWEALTH OF MASSACHUSETTS
BOARD OF EDUCATION

*****REGULAR MEETING*****
MASSACHUSETTS DEPARTMENT OF EDUCATION

350 MAIN STREET
MALDEN, MASSACHUSETTS
Tuesday, December 18, 2001
9:00 a.m. - 12:00 p.m.

MEMBERS OF THE BOARD OF EDUCATION PRESENT:

Mr. James A. Peyser, Chairman, Dorchester
Mr. Henry M. Thomas, III, Vice-Chairman, Springfield
Mr. Charles D. Baker, Swampscott
Mr. J. Richard Crowley, Andover
Dr. Judith I. Gill, Chancellor, Boston
Mr. William K. Irwin, Wilmington
Mr. James Madden, Randolph
Dr. Roberta Schaefer, Worcester
Dr. Abigail Thernstrom, Lexington
Dr. David P. Driscoll, Commissioner of Education
Secretary to the Board

COMMENTS FROM THE CHAIRMAN

CHAIRMAN PEYSER: Good morning. We're going to try to get started. We're missing a couple of Board members who are on their way, but given the weather, it's a little unclear exactly when they'll arrive. The Commissioner is at a doctor's appointment this morning, and hopefully he'll be joining us later. At the moment we're going to try to press ahead without him.

I wanted to make a comment at the outset concerning some recent events. In particular, we've all been reminded over the past several weeks by the tragedy in Springfield and an averted tragedy in New Bedford that are schools are dealing with both deep educational and social challenges. While we must strive to make our schools beacons of civility where learning and excellence are everyone's central focus, we must also acknowledge that no school can lock out the world's problems. With that in mind, we should redouble our efforts to make our schools safe, and we should amplify our praise and gratitude for the dedicated people who devote their lives to helping our children.

On other matters, I want to mention a couple things that the Commissioner might have mentioned were he here. I won't go into all of them. The Joint Committee on Educational Policy has been meeting and has developed a draft document on alternative pathways for students who complete the 12th grade without passing MCAS. That document is going to be forwarded to the Governor this week for her comments, and then it will be officially adopted at the committee's January meeting. In a similar vein, the American Diploma Project, which is primarily associated with trying to align high school graduation standards with college admission standards and employment standards, has begun its work in earnest. There was a meeting of our team along with the teams from four other states who are participating in the project in Washington a couple of weeks ago. It was a very productive meeting. It actually will blend in very well with the work that the Joint Committee on Educational Policy is doing, and we hope to be able to report

more concrete progress as that work continues. With that, I think I will skip over some of the other items just move to the public comments.

PUBLIC COMMENT

Mr. Larry Ward from Cambridge.

MS. KING: Larry Ward couldn't be here today, and he asked if I would --

CHAIRMAN PEYSER: Go right ahead. And your name is?

MS. KING: Jackie D. King. Good morning Mr. Chairman and Members of the Board. I come here today as a parent of two school children in Cambridge, and I'm a member of the Coalition for Authentic Reform in Education and a spokesperson for the Alliance for High Standards, Not High Stakes. I'm here to address your agenda item about school district accountability. We hear a lot about accountability these days. It seems to be one of the favorite buzzwords in education. Indeed, accountability is very important for our students, our schools, and our school districts. I can tell you that as a parent I very much care about that our school districts be held accountable for the education it's providing for our children and for my children in Cambridge. My question is this: What means do you use to hold school districts accountable?

We believe that you have turned every aspect of K to 12 education in this state over to the MCAS test, and that's what I want to address today. Whole areas of curriculum are being thrown out or shortchanged or transformed to make way for MCAS prep. During this month, thousands of students were yanked out of their regular classes in order to attend drill and kill sessions on the MCAS before they took the re-test. Indeed, the amount of time spent taking the test and the re-test is still enormous. At the end of every school year when projects and courses should be reaching their natural culmination, they have to be scrapped in order for the kids to spend weeks preparing for and taking this high-stakes test.

We are appalled that this body would use one single paper and pencil exam to measure everything that needs to be known about a student or a school or a district. That a student's entire future should hinge on a single test is a travesty of what good education should be about. We have fought for the past few years for the state to take up a fair, authentic comprehensive assessment system that would use multiple measures to assess how students and schools and districts are progressing. In fact, we have collected more than 15,000 signatures on petitions calling on our elected officials to stop the high stakes use of the MCAS and replace it with multiple means of assessment as was called for in the 1993 Education Reform Act. We have presented these petitions to our elected officials and not to you because we know that you are not elected and not accountable to the public. Now, there's a concept, how about a state board of education that was actually accountable to the parents and students and teachers and to the public at large?

We can assure you that we are working hard to influence those officials who are accountable to help us end the graduation requirement and move towards multiple assessments. We want to remind you that 22,000 students, almost a third of last year's 10th graders, did not pass this test. Those are students who may be denied a diploma. And we ask you what is your plan for those students, to just keep taking the test over and over again? We know that more students will become discouraged and drop out under those conditions. We want to let you know that we are a growing statewide movement of thousands of families who are determined to fight this test to the bitter end. We will not rest until we have replaced the MCAS with a better assessment system.

Paul Dumphrey of Citizens for Public Schools.

MR. DUMPHREY: Thanks you, Mr. Chairman. It's always a pleasure. My name is Paul Dumphrey. I'm a parent and a policy analyst with Citizens for Public Schools on the Massachusetts Coalition for Equitable Education. I want to echo the sentiments expressed last month by Mr. Thomas. We took issue with the Board's recommended cuts in magnet school grants and reimbursements for money lost to charter schools. This isn't the time to retreat from social responsibility, and it's not the time to be opening more charter schools.

I also wanted to register my dismay, although not my surprise, that, as I understand it, a member of the Board has intervened to oppose my appointment to the Racial Imbalance Advisory Council. Of 80 people recommended by the Commissioner last month for various advisory boards, I believe I have the distinction of being the only one that the Board has maneuvered to block for an appointment. I'm disappointed, I say, but not surprised, because I have been outspoken in favor of integration. I've supported affirmative action, and I've spoken out for equal opportunity. I know that, as Vernon Jordan put it in a talk the other day, that the spirit of racism is still at large in America, but I know that's a point of view that some members of the Board don't want to hear. I've also opposed privatization. I've opposed charter schools and voucher plans favored by some members of the Board, and I was early in warning that the Board of Education appeared to be a wholly owned subsidiary of the Pioneer Institute. I've also found it ironic that activists with Pioneer, supposed champions of the free market, should have drafted charter school regulations that actually protect the schools from competition and shield them from meaningful accountability. The talk is meaningful accountability, but what's the reality.

The Department of Education has paid hundreds of thousands of dollars to a company called School Works to evaluate charter schools. And who's the president of School Works but a member of the board of directors of the fastest growing for-profit charter school company in the state, Beacon Education Management. If you call that accountability, I think I would certainly differ. I call it a conflict of interest and indeed a breach of the public trust. The only real accountability has come from outside the Department, from the State Auditor and the Inspector General. In the past four years, Commonwealth charter schools have been the subject of more critical reports than any other initiative in the state including the Big Dig. You know, you can keep me off the Racial Imbalance Advisory Council, and you can pull controversial speakers off of conference programs. You can cook the books on MCAS scores, and you can try to discredit the research of Citizens for Public Schools. But what you can't do is silence the many voices for racial justice and for inclusive diverse democratically accountable public schools. Supporters of public education will continue to speak out, and I believe, Mr. Chairman, that ultimately we will be heard. Thank you.

Rodney Barker.

MR. BARKER: My name is Rodney Barker. I'm a member of the Newton School Committee for the past eight years and also a member of the committee here which is called, let me get the right name, the History and Social Science Curriculum Framework Review Committee appointed by the Commissioner. I have given you a full version of the letter that I've written to the Board which you have, and I will make it short for the three minutes that we're allowed. I am speaking out of deep concern for the consequences of your Board's vote to replace the planned world history MCAS exam at the end of the 10th grade with an exam on U.S. history. I have detailed about seven reasons for my concerns, and I will go through them quickly.

First, since 1996 Massachusetts schools have worked for five years to align their history curriculum with the state standards, and they have devoted a large amount of staff and consultant effort to this process, all of which will have been wasted effort and resources if your vote is not rescinded. Secondly, I feel that a fundamental change in policy of this nature should have received consideration by policymakers, your staff, school systems before the vote, rather than having the vote without any import and then looking for public comment. Thirdly, the result of this change would be a concentration in U.S. history at the 5th, 8th,

9th, 10th, and 11th grades with practically no attention given to any other subject in the social studies curriculum let alone the important one of world history.

Fourthly, the United States is part of the world. U.S. children cannot be expected to understand or deal with the rest of the world without some knowledge and appreciation of cultures and history beyond our borders. The fact that the destruction of the World Trade Center and the Pentagon has come as such a terrible shock to many Americans should warn us that our people are not aware of how the rest of the world views us and the reasons why some may not view us favorably.

Next, the pattern of immigration to the United States since the 1960's has dramatically changed, and I think it's important that we all should begin to try and understand our evolving culture, and we cannot do that without understanding the values and histories that immigrants have brought to our shores. Sixth, without the knowledge and understanding of other peoples throughout the world, our country will continue to be gripped by chauvinism and the ignorance of the rest of the world, even as that world impacts us on our lives every single day. And finally, it is therefore clear to me that for all these reasons we need at least two years of world history in all our high schools in addition to the U.S. history that is examined at the end of the 5th and 8th grade and taught in the 11th grade.

Your new policy is a radical change from the policy of the past five years and gives a message to the people of Massachusetts that the world beyond the United States is unimportant. If only U.S. history is to be tested in the exams, then the message is that only U.S. history is important. This is certainly not the message that we should be giving at this tragic moment in our history. In fact, the tragedy should be a wakeup call for all of us to make sure that we understand the world beyond our borders, that we care about other peoples, and that we wish to work with them in building a better world. Thank you.

APPROVAL OF MINUTES

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education approve the minutes of the November 23, 2001 Regular meeting.**

The motion was made by Dr. Gill and seconded by Mr. Irwin. The vote was unanimous. (Mr. Thomas was not present.)

CHAIRMAN PEYSER: I believe there is an award presentation that will precede the rest of our agenda, and then following the award presentation we'll go to vocational regulations out of order. So we'll take the second item first, and then we'll go on to history/social sciences.

MS. TROTTIER: My name is Marie Trottier. My professional position is that of disability compliance officer for Harvard University. One of my volunteer roles is that I currently co-chair the Governor's Commission on Employment of People With Disabilities here in the Commonwealth of Massachusetts. One of our important projects this year is that called the Youth Leadership Forum, and it's a three-and-a-half day event bringing juniors and seniors in high school with disabilities to leadership in a full program that we ran at Babson College. We're here today as a thank you to Commissioner Driscoll and to the Commission for spearheading the fund-raising efforts that we had and for a very generous contribution in order to make this possible for these individuals with disabilities. We really appreciate the inclusion and the mainstreaming, and the plaque I have is "For the Youth Leadership Forum August 2nd through 5th, 2001, in appreciation of Commissioner David Driscoll, Department of Education, Commonwealth of Massachusetts." Thank you very much.

COMMISSIONER DRISCOLL: Thanks. The real thanks belongs to Richard Pedro who represents the Department of Education so well on our committee, so I want to make sure that we acknowledge Richard with a round of applause.

MR. MONDAR: Can I steal just a couple more seconds? I am Mr. Mondar from Mass. General Hospital and also co-chair of the Governor's Commission. When we talk about education, this is such an important investment. We're really very much in charge of helping folks get employment. But where do you start? In the high school years. So this is a great segue, and we really appreciate the support. You set us on the right path. Our third year coming up we look forward to more support from you. Thanks to Richard Pedro and Jim Chiavelli, and we hope to see you next year as well. Thanks a lot, sir.

CHAIRMAN PEYSER: Now, David, if I had known that you were getting the award, I would have put that ahead of the minutes. Congratulations.

COMMISSIONER DRISCOLL: Thank you. I've asked the Chair to allow Fran Kane to begin as the Governor is going to Greater Lowell Technical School today to talk about the COP and to tour the school, and Fran is going to join her. This does not need to be a major presentation. What we really wanted to do was to get Chapter 74 finally before this Board. We've been talking about it for a long time. Essentially there are three or four major items. First of all, there's the licensing processes that we need to have. Secondly, we do want to talk about the admissions criteria and also the retention criteria, that is to say students who have gone to a vocational school who for one reason or another may want to be returned to the vocational school.

I want to make a very quick comment, and I do have a handout on the COP. We're involved in the American Diploma Project, Chancellor Gill's office, myself, the University of Massachusetts, and our business partners. One of the things we talk about is not only the standards as students go into higher education, but what's expected in the workplace. Board members have in your packet in the information section something developed by Keith Westrich of our office, which are the skills in the workplace that are needed. I think there's been kind of a quiet revolution going on here in Massachusetts among our business partners, work-based learning plans, these work-based skills, and the work of our vocational schools who have done just a great job stepping up to the plate as shown by our recent scores and by the kind of work that they're doing. So Chapter 74 is an area that has not been revisited for quite a while. It was not part of the Education Reform Act, and it is now time to make vocational education and work-based learning and school business partnerships and school to work and the importance of the diploma and the COP part of the landscape of education reform, and so this is the first step.

MR. KANE: If I may just for a moment talk to you about the skill gains that were given to you. This is the culmination of two years work. It started out with 400 students, and it increased to 1,050 students across the state. We actually recorded and documented the skill gains of the scan skills that we have reduced from the 20 to the 9 of them that are used in the work-based learning plan. We also have over $45,000,000 in documented wages and over 20,000 students involved in a work-based learning plan, and that covers three different levels, all the way up to the extension of the classroom by the activities of the teachers in that classroom with the work-site monitor. We also engaged community colleges in working with those businesses and schools to develop and understand through a mentoring program exactly how the work-based learning plan operates. So this continues to expand, and it is embedded in the new regulations on the use of the work-based learning plan and also the skill competencies that are specific to a trade in one of our career and technical schools or comprehensive high schools. So that's really all I want to say about that.

You do have the complete study here, and we will continue to work with that. We have funding. We took the normal cut this year for the Connecting Activities which is fine. We'll continue to move with that. We have more and more businesses connected with us, probably over 11,000 businesses, and we

continue to expand that because it has become a critical component of what we do in our schools, not only in our career and technical schools but also in our comprehensive high schools. We like to consider it an expansion of the classroom to the workplace, because as we continue to work with sophisticated equipment we fully understand that school systems and the Department and the state cannot afford to buy all of this equipment, so we like to get the students engaged in the types of equipment that they'll be using upon completion of either high school or post-secondary education.

We no long consider vocational education as developing skills for entry-level jobs. We're looking at high skills for high wages, and I'm very proud of what's happened this year with the MCAS scores and the number of students that have come so close to passing in our career and technical schools. It has not been an easy chore to move the process along, but schools continue to work very hard at this, and people are engaged in writing across the curriculum, reading across the curriculum, math across the curriculum, which is one of our major components in our high schools at-work initiative of which we now have 26 schools engaged in this. It is really high competency academic work that is done.

What we'd like to do is just quickly mention to you the highlights of what will really be addressed next month when we produce the entire packet for the Chapter 74, and that is the teacher licensing requirement. Basically what we're trying to do there is to move the academic attainment without creating more barriers for people coming into the career and technical schools. One of the greatest things that we had to weigh was those people coming we'll say out of industry or coming out of a trade and wanting to work in a career and technical school where we created more barriers or less barriers to get them because it's no secret that as time goes on, and probably in the next five years it will be even more critical, we are losing more and more of these people, not only the academic teachers but the trade people, to retirement. So we've tried to balance that through this, and we've kind of discouraged the old courses of vocational education for the past 3,000 years. I'm really not interested in what's happened in the past, but what's happening now and what's happening in the future.

So, part of the educational requirement for teachers will be what we call English 101, which is English composition, because we find that they really need composition and understanding of the English and the math, and you'll see as we go through the requirements next month that there are science requirements and there are also math requirements. So that's really the biggest issue. But as we develop our entire process here, which isn't just Chapter 74, because as we unfold everything and we start looking at what the qualifications are for teachers entering career and technical schools, we find that the Certificate of Occupational Proficiency is really the driving force behind all of this. As we develop the competencies that are needed and that are validated by industry, we find out that these are the same competencies that we really need in teachers. So what we're trying to do through these rules and regulations is to give the basic components to schools and let them work through the professional development policy to increase a specific. So we continued that process. But as we unfold it, we see that this not only drives teachers' professional development, but it also drives course description and upgrading of courses and involving more and more businesses. Because of what we're trying to do with the COP and as we continue to develop these, and I promised you three more fields by April, I think, to be voted on in June. We're planning on giving you five fields. One of them is graphics communication, a fancy word for printing, electronics, nurse's assistant, carpentry cabinet making, and marketing. So we're moving ahead with five more of these.

As this has developed, and I think you remember--and we've given you a copy again of what we proposed last April--is that we really need to look at all of these competencies. We need to look at what business needs for qualified employees, what the post-secondary component is, and we tie that component into our tech prep of which we have 12 consortiums that have over 600 articulation agreements with post-secondary education, so we continue to move this. But as the COP gets developed, we're going to see that not all students are going to attain their certificate by the 12th grade, so we need to make sure there's an avenue for them to continue their post-secondary, receive that certificate, whatever it

may be, and our underlying and grounding factor on this is that we will not let this become suspect like the old high school diploma became. This has to be something that means something to business when a student presents this. So a lot of work is being done on that, a lot of validation committees.

The schools have been magnificent in this process. They have probably given, through in-kind services, over a million dollars worth of time and effort, either on their part or on the school's part as well as business. So we continue with that. But we see that we need to look at those competencies for all of our development. You will notice at the bottom of the first page and into the second page you're going see a lot of cluster committees or a lot of cluster development. There are 14 of them there, and you know that you've approved 7. These are the ones that have been allocated by the federal government. We have chosen 7, possibly an 8th coming up, but we have combined all of the courses that we presently teach and the ones that we're going to drop and the ones that we're going to add under all of these. So I don't want you to be confused by the 7 that you've approved and by these 14. They blend into those 7.

The admission and the retention policy is -- well, I call it a small item. It may not be when it gets transposed here, but we really need to look at what are the ground rules that we're setting for students that will enter our selective career and technical schools. We're asking that math and English language arts be a requirement that they pass, not based on the MCAS scores but based on the work that's done in the school itself, and we're also looking at retention policies because in most schools they have a retention policy that is set up with the sending school districts, that if Johnny and Mary fails this or fails that, there's a movement back to the school district. In some cases, we still have some school districts that are totally unaware that they're receiving Johnny and Mary back on Monday morning, so we really need to get that in there and look at that.

The last thing, and this is what the federal government has based everything on, and this is what we're presently doing our end of the year report on for them, is the core indicators. This is everything that we do in career and technical education for data, and I have to tell you that the MCAS has been widely accepted by the federal government, and they continue to use Massachusetts as a state to look at for establishing educational and academic requirements for all students, including career and technical students. So that's really the basis. And what I'd like to do is just summarize it by saying, we're putting all of these components together, hopefully increasing the competency of teachers in our system to make sure that they're adequate to continue on with the process: the development of the COP with all of its standards from the written, from the hands-on experience, the student portfolio, and possibly a senior project; the work-based learning plan to connect everything that's happening in the classroom to the work site; the tech prep connection with post-secondary education to continue that process on; and the initiatives that we basically work with within our cluster.

Another one is High Schools at Work, which is from the Southern Regional Education Board which I think you're all familiar with that raises academic standards and high demands. We have 26 schools engaged in that now. Project Lead the Way is another one that we've taken direct hold of and we've funded, and that is a pre-engineering program with Rochester Institute of Technology. That is being handled very well as a model program right now in Worcester, is one of them, and we have seven schools in that. A number of our schools have been through the Career Majors Institute which is clustering and moving pathways and setting course descriptions and course articulations through the 12th grade. We are also working with a character education grant. At this particular time it was a million dollar grant with Brighton High School and also with the HEC Educational Collaborative. Career Awareness is another one under a new section that allows us to develop a true awareness, especially in our middle schools, as to what is available in our 9 through 12 system or 9 through 14 system, but to see exactly what it is and really what career or what opportunities and ladders of moving up a career that a student has to choose from, and we are working with that. We have given mini grants. We're in our second year of that. And I understand that the federal government is planning to support it again. We're also developing a complete plan for that.

The last thing is a new grant that we received, as one of five states to receive one, for exemplary models for student success to raise academic success in our career and technical schools. An RFR will be going out. We're trying to pull all of it together to make sure that we've got one course of action to move through our schools, but I have to tell you that there have been some really good things that have happened over the last couple of years, and I think that we're probably guilty of not expounding on those activities, but I think as you travel through the career and technical schools and our comprehensive high schools you'll see some really good things happening. So I thank you, and I look forward to presenting to you next month the final draft to send out at next month's meeting. We do have one more meeting tomorrow of the two committees that have been working the regulations. So with that, we'll put everything together and bring it back to you next month. Thank you.

CHAIRMAN PEYSER: Thank you, Fran. I have a couple of quick questions. One is when you talk about changing the subject matter test or adopting a subject matter test that is broad in terms of the skills or knowledge that is tested, does that mean that they're cluster-based tests?

MR. KANE: Yes, that's what we're looking at, because one of the problems that we're running into is when we give specific tests. Right now, if I may just say, we have a number of different courses that are on the books, and some of them are not even in operation any longer. So as we clean it up, we look at about –

CHAIRMAN PEYSER: When you say courses, do you mean courses that are offered in the high schools or courses that are offered as preparation for teachers?

MR. KANE: Courses in the high school. And so most of them require a specific test for that skill. If you're going in to take a plumbing job, you have to take one of the tests in plumbing. We're looking at, of course, a literacy test, and the highlights of that in our presentation will be that any job that requires a Bachelor's Degree will have to take the existing test, and those that do not will take another test which has not been decided on yet.

CHAIRMAN PEYSER: But in terms of the subject matter, you talked about plumbing. Right now, or is the intention to essentially have an assessment for incoming teachers in construction, and so that someone who may be teaching plumbing only today or intends to teach plumbing, to go into teaching plumbing would have to pass an assessment that would include carpentry, electricity, et cetera?

MR. KANE: That's correct because on each one of these fields right now, we have roughly 41 of them, we have 20 tests for those particular ones, so we're going to have to develop 20 more of those, but I'm more concerned about the teaching, and I have to use a specific example because it's become a problem. In the agricultural program, there are a number of different tests, and people have to take that specific test for a specific program. The problem we run into when we've got something in horticulture and someone has a specific category such as architectural design for that, under the present system they cannot teach that. But if a general test is given for that prelude, then they can take that, and then it becomes the responsibility, and I believe it should be the school's responsibility, we should not be dictating it here, that that superintendent and that principal work with that person through the professional development system to say these are the two or three courses that you need to take this year or within the next year and a half to move toward that process, because --

CHAIRMAN PEYSER: I think that's a good approach. My only question, and this is something maybe we can save for next month, is how difficult the transition process might be in terms of people who are prepared currently to go into the profession but who don't have the breadth of knowledge or skill in order to pass a subject matter test that is intentionally designed to be broader than what they may have expected now or even a few years from now.

MR. KANE: I'd like to be able to give you a firm answer on that, but I think what we really need to do is look at that and look at the vendors that are out there and see if there are existing tests. Unless we have put money in the budget this year to do trial testing on that through the testing center that is presently located at Greater Lowell to start looking in that and seeing if these tests will in fact work.

CHAIRMAN PEYSER: I just want to raise the question, and maybe we can come back to it next month. The other is on the program outcome standards. I know these are driven by federal requirements. I'm sure this is the case in your mind, but I want to make sure that as we go forward, we're consciously trying to align these outcome standards and integrate these outcome standards with the accountability standards that we have generally for schools and districts, so that there's not somehow a disconnect between our career and technical schools and comprehensive high schools.

MR. KANE: We have looked at every single one of those and have tried, and we will continue to try, to make sure that everything falls in the same line along, not only what the feds are looking at but what we're looking at, and the integration with the standards and our own framework, so we feel confident that all of those will be covered in that.

MR. IRWIN: Good morning, Fran. Dave, first off, you made the statement, many sections of Chapter 74 were affected from education reform, not necessarily Chapter 74 directly but indirectly by many things that happened in education reform. I was going to start off on something else, but I just raise a flag on one of the questions that Jim asked. Fran, concerning the testing in a broader sense, and let's just use the construction cluster as that area. I don't know of a person out there who works in construction who can be a master at carpentry, electricity, painting, plumbing, and heating, and one of the requirements is going to be, as license and certifications are required for people, you're going to get into different areas, and, again, just using the construction cluster, of a plumbing license, electrical license, and things of that nature, there is no way in the world we can test somebody coming into that cluster. You cannot test a carpenter on electricity or plumbing, and you can't test a plumber or an electrician on carpentry. This has to be rethought out. This is going to cause a problem.

MR. KANE: Let me clarify that, and I should have clarified it in the beginning. We still have the individual tests for all of these different ones which will continue. What we're looking at right now as a stopgap is in the areas where we don't have those specific tests to see if we can develop something that would be a broader category for them, because we will continue. We do have presently in those areas all of those different tests that are given.

MR. IRWIN: Would that broader test in some other area that's covering more than one area, would that--

COMMISSIONER DRISCOLL: Maybe an illustration, because we're not talking about that, and I may be wrong, but correct me. I think I have this right. We had someone who had an advanced degree in horticulture, out of an ivy league school in fact, but did not have the coursework required to teach in a vocational school because her background did not include certain shrubs. Did I get that right?

MR. KANE: Yes.

COMMISSIONER DRISCOLL: So I say this is crazy. Here's an ivy league graduate that wants to teach horticulture in a vocational school, and we have a test that says you have to know certain things about certain shrubs. So that's the kind of case we're looking at, Bill, not the area where you're talking about where you need specific skills in carpentry or electricity or whatever. We're talking about other areas that are anachronistic now because they go way back to a time when they were too, too undefined. So there we want to have more of a broader test that just gives a broader knowledge, because whether it's culinary arts, whether it's horticulture, the world hasn't changed.

MR. IRWIN: I agree, but I think we have to be more specific on this, and we need to identify the areas that we're talking about then.

MR. KANE: Point well taken, because we will continue with what we have now, the 21 tests that are given, that will be no doubt updated.

MR. IRWIN: Now, I do have a problem with the admission policies not including MCAS. It's been a complaint since day one from vocational-technical schools that they're not getting students that are up to snuff coming into the 9th grade on math and English for them to be tested in the vocational technical school in the 10th grade using MCAS. For us to retreat on this, saying that just pass the coursework in high school and the 8th grade without referring to the MCAS test in the math and English, is wrong. It's doomed for failure. You have schools that have different levels of English and different levels of math. You may have a level one and a level two and a level three in a school, but that's not to say that a person who gets a D in a level three math or a level three English in the 8th grade is competent to go on to the 9th grade, more importantly into a vocational-technical school where math and English are so important. I think that we're sending out the wrong message here by not referring back to the MCAS test in the 8th grade.

COMMISSIONER DRISCOLL: Well, that's why these particular regulations are coming back next month, so that there can be clarity around – there are still issues about admissions and retention. Let me try it this way, and I think we really need to have this discussion probably next month in real detail.

MR. IRWIN: Well, I'm concerned because we have regulations coming in front of us next month.

COMMISSIONER DRISCOLL: No, I understand.

MR. BAKER: I'm with Bill.

DR. THERNSTROM: So am I.

COMMISSIONER DRISCOLL: The issue is that the current regulations talk about, I think it's reasonable progress or successful progress or successful completion of the 8th grade, and the problem is that we've never defined failing math and English in the 8th grade as not being successful completion, so you have kids who have failed English and/or math in the 8th grade who are being accepted into vocational schools because of our regulations, so I want to retract that issue first. Now, in the broader policy area, I believe that if a youngster has not passed English and math they can't be considered by that school as having successfully completed their program. Now the practical fact of the matter is, as you well know, the vocational schools accept large numbers of students who can be primarily helped by vocational schools. Many of those kids haven't even passed English and math, so to me a vocational school can still have that option if it so chooses voluntarily to take a kid knowing the kid hasn't passed math or English.

The problem of MCAS is twofold. One of course is the results aren't back, so the decision on acceptance is in the spring when the results aren't back, although we have the 7th grade, now we'll have the 7th grade English results, and we have 6th grade math, but, again, many youngsters who are not passing MCAS by middle school I believe could be tremendously helped by the vocational schools. I hate to preclude them. Now, it could be the policy of allowing the vocational school the choice, and you might well as a Board want to have a policy that says unless they get a certain level or unless they past MCAS in both English and math in 6th and 7th grade or whatever, they can't be accepted. I'm a little concerned that that's a straight jacket, given the statistics and the numbers of special needs kids and others that vocational schools are willing to take and do a great job with. We need to balance that, though, before we make a hard and fast rule, but I think we should make a hard and fast rule on passing courses, because, even

though scores are subjective, students not passing the school -- we have cases where they've said they've successfully completed, and they haven't passed English and math courses, that's wrong.

MR. IRWIN: Currently most of the admission policies are left up to the individual vocational-technical schools, which I see nothing wrong with. We can put guidelines down to them. But the 6th grade math and the 7th grade English -- the vocational-technical schools need to know what they're getting. They need to know what they need to design in the 9th grade, and perhaps they need to relook at the way the 9th grade is configured for all students, not necessarily -- for any student that's entering in to realign their academics in the 9th grade, that needs to be looked at. I'm just concerned that we don't refer to "at all," okay?

There's just one other issue. On the draft that we're going to be seeing next month, for the rest of the Board's reading pleasure, I would like to see it in the form where you have the old regulation, the proposed new regulation, and the reason for it, so that the Board is not just looking at a whole new set of regulations without anything to refer back to, and that way we can see exactly what's going on with that, and we can have a discussion on it.

COMMISSIONER DRISCOLL: That's a very good suggestion. Thanks, Bill.

MR. IRWIN: Thank you.

DR. THERNSTROM: It seems to me that -- this in support of what Bill is saying -- that implicit in his argument is that, look, if these students fail MCAS in the 8th grade and if they hit 10th grade without 8th grade MCAS skills, they're not going to get over the bar, and so that if we are in fact including voc ed kids in our demand that in order to have a high-school diploma you have to pass that 10th grade test, then it really should be a considerable concern if we are letting kids drift towards 10th grade without those 8th grade MCAS skills.

CHAIRMAN PEYSER: I'm just thinking about this a little bit on the fly here. There may be something we can talk about over the next month at the next meeting and then during the public comment period as well, both in terms of what we might do in the short term when we have this technical issue, which hopefully won't be forever, but may be for some period of time where we don't have the results back in time to inform the admissions decision, but also maybe even going forward permanently. Perhaps the issue is not so much whether the student moves on to 9th grade in the vocational-technical setting, but whether the district that the student is leaving has an obligation to provide certain remediation over the summer prior to admission, or some other proactive step to make sure that students who are not demonstrating the requisite competency on MCAS are getting additional help prior to moving on, so that it's not a dumping ground but rather is more part of a continuum of extra help and more targeted help for those students. So, again, it might be thinking a little bit more about not necessarily using MCAS as the go, no-go on admissions but as a requirement for students moving on to vocational school that their sending district provide some additional help to make sure that they're as prepared as they can be.

DR. THERNSTROM: I agree with that, and there's a third alternative here which is that the schools that they enter, that one of the things they do in 9th grade is to make sure that these students learn the skills that they have not learned in 8th grade, which, as Bill said, would require a restructuring of the 9th grade to some extent.

CHAIRMAN PEYSER: I think, especially in looking at the various programs that the Department is engaged in that are trying to understand and promote practices in vocational-technical schools that raise academic achievement as well as achievement in the trades and in the various technical fields, that we look at that issue specifically as to what, for instance, the 9th grade will look like for students who are coming in who are struggling academically. Maybe that applies to students generally, but especially for

those students who are coming in who are struggling academically. I think this is probably more in the nature of technical assistance and support for good academic programming in the 9th grade, but I think that is an issue that ought to be part of this. It certainly is something that follows on pretty directly from this admissions policy but something we ought to be doing.

COMMISSIONER DRISCOLL: I'm cognizant of trying to get Fran out of here because -- I'm delighted by the discussion, and by the way, I have no interest in rushing this. It's been long enough, and we want to get it going, but next month it will be before you completely. We'll have representatives. Gene Carlo is here today who's the president of MAVA which is the vocational superintendents. When the packet comes before you, it will have had input from both MAVA and MASS. We're working together, particularly on these two issues, the retention and admissions, but all the other issues as well, so we'll have plenty of time to talk about them next month. If the Board is not content in January, we could wait until February, but I'm pleased that we're having the discussion, because I think for too long this issue of the plight of students and the issues that vocational schools particularly face I think is something we ought to spend time with at this table, because I think it's very important. And I'll just reiterate what Fran said, they're making great progress. Some of their summer schools programs, et cetera have just been tremendous, but we should air it here and develop good policy.

DR. SCHAEFER: I just wanted to pick up on what you said, because that's what we are talking about, preparation of vocational students for 9th grade. We should be looking at this more generally, that we have the information from 8th grade that there should be some general remediation after that for those students who have not done well so that nobody is entering 9th grade with a tremendous deficit.

COMMISSIONER DRISCOLL: There's one last thing I want to mention. I want to be clear on this. We talk about the COP. We give it plenty of lip service. It's a wonderful thing. We've got people working like crazy. To do the Certificate of Occupational Proficiency Program well is very expensive, and it's going to cost us a lot of money, as it should. It's the right thing to do. It's performance assessment. It's a terrific example for all schools, and we have to recognize that this has always been envisioned to be a costly program, as it should be, like MCAS. We don't bat an eye about spending millions of dollars for MCAS. We should take the same attitude towards COP. To do it right, it's not cheap, and it's the right thing to do, and it will lead students to some tremendous skills, so it's just something I want to throw out there.

MR. IRWIN: Fran, as you're going to see the Governor, could you make mention about the COPs and how woefully under-funded we are in putting the COPs together?

MR. KANE: I hate to do this, but I always have to get in the last comment. I really want to thank you --

MR. IRWIN: You've never really dealt with me, Fran.

MR. KANE: No, but I want to thank you because when we talked about this we said, "Well, what if we said this, would it get blown out of the water or not," but I'm very pleased to hear you say to raise the bar a little bit more, and we really need to look at our sending school districts and to have some responsibility on their part. Thank you very much for your time.

PROPOSED REVISIONS TO CURRICULUM FRAMEWORK IN HISTORY AND SOCIAL SCIENCE - Discussion and Vote

CHAIRMAN PEYSER: Thank you, Fran. Let's move on to the history and social science frameworks. And as you all recall, we have discussed this a couple of times, including last month, and they are back before us today. Hopefully, we'll be able to take a vote to send them out for public comment.

COMMISSIONER DRISCOLL: I want to note that the Board violated all my rules, and we now have back before you a document that does add a number of things. And by the way, I have the economic standards, Charlie. As you can see, we made other adjustments, but I do think it has several elements that are of a great improvement. Some might say there are almost too many options at the high school level, but that was the decision of the high school people, and there is, as I read through the eight and tried to figure them all out, they real fall into two fours and then kind of four twos, so there's some symmetry at least.

CHAIRMAN PEYSER: Did you all follow that, two fours and four twos?

COMMISSIONER DRISCOLL: So, anyway, it's back before you, and I do urge the Board -- I don't expect a history framework to ever be received complete a hundred percent acclimation, not only by all Board members but by any one individual. All of us tend to read it and say, "Well, we'd like this or that," so it's almost never perfect for some reason, but I would urge the Board, unless there are major issues, which we'd like to hear about, we would like to get this out for public comment and move towards closure at some point.

CHAIRMAN PEYSER: Thanks, Dave. Rather than go over it, because I think the cover memo is pretty clear as to what the changes were, and obviously we just had this discussion last month, and I think the changes are reflective of that discussion, let me just make a couple of additional comments. One is I'm still a little bit uncomfortable that we're trying to do too much in the 4th grade. There's some choice that's been introduced, and I would very much like to get the feedback from the field as to whether more choice needs to be part of the final document.

I want to draw everyone's attention to the last point on the memo which talks about asking for feedback from the field on identifying core standards in U.S. History for assessment at grades 10 or 11. I think that is the winnowing down of some of this. To be a little bit clearer as to what is absolutely essentially and what will be assessed is going to go a long way towards alleviating concerns that there is too much in here.

As we all know, it's difficult to create history standards with gaping holes in them, and it's not appropriate to do so. On the other hand, our expectations for mastery of all of this knowledge need to be modulated somewhat by understanding what is somewhat more important than others. The issue of what to do about contemporary history I think is still hanging out there. There may be some consensus, although perhaps not --

MR. BAKER: Contemporary history?

CHAIRMAN PEYSER: Contemporary history, how do you like that term? Current events. There may be some consensus at least through 1989. I'm not sure. But beyond that, I think that's something that we definitely ought to be asking the field about, and we ought to be considering ourselves here.

In terms of the high school options or the grade 8 to 11 options, I guess my only comment on it, other than to reiterate the Commissioner's statement that there may be a way of grouping these a little bit more so it doesn't seem quite so complex, is that the one consistent part of all of it is electives in the 12th grade. I'm not a hundred percent sure that electives in the 12th grade is something that all schools ought to do. I think experimenting with actual required curriculum in history social science in the 12th grade would be a good idea. So I would hope that at least some of the options we put forward suggest that you don't have to just open it up to students own personal interests in grade 12.

A few other things I'll mention. One is to reiterate the policy that the Board has established that we're going to look to end-of-course assessments in high school in U.S. History in the 10th or 11th grade at the

option of the district, not a mandated 10th or 11th grade assessment that is administered statewide, which means the districts which have invested and do support the current sequence of courses, which may be 9th and 10th grade World History and 11th grade American History, can continue to pursue that kind of course structure without putting their students in jeopardy in terms of the assessment, because it's at the option of the district again to administer the end-of-course U.S. History assessment in 10th or 11th grade.

The second thing is that there was some discussion in the committees over the last month about adjusting the assessment at the 8th grade to look at the possibility of doing a 7th grade assessment in World History rather than an 8th grade assessment in U.S. History, and I think this is something which will certainly come back to us to make a more explicit decision about. But it's something to keep in mind as you're reading this document, because one of the criticisms that has been made is that basically the structure of the assessment system is that we're testing U.S. History in 5, 8 and 10, and at one level, it's sort of the same material three times, and obviously one would hope that we're expanding the material and deepening understanding as we move up. Nevertheless, the criticism has some merit that we ought to be varying the assessment somewhat to include assessment in World History, and the notion that has been put forward here of using 7th grade as an opportune time for testing World History as a substitute for the U.S. History in the 8th grade and then having the 10th or 11th grade U.S. history exam might strike a better balance. So anyway, in looking at the 6th and 7th grade standards, you might want to keep that in the back of your minds as being the possible groundwork for a 7th grade World History assessment.

With that, I would again congratulate both the staff and the committees who've been working on this. This is hard work. As the Commissioner indicated, it's something that everyone walks away with without 100 percent satisfaction, but I think overall we're getting closer and closer to having a document that is ready for our adoption, and I would encourage us to send this out for public comment. Are there any other comments or questions on what's before us?

MR. THOMAS: I would like to echo those congratulatory comments, and thank you for hearing my comments from the previous meeting. I see that they are reflected. And hopefully during the public comment period we'll be able to get some additional support from those in the field who might have an additional perspective on all of what we have delivered here, but thank you for the good work.

DR. THERNSTROM: I will just register once again my desire to see the last section in Contemporary America 1980 to 2001 simply eliminated. I do not think it can be taught well. We are too close to those events, and my hair stands on end when I think of how they would be handled in the classroom. So, you continue to worry about how fat this is, I would slim it down in that one respect.

DR. SCHAEFER: I respectfully disagree with my colleague. I think that there's no way of avoiding the fact it is a good thing to include contemporary events because that is the hook. That is what kids know. If they know about anything, they presumably have some cognizance of what's going on in the world today. That is the hook to grab them in to relate back to the past.

CHAIRMAN PEYSER: I would again offer my compromise position which is that we might consider in terms of the sections which aren't here but in terms of the sections that provide vignettes or teaching examples that we might be cognizant of trying to use these classroom vignettes or teaching examples that draw on current events in the context of a lesson on some other standard that is somewhat more in the distant past. Now, that's not certainly sending out the same signal as having a standard for teaching all students about some of the items in that last section. Nevertheless, it might send a signal to teachers that we expect them to use current events in order to engage students in a discussion of issues of historical importance.

DR. SCHAEFER: It's just so simple. A kid says, "Well, what do you think of Osama bin Laden," and you can use it as a whole unit on all the evil rulers we have had for thousands of years. It's just a natural.

CHAIRMAN PEYSER: Again, I think we need to get some explicit feedback from the field on the issue of, a) whether we ought to be including them as standards at all, and, b) if there is a way for us to approach this in a somewhat different way that may, if not satisfy, at least appease both sides.

COMMISSIONER DRISCOLL: Mr. Chairman, I so agree with Roberta, and I dislike disagreeing so much with Abby, and that's why I don't think it should be compromised. I agree with Roberta. But perhaps it's this issue. I think there's a big difference between teaching high school students or engaging high school students in standards and in subject matter. As Roberta said, it's a natural hook, it's a natural connection, that's a different story than evaluating what went on and how it went on which I do think needs a historic perspective. So if we could get those two things straight in our minds, I think we'd be okay. In other words, I happen to believe fairly strongly that high school teachers should be very neutral in the way they present things, but the facts are the facts, events are events. They're very important. They hook kids in. Pick your favorite ideology, that this president didn't do this and this president did. I agree with you that it's too early for that kind of historic view. But I think if we're doing a framework for kids, I think you just can't ignore the last 31 years.

DR. SCHAEFER: In US 60, "Explain the culture wars of the 1980s and '90s including the debates over affirmative action, feminism and multiculturalism." It's clear from this that there is a debate. It's not a given that all these things are either plus or minus, and that we're sending a message that there needs to be some discussion about that, and that of course can then be reflected in MCAS, so, I think it's the way you phrase the standards.

MR. MADDEN: First just relating to all this I'd like to throw out Zinn's key idea that all history is partisan and subject to interpretation. You can go all the way back to the beginning of this document, and you're going to get the same type of interpretation that you can get in the 1980s, and I wonder how contemporary the Reagan administration can be to students who were born after that administration. It doesn't seem like current events much to us, and certainly not to the kids who are in elementary school now who are going to come up to this.

Aside from that, I just want to express gratitude towards the frameworks committee for including so many of the things that were mentioned at this Board meeting and at the committee meeting I attended. There were just a couple of concerns that I wanted to address on top of that. Something I had brought up was that standards that are reviewed, say 5th grade and then 8th grade and 11th grade U.S. History, are somewhat inconsistent. And while it's impossible to teach something in 8th grade, review all of that in the 11th grade, and teach more in-depth in the 11th grade, I think we need to take a look at what's being left out as students move into the older grades.

I think the best example that I have picked up on is that in the 8th grade and possibly in the 5th grade students discuss the abolitionist movement, and there's no mention of it in the high school standards. And aside from that, I just wanted to throw out the idea that we may want to include when we send it out for public comment a mention about -- even though we're not talking about assessment directly right now, it is something that people think about when they're thinking about the frameworks. They look at these, and they think what's going to be assessed, how does the assessment guide this, and I know you don't want the assessment to be guiding the frameworks, so I think possibly what we should do is talk about other assessment options with this. It's something that came up in the framework committee meeting, something I've heard expressed many places, that this need not be a straight multiple choice test, need not look like the other MCAS tests. It could be much more open-ended. It could assess a student's ability to analyze history and relate it to current events, which should be the key point in teaching history, and possibly could go even further than that including different assessment methods, but possibly should at least include that when we send it out for public comment to let people know that what they've seen in

the past isn't necessarily what they would see with this assessment, and that they can then look at these frameworks in a different light.

MR. IRWIN: First off I'd like to thank the committee also. I can imagine how many meetings you've had since our last meeting. I appreciate it. I'm looking at eight more options here again, and it will be interesting to see how all this plays out, and I think the hearings are going to really say an awful lot about what we're going to -- at least what I'm going to base my decision upon is what the field has to say on this. I think it's very important. With that said, David, you will let us all know when the hearings are and where they're going to be so that if some of us want to attend --

COMMISSIONER DRISCOLL: Absolutely.

MR. IRWIN: Which you always do anyhow. But one other piece just to go back to Abby and Roberta. I find it interesting, and I'm not going to give any years or dates or anything else, but when I was in high school, I had an ancient history class, and it was at the time the Seven-Day War happened, and our instructor stopped everything that we were doing for two months, and we spent it on the Seven-Day War and how it related to everything that's gone on in the past, and it tied right into the ancient history, and we learned current events at the same time, so I have to get on board with keeping current events part of history.

DR. SCHAEFER: Did you add a day to that war?

MR. IRWIN: The Six-Day War, I'm sorry. It took me seven days.

DR. THERNSTROM: Look, you know, I haven't said you can't in talking about ancient history refer to contemporary events, that there's going to be some kind of ban on any reference to the contemporary world, that's not my point. My point is simply that Roberta is much more optimistic than I am. "Explain the culture wars of the 1980s and the 1990s, including debates over affirmative action, feminism and multiculturalism." I know how those topics are mostly going to be taught, and I wouldn't be very happy with them. Now, I agree that Howard Zinn, James, looks at all history through an ideological lens, but other historians do not do so to the same crude extent, and it seems to me it's a bad example.

DR. SCHAEFER: We've got to get you into a good history classroom.

MR. MADDEN: Granted that what you say about Howard Zinn may be true, and I'm not asking, if you notice, to include numerous things that are elicited in his books or similar authors books to be included in this framework to be taught, which is something I could do but obviously won't. The point I'm making is you can't teach every fact, you cannot teach every view point, history is too large, and whoever is teaching it -- you're not going to have a teacher who doesn't have his or her own view point, so that no matter what you do everything will at least have a little tinge of partisanship, a little tinge of subjectiveness.

CHAIRMAN PEYSER: Well, this obviously is an issue which I think we ought to explicitly ask comment on and which we ought to explicitly deal with one way or the other when this comes back at the end. So we actually ought make sure that when it comes back we frame essentially a motion of some kind, we work to make sure that there is some definitive resolution to this one way or the other upon our motion to adopt the frameworks as a whole because -- it may be possible to come up with a grand compromise that satisfies everyone, but it doesn't look that way right now.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with Chapter 69, Section 1E of the General Laws, authorize the Commissioner to solicit public comment on the proposed revisions to the Curriculum Framework in History and Social Science.**

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

COMMISSIONER DRISCOLL: Sandy, thank you, and Susan Wheltle and everyone. All the people on the committees have been just tremendous.

CHAIRMAN PEYSER: By the way, just for clarification purposes, there will be a little bit of further editorial work to incorporate the economic standards into these, so it won't look exactly as you see it now when it goes out, but it will be faithful to the content. So thank you all very much.

DR. THERNSTROM: But a big thank you from all of us. This is great work. It's going to set the standard for the nation.

REPORT ON SCHOOL AND DISTRICT ACCOUNTABILITY SYSTEM - Discussion

CHAIRMAN PEYSER: We have Juliane Dow and Joe Rappa before us. For those of you who are not well versed in the arena of school accountability, we have a couple of different offices that are working in this area. In particular, we have the Office of Educational Quality and Accountability which Joe heads, and we have the accountability office of the Department of Education which Juliane heads. The basic division of authority at the moment is that Joe is dealing with districts and Juliane is dealing with schools, but there many issues that they share in common, and what we hope to do today is to give everyone an update on what's going on in both the offices, have a little discussion and an opportunity for members to ask questions of both Julianne and Joe to find out where we are and where we're going. So with that, Juliane.

MS. DOW: In your book we've given you a summary of the events of the last number of months that began with our issuance of the first school performance ratings, that we issued right at the beginning of 2001. Those ratings were used to select schools to be reviewed both for low performance and for exemplary performance, and we conducted 24 school reviews last winter, half in each of those two categories. Of the 12 -- I want to talk just briefly today about the progress of the schools that were reviewed for low performance, and that's low performance on their student scores in both English language arts and math and science which were all part of the ratings for cycle one.

Out of those 12 schools -- we chose only middle schools for review last year again, and we had done that also in the previous year both because of the middle school scores overall being lower than the elementary scores and because the middle school years are such a key stepping stone into the high school experience, as you all were talking about earlier. So we have only reviewed schools for under-performance in that category. Four last spring were found to have some plans for improving the performance of students at their schools and to have the conditions in place, and in eight others we found that there really were not strong planning processes or strong plans, and our assessment at that point was that people really needed more guidance and training about what our expectations were about the kind of plans that could have a substantial influence on student performance, and so we decided to defer the decision on all eight of those schools and develop a training process and to pilot that over last summer which we did. We did a series of retreats. We've done three of them, and there are two more scheduled for these schools, and they are designed to take them through an inquiry process and really begin with looking in-depth at their data and then going through and analyzing the reasons for poor performance in the areas in which they identified skill gaps through the review of the assessment data, and then to plan strategies, set benchmarks and goals and divide up responsibilities and make action plans, and then to begin the implementation of those action plans.

We did follow-up reviews of all eight of the schools this fall. Those reviews were done by a combination of independent contractors and practitioners whose time was given to us by their superintendents, school leaders, and through those follow-up reviews we were able to identify of the -- what had originally been eight schools had over the course of that time become nine schools. One of the schools had divided into two separate schools, the school in Cambridge. A couple of the other schools had undergone major changes, structural changes, and so we had actually two schools that were newly formed schools, one in Springfield and one in Cambridge, that were part of the ultimate review process this fall. So we reviewed nine schools.

Of those nine schools, six of them we found at this point did have sound improvement plans in place and had put the conditions in place to begin the implementation of those. This is not to say we don't have any concerns about those schools and their ability to go forward to this implementation, they are still in that early stage, but they had made very substantial progress and were in a considerably different place than they were when they'd been reviewed in the spring. The other three schools they had also made improvement, and a key difference was the extent to which in the six schools they had really honed in on instructional practice and classroom activity and how to change what was going on to have more positive effects on student learning in the classroom during the time students are there.

In the other schools there had been more discussion and focus up to this point on some of the structural changes that they would need to make in order to enable that kind of improvement, and they are now at the stage where they need to do some additional work to really hone in on instructional practice and make some plans for how to change instruction to get more student performance results. So we agreed at the end of this time that the most, our best shot for really getting all the grown-ups in the school to work on behalf of all the kids in the school and to work collaboratively with us at this point, for those three schools, was to extend the time for another six months to continue the work that had begun. We'll continue working with those three schools and with all of the nine schools as we continue this training sequence that has two more sessions over the course of this year, and our hope is by the end of that, an additional six months, that we'll be able to say with confidence about all of the schools that they do have sound plans in place that they are now implementing, and that they've begun to track progress in the implementation of those plans, and that's our progress report on those schools.

CHAIRMAN PEYSER: Can I ask you a couple of questions about that? I think this has been a useful experiment as to how to approach this process, and the notion of providing some assistance and training up front prior to a declaration of under-performance in order to ensure that a school is actually putting forward its best foot is, when it submits its school improvement plan, is obviously not a bad idea or certainly an idea worth trying and evaluating. The question I have, though, is whether we're setting up a system where by declarations of under- performance become a hollow threat, that we move heaven and earth to make sure that you don't get declared under-performing.

Now, granted the purpose is to improve school performance, not to label schools. On the other hand, the label serves a certain purpose in encouraging improvement and change, and at the same time the label itself, the way we've designed the system, is the beginning of a two-year improvement cycle rather than sort of the initiation of sanctions. So I guess my question is how do we ensure that we are being fair to the schools, that we are focusing on improvement rather than simply labeling, but at the same time that we're preserving kind of the integrity of the accountability system? We're making sure that there is a club in the closet rather than an empty closet. Now that you've been through most of this process, do you have any thoughts about --

MS. DOW: Boy do I have thoughts about it, and that is the very struggle. I have to tell you we struggled long and hard this time about these schools. The prospect hanging over schools of being declared under-performing is a huge motivator. The schools that we have worked with this year would not have

engaged with us in the process with the kind of rigor and commitment I am sure were it not that that was hanging over them and that was what hung in the balance. We asked ourselves the question as we reached this six-month juncture as to whether or not we needed that wake-up call at any of those three schools and whether without declaring them under-performing we would fail to have their continued engagement or whether in fact -- and what we ultimately concluded was, at this juncture in time, that declaring them under-performing would actually set us back considerably because of the demoralizing affect and because they had made significant process. And of note, two of those schools had actually had significant improvement shown in their MCAS scores last spring. So notwithstanding the fact that their planning processes didn't seem to be as advanced as the others, they had some of the strongest gains logged to date. So it's a very complex formula, and one that requires judgment each time.

I think had we not the first year come out and said, "We mean business, we're prepared to declare schools under-performing," we did that, and we did that where -- we made this same kind of assessment in each of those cases, do we need to send a real wake-up call, not just to the school or the district but the community, about the seriousness of our intent on behalf of students in the schools in that community, and so we're doing that balancing. But I think it's very important to note that while we've invested a lot up to this point in developing and refining our assessment process for school performance, we are not as far along in developing our technical assistance for those schools, and we felt this year that we have an obligation as the state, since once we declare a school under-performing we're really saying you need our help, you're not adequately doing it yourself, the state needs to become involved with you, that we needed to test our own capacity to provide some assistance and to see whether the guidance that we were trying to give around planning could actually result in improved student performance, and I think that's what the test is. It's going to be whether these schools that we think now do have better planning processes and seem to have more strategic objectives will in fact show improved student performance in this year's and the following year's tests.

CHAIRMAN PEYSER: The other issue is sort of on the back end, which is that by not actually doing the declaration of under-performance it means that the regulatory clock isn't ticking, and therefore, two years from now, regardless of how the plan may have looked at the outset, if they really haven't turned things around or things have gotten worse or whatever it might be, I'm not sure we at that point have the authority to make a declaration of chronic under-performance and then take more direct interventions if necessary. So, I think that's --

MS. DOW: I agree, that's the balance.

CHAIRMAN PEYSER: Once we get through this and we're near the end, I think it would be very interesting to have some feedback from you and from the Commissioner on how we really strike this balance to make sure that we're positioning ourselves to protect the interests of the students and the parents in cases where our best efforts just aren't good enough to turn the school around or to help a school turn itself around.

MS. DOW: I think longer term and as we head into the next year really we should not be expecting these kinds of deferrals to occur. These to me mark where we are in the process of really defining the protocol for review, defining the kind of planning and really making it clear what the expectations are that are to be met by a school, but our processes should be sufficient to make a decision when we do go in to conduct the review as to whether or not they do or don't pass muster and whether or not that's required. So I don't see this as a long-term phenomenon. I see it as something that we've done here in the start-up phase in order to get the other side of the equation, if you will, underway.

CHAIRMAN PEYSER: Just one other thing: Holyoke Magnet Middle School. I didn't see anything about them in the text of the memo, unless I missed it, and looking at their MCAS performance, it's gotten progressively worse, even in the 2001 time frame. What's the --

MS. DOW: Horribly worse. There's a huge decline in performance, huge increase in the percent failing, and right away when we pulled those scores and began to look at them -- I mean, we're going to follow up on that to determine whether that really represents a shifting of population within the district so as -- whether that accounts for it or what accounts for it, because it's dramatic. That school underwent review last spring and had on paper at least at that point a sound improvement plan, and, again, they had not yet received the scores. These tests were taken before that review happened. They had used to a great extent the information that they had gleaned from the work that we had done with the Lynch School in Holyoke which was declared under-performing and is under our continuing oversight at this time. They had learned from that process and had gone through a process to put together a plan, and that had helped, perhaps helped them in the review. I'm very concerned by those results, and that certainly Holyoke, as you may or may not be aware, has been without a superintendent for a time or an assistant superintendent. They are in the process of contract negotiations for a new superintendent that they've selected. Our intention is to become very involved with them because of the concern that we have about that school and our continuing work with the Lynch School, so we will be following up on that, but, yes, that jumped right off the page to me as well.

MR. BAKER: I have a couple of questions. One is -- I don't want to over think about the MCAS results, but when I was looking at the results for the schools and compared them to the way we were thinking about them, I had a hard time creating a correlation. I mean, there are schools that have MCAS scores that are anywhere from, you know, 10 to 25 percent better than the mean in here that are viewed as still part of that group of three, and there are schools that are viewed as not under-performing whose scores are not as good and still aren't as good as some of the ones that got deferred decisions, and, I don't -- I would be the first to agree that this is one of several tools in which you make some of these judgments, but in some cases the spreads are pretty big. And I guess my question would be, how does that factor into this? I mean, I had a hard time coming up with a correlator here that gave me some sense of relativity. If I'd drawn all this on a chart, it would have been completely scattered with no line.

MS. DOW: Well, these schools were selected for review based on their 1999 and 2000 results as compared to 1998, and they were all schools that during that time period had not improved. Now some of them as of last spring's test did have some significant improvements. So when you simply compare -- what I've done here in these charts is compare where they were in 2001 compared to 1998, because I think that's very important for us to see and pay attention to, and that's why I included these. So they weren't selected based on these scores, but it's important for us to look at these scores because there are many different ways to do the job. Some people do the job more instinctually and make decisions without having detailed planning documents and without having a detailed analytical approach, so some gains may have been had based on some things that the district has done or that the school itself has done out of its good instincts about what needs to happen educationally, but I think what we can fairly say is in a place where there is low student performance, seriously critically low student performance, and we need to see steady gains over time, that we do need a systematic approach, and it's right for us to go in and ask for that and look for that, that they put together some systematic plans that can be carried forward by whoever is leading the school, and that we have a commitment at the district level and by the faculty as well as the school administrator in terms of an understanding and a direction that the school is going to go in. So we're looking at those two different things. As I said, the fact that those two schools did not have as strong a plan at this point had gotten gains last spring was significant in our consideration of whether we should at this point declare them under-performing.

MR. BAKER: Well, pushing this button a little harder --

COMMISSIONER DRISCOLL: Okay, but before you do that let me just say that I think we're looking at some variables. One is our instinct or view of a plan and a sense of whether the school has recognized that it needs to change, et cetera, et cetera, and then a running sort of tally with MCAS, and there can be a

lot of reasons why those vary as much as they do, particularly because we're dealing with middle schools and we're dealing with transiency. So, for example, the magnet middle school in Holyoke is something I want to look at very carefully because that's a school in kind of flux. The Worcester Accelerated Learning Lab had a very significant drop in its failure, for example. So I think we're dealing with some variables, Charlie, that are more dramatic at the middle school level and as we look at plans versus MCAS scores. Hopefully over time there will be some convergence, because on paper you're absolutely right, some schools are going in the opposite direction MCAS wise, and we're saying that they're in the opposite direction with respect to successful plans.

MR. BAKER: Haverhill and New Bedford who both are viewed as part of the six-month process twice on deferred decision-making have better scores across all four years in English and Math than the Woodrow Wilson School and the Brockton East Junior High, that's the kind of thing I'm talking about. And I guess my view is, if you're going to put the data in here, guys like me who care a lot about this issue especially are going to look at it, and somebody has got to help me understand why that is. I don't want to do that today, because it could take a hundred years but –

MS. DOW: If I may, though, there is one more thing that may be partly explanatory. We chose only one school per district, so we chose the lowest performing school that was showing no improvement at the end of the first cycle in each district, with the exception of in Boston where we chose two because of the size. So this was an attempt again for us to get out to a larger number of districts and involve the district leadership in understanding what our expectations were for school improvement and engaging them in the project really of working with their schools in a targeted way to try to bring about improved student performance. So we didn't choose the 12 schools with the lowest average scale score. We chose one per district which is why you see some of that spread.

COMMISSIONER DRISCOLL: But to answer Charlie's question, based on what I'm told, and back to what Jim asked, which is the $64,000 question, I think in the case of two of those schools you mentioned we came darn close and maybe should have declared them under-performing, so that I'm clear from what I've read and what I've been told. Now, the other schools you mentioned that -- maybe we need to look at that one too. So I don't think it's a question of calling, over rating the schools, I guess. So even though they had increase in MCAS scores which flew in the face of what we were saying, which is one of the reasons we deferred, we're not pleased at all with the fact that those schools seem to get it with respect to the fact they have a problem, notwithstanding their increase in MCAS scores. So there's going to be a disconnect between MCAS scores and what we see, and hopefully ultimately there will be a convergence. Anyway, I interrupted Charlie's other question.

MR. BAKER: I can go on for a long time, but I'm not going to do it.

MR. CROWLEY: How difficult on the Springfield, the Van Sickle Middle School was it not putting them in the six-month category, because if you look at the text it seems like they still have some work to do? And, also, when schools are reconfigured, how does that affect the process?

MS. DOW: Well, this is the first time we've been faced really with that. What they did in Springfield was they assessed the situation, it was a K through 8 school, and at the conclusion of the panel review process last spring and getting the panel report back, they assessed the capacity of that school to really improve results for kids in the middle grades, and determined that structurally they needed to make a change. They didn't have the capacity to really do that, and that those students would be better served in a new middle school. Now, they are not the only students at that new middle school. So they have a new principal. What our statute allows us to do at the end of two years of chronic under-performance is to mandate a new principal and a newly configured faculty to be able to improve student performance, to reconstitute essentially the school under different leadership and with different faculty. In Springfield's case, at the district's initiative they did that for the Van Sickle School. They moved those students into a

new school under new leadership with new faculty and combined some other excuse me -- other students from other schools into a new facility. So the reason they -- they actually didn't have all of their faculty by the summer. They didn't participate in this planning process because they didn't have the personnel yet defined in the same way in order to bring a team and think about how to change what was going on in an already existing school. They were putting together a plan to launch a new school, and the plan that they have, while it doesn't have the same degree of participation in terms of the faculty having been involved in shaping it, those faculty were each selected based on an interview with the new principal who was explaining the vision for the school and the instructional plan that was being put together by the district and the school leadership.

So our view of all of these schools is that they continue to be schools that are on our watch list, that's why in this list here I've given you all the schools, and we've actually looked at the schools from 2000 and are continuing to keep an eye on which ones of those seem to be progressing. We're not sure that -- the fact that we go in and that there seems to be at that point in time a plan is no guarantee that the plan will be successfully implemented. We do have to be watchful in an ongoing way about the schools once they're under review. So we'll continue to provide support and assistance as needed to the Springfield Public Schools with the implementation of this new school, but at least that's an example of where decisive action was taken by the district on behalf of students at that school, and we're optimistic under this that they'll have a better experience and a more successful academic experience in the new school.

MR. THOMAS: Thank you. If a district self-selects a school that they think is having problems but they have not been cited by the state, because I know you're taking samples out of each district, and they're looking for some technical assistance in the order of what you're providing to these schools, do we have the capacity to assist schools that are looking for that type of support? Because it sounds like you're giving them some good stuff, but the question is how much stuff do you have to give them?

MS. DOW: Our capacity is limited. We shouldn't be shy to say that. The same appropriation that is funding both of our work around accountability is what there is to fund the assistance work, that and we use some funds from the academic support services line item to provide some of the assistance for low performing schools, but it's --

MR. THOMAS: So for all practical purposes you can only provide this type of support for the schools that are in fact identified on your watch list?

MS. DOW: We're doing two things to try to broaden that. One is we're in the process of refining and developing written materials and perhaps video materials that would be available to anyone that would show this training process and help somebody use it as a guidebook to really go through, and it really just deconstructs the process into smaller units to make sure you're really taking an inventory and going through the steps that you need to to get down to a level of greater particularity in the planning than what has been the tradition. But we have also begun an urban superintendents network, and we're meeting monthly with the urban superintendents, and at those meetings we're talking about the kinds of developments and the kinds of assistance, and we're engaging in some dialogue about the selection of schools and about the superintendents being more active in their own selection of schools.

We've begun talking about providing some assistance to develop district performance evaluations conducted by the district for its schools, district initiated school performance evaluations and helping with that. So we're going to try to leverage what we're doing with a smaller group of schools to make those resources available at least by way of information. But the kind of in-depth retreats, they're costly, they are an investment that we would not be able to do on a very large scale based on the current budget.

CHAIRMAN PEYSER: Just as an aside, there are also the Compass Schools. Part of the reason they've been selected is their willingness to open themselves up to visitors to try to share what they've done that's

worked, so that may be something which doesn't require any further investment on our part, but requires some investment and certainly time on the part of the schools that might want to avail themselves of it, but that may be another avenue.

DR. THERNSTROM: I wondered whether the kind of turnaround material that you are providing to the schools could also be made available to members of the Board and any other interested parties. I would very much like to see, for instance, the video and any other materials you have to get a much more concrete sense of exactly the degree of guidance we're giving, what the substance is, and it seems to me it would ultimately help answer Henry's question of do we really have the resources to provide the kind of intervention that may be necessary for some of these schools.

MS. DOW: I should say we don't have a video yet. We've done an in-person training, and we used materials that had been developed and were in draft at that point that are being refined and that we hope -- we're going to use them a second time, and they have changed, and at that point we would hope to be able to then publish them for use by other schools and districts with a training guide and perhaps with some video that would help, and we may do so training of trainers. These are things that we have in our plan over the next year. So we'll certainly share those materials once they're out of the draft --

DR. THERNSTROM: I'd like to see any materials you're using with the schools.

CHAIRMAN PEYSER: Can we shift gears now and go to Joe so we don't --

DR. SCHAEFER: I just wanted to ask one question.

CHAIRMAN PEYSER: Sure.

DR. SCHAEFER: How many people are working with you and how many people are working with Joe now?

CHAIRMAN PEYSER: Joe's question is going to be a lot easier to answer. You're looking at it.

MS. DOW: We don't have a unit dedicated just to the work with under-performing schools on the targeted assistance side. In our School Performance Review Group we have right now four people.

DR. SCHAEFER: Okay. And Joe has nobody.

CHAIRMAN PEYSER: Joe has Joe.

DR. THERNSTROM: That's not nobody.

DR. SCHAEFER: No. I mean he doesn't have anybody under him. This was the second piece of education reform, that we give them money and then there's the accountability, so what's behind the accountability at this point is a total of six people for the entire state. If anybody from the press is here, would you please note that in what you write today. Thank you.

CHAIRMAN PEYSER: Maybe just to underline the point, the budget request this year for both of these offices combined I think was $3.8 million. We thought we were going to end up with $3.5 million, but that was sort of the worst case scenario, and we actually ended up with $2.3 million, or less than that even, which essentially is about $600,000 less than we already committed prior to the adoption of the budget a week ago. So needless to say, there's a lot of scrambling going on, and both Joe and Juliane are suffering the consequences of that. Joe who just started -- seems like yesterday, Joe, but how many months? It's been three months?

DR. RAPPA: Three.

CHAIRMAN PEYSER: Joe has been trying to establish an office, and doing so in the absence of resources or any other staff support is difficult to say the least, but he's soldiering on heroically, and I'm sure he'll tell us all about his exploits.

DR. SCHAEFER: So we've added $7 billion since 1993, and we really don't have a way of understanding whether people are being held accountable for that infusion of funds?

COMMISSIONER DRISCOLL: That is correct.

DR. SCHAEFER: I repeat for the press out there. Thank you.

CHAIRMAN PEYSER: I think where we are is that we have most of the pieces in place for actually implementing such a system. We just don't have the resources to do the work. And, again, we're obviously doing some of the work, but in the context of 1800 schools and the need that's out there, it's not nearly what should be done.

DR. THERNSTROM: But as Roberta said, that's a big but. But we don't have the resources. It's a huge but.

CHAIRMAN PEYSER: Absolutely. Joe.

DR. RAPPA: I began three months ago in the Office of Educational Quality and Accountability, which was established as a follow-up to Executive Order 393 which was the EMAB, which was headed up by the Department of Revenue, and they conducted between 28 and 43 audits of school districts. Our job over the last few months has been to reconfigure the standards and the criteria for evaluating school districts. If the Department of Education under Juliane is looking at the individual schools, we're actually looking at the other part of the equation which is the 370-some-odd districts which include vocational schools and some charter schools.

We have developed over the last few months a three-tiered process which hopefully will inform the way we are going to go about our part of the work. It really is -- I don't want to quote Sir Issac Newton, but it is sort of building our perspective on the back of the work of the giants that precede us in the sense that the Department of Education and the Department of Revenue went out and did some initial work. We're trying to build on that and trying to put together a process that will make sense. We're in the process right now of having focus groups of the various stakeholders discuss and look at what we've devised. We've simmered down 76 standards to 31 standards, and we're applying them with increasing, if you will, exactitude or precision on the work of school districts. Because I think if you think about -- the question that Mr. Baker raised earlier is that there are a couple of schools in a district that are not doing well, can you really account for all of the issues that are involved in that struggle within the schools themselves, and I think anyone who knows about school districts would say, no, there's something more to be said about the district and the culture, especially if strategic decisions were made at the district level to put certain populations in schools or to shift schools or realign them.

So this is really the other part of the equation, and we're working with a series of consultants. I am happy to say that I have hired an administrative assistant so we will be two in about three weeks, and she comes to us from Standard Works which is a Washington-based standards organization. We are also looking for other people. Our full complement should the funding be there would be a staff of about 15 to 19 full- and part-time individuals to conduct the district work.

I passed out a sheet of paper at the meeting today. I'm sorry it wasn't in your packet. Our board in a discussion really gave us the defining question, which is to what extent is the critical analysis of student achievement data a driving force in the planning, design, and implementation of school and district improvement processes? Are decisions data driven and are they student-centered, and that's really -- if there's a normative bias to what we're doing, it's really to examine that and to promote that in the work that we do with districts. Our criteria are going to be based on where schools perform in a absolute sense, in a sense of a trend over three years, and in terms of how they vary. Does every boat rise on an incoming tide? Is anyone left out of any advantage that comes to the district? Is there any pattern in being disadvantaged in that district? So those are things that are going to really let us look at the schools and the way the district is operating and organizing to advance student achievement and student performance.

And, yes, the MCAS will be the critical first step for us to analyze as a general common measure, but we intend at the second tier and a third tier to look at what other methods the district uses to assess and to interpret student achievement. We're hearing positive feedback from several of the groups I've spoken to, a roundtable on the Cape. I've spoken to the urban superintendents. We're having conversations, and we've selected six partner districts to try this process in a pilot fashion between now and June. And if that means that me and my assistant and one other person go out and do that with the help of Juliane and people in the data department, that's what we'll do. The districts are Lowell, which is a fairly large city, the city of Methuen, the city of Northampton, and the city of Westfield. At the Commissioner's suggestion, the city of Attleboro, and we've also gotten Assabet Valley to represent vocational schools, because we feel that vocational districts regional and otherwise represent an important element within the configuration. We want to look at what unique characteristics they would bring to our work.

We're hopeful that by next September we'll actually be up and running and meeting the legislative mandate, which is to look in-depth at at least 24 districts a year, but our process is to look at every district, winnow that down to about 60 annually, and of the 60 to make sure that we do have exemplar districts and we do have districts that are struggling, and that there's always some element of that. And in talking with other states, they have suggested to us that in a case of having what might be a dearth or a scarcity of technical assistance you want to let districts work with each other and point them in the direction of other districts that may in fact have messages for them, and I think that the fine work that the Department is doing with the Compass Schools is a great example of that.

Our formula will be about one-quarter of the exemplars and about three-quarters what of we will call under-achieving districts, because we're not sure if that is short term or if that is an issue that is correcting itself or whether it's going to be chronic and then leading to the type of chronic under-performance. I will be willing to answer any questions. I can speak for the staff at this point.

CHAIRMAN PEYSER: Just one other comment which was implicit in what you just said. We're moving down a path of establishing a core staff of professional examiners who would be doing this work, as opposed to one that relies predominantly on contractors and part-time volunteers or people who are working on sort of an individual assignment basis. I think this is an important aspect of the design, and one that's a) going to be somewhat expensive to actually pull off, but, b) if we do it successfully, and in particular if we're able to recruit the kind of people who have the experience and the judgment that's necessary to do this work well, I think has the potential to make the work we do here a model for what goes on around the country. So I think we're embarking on a very ambitious and potentially very important initiative. But just to get back to the original point, it's on paper at the moment, and moving it from paper into reality is the great challenge. Are there questions or comments that anyone else would have?

MR. THOMAS: Just a quick question, Joe. Notwithstanding the cost implications, would it be appropriate to have charter schools incorporated in the mix or is that an apples and orange situation since you have an office of charter schools doing accountability--

DR. RAPPA: That's an excellent question. I think ultimately this is really a long-term process that will have some sense of convergence down the road three to five years perchance, but --

MR. THOMAS: Some would like to think charter schools are a long-term process as well.

DR. RAPPA: Well, I think that the fact is there is an office for charter schools right now, but that if the system is considered to be perceived as fair and equitable across the board that they in fact should be subjected to the same standards, whether it's at the school level or at the district level, that all institutions of education are subject to, and so we would think in the long term that they should meet the same criteria and standards. In the case of charter schools, perhaps there is some special commitment that the charter makes that would go over and above what should be the basic standard for all schools.

CHAIRMAN PEYSER: I'll add one thing to that. There's a bit of a distinction here in that, although not the exclusive focus, the focus of this work is to identify under-performance and those districts that require either technical assistance or other intervention on the part of the state. The charter evaluation and reauthorization or rechartering process looks towards a somewhat higher standard than that. It's not simply that the school is not failing but rather it is achieving what it has essentially promised to deliver, and therefore there's a distinction between the outcome of both these processes. I think the issue in the near term is making sure that we're not going off in different directions, especially when you're looking at the performance indicators and the data analysis, that we're trying to make sure that the kind of student performance analysis, rigorous analysis that we're doing at the school and district level is also being done at the charter school level so that we're getting a true picture of student performance.

MR. THOMAS: That was my concern.

CHAIRMAN PEYSER: But, again, I do think they do have somewhat separate missions and purposes, and we just have to figure out as we get into this where they intersect.

MR. MADDEN: I don't really want to get into this debate. But as representative of the students of Massachusetts, I absolutely have to say this, that I am baffled by this. As Roberta pointed out, that the accountability measures for districts are under funded, possibly under staffed, and while there's progress being made, they're not fully implemented yet and not completely doing their job, but at the same time, we are holding students accountable. The districts haven't been yet. And if you look at the scores in here for these schools that may be under-performing, those 1999 scores are the kids that were under served by those schools who may not get diplomas now, and I am just baffled that we can be so adamant about going ahead and possibly denying diplomas and holding students accountable for all this when the districts have yet to be held accountable.

DR. SCHAEFER: You make an important point, and I do think that it's unfortunate that the legislature has not seen fit to fund this adequately, the accountability piece, which was the second portion of education reform and equally important with providing the funds, but I did want to go back to the issue of the charter school. I mean, the evaluation is a different one in terms of the inspections, the inspection team that goes in, and in some sense, more in-depth than what the accountability office can provide if you're going to do -- 60 districts a year is the goal?

DR. RAPPA: Well, yes, 60 districts a year at the data and documentation level.

CHAIRMAN PEYSER: Twenty-four would be essentially on-site evaluations.

DR. RAPPA: Twenty-four in-depth.

DR. SCHAEFER: Okay. So, the inspection teams that are going into the charter schools are spending a few days in each school which is much more in-depth than what the accountability office can do, and in a certain sense. I mean, it would be wonderful if we could have an inspection team for every school the way we're doing for the charter schools. So I think that Jim is correct that we are holding the charter schools to a higher standard.

DR. THERNSTROM: James, I also think you have articulated a real point here, but I also think the issue you basically raised is the "opportunity to learn" question, and to look at a limited list of schools in which there are questions about a proper and adequate opportunity to learn is really not to raise questions, it seems to me, about the overall MCAS picture that demands that students in 2003 in general get over the MCAS bar, and I think down the road as we see what happens with the remedial help, the intervention, et cetera, we will revisit the "opportunity to learn" question in schools that we have specifically targeted as under-performing. But, I think your point needs to be a more limited one than the way it was stated.

CHAIRMAN PEYSER: I don't want to belabor the point, but I do think that in that basic direction that the application of the assessment and the application of graduation requirements are expanding opportunities to learn for students right now, and that for us to back off of that would diminish opportunities to learn for students. So I think we're moving in the right direction. I think we're increasing opportunities for students to learn, and we're actually improving the quality of their education as we do so, and so, again, I think that it would certainly be desirable to have both of these things moving in parallel, rather than essentially one following the other, but nevertheless, I think the progress and the contribution that MCAS is making to the educational quality of the system as a whole and to the learning of individual students is something that we shouldn't discard simply because we're a bit behind the curve in putting the school and district accountability system in place. Are there more questions on either accountability system?

I have one sort of closing comment or suggestion, I suppose, and I know the two of you are working closely together and frequently meeting and discussing a variety of issues, but it is important that while we have this divided organizational structure that we need to make sure that we're moving in directions that are consistent and parallel with one another, and I think that's especially true around the use of data and the use of assessment data in particular. So to the extent that we can obviously be sharing the same data, the same database, some of the same analytical tools, maybe even sharing some of the analytical staff to drive the data process and the assessment and the evaluation of student performance, I think that would go a long way towards making sure we don't end up six months or a year from now with two systems that somehow don't quite fit together. And while it may not be a simple thing to say, okay, you start at the individual student, it rolls up to the school, it rolls up to the district and, there you have it, there ought to be connections and linkages between those three things. So it's going to put a big burden on the two of you to try to make sure that we are at least moving in parallel in trying to integrate these systems as much as possible, and I think it will put a burden on the Commissioner and myself to make sure that the overall systems that are in place here are consistent with one another and are sending a common message. Thank you very much.

UPDATE ON LAWRENCE PUBLIC SCHOOLS PARTNERSHIP - Discussion

COMMISSIONER DRISCOLL: If I could just say as Gene Thayer comes forward, I had the pleasure the other night of attending an orientation program for the new members of the Lawrence School Committee, and as things happened, the voters of Lawrence decided now to have -- they've had at-large members of the school committee. They now decided to have ward representation. It was of some concern to me because we really had stabilized the relationship between the school committee and the superintendent,

and that's a great departure from the past, and in my judgment it's true of every district, but clearly in Lawrence it made a big difference in the progress that they've made both in building new schools and establishing their goals, et cetera. So I was a little concerned there were new players, a new mayor, although I wasn't concerned about the new mayor knowing him. But, anyway, I attended, Gene Thayer and Matt George, former superintendents of schools, provided an orientation for the five new members including the new mayor, and I have to say it was so affirming for those of us that have been worried about Lawrence and working to see Lawrence improve and become a district and school system we can be proud of that it was just tremendous. The discussion, their level of understanding of their role, it was just great. So quite a difference, Rhoda, from the time you and I virtually got thrown out of the school committee room and then were invited into executive session at which time the members said "Don't worry about what goes on in here. I'll tell you as soon as we come out," and the kind of circus atmosphere truthfully that was there. It was wonderful to see people sit down and discuss the issues and discuss teaching and learning, so I wanted to at least share that. Better than when you were there, Gene.

MS. DOW: We've given you a fairly extensive written report. I won't go through and cover all of those things, but I did want to just note this is very much again one of those experiments that we're engaged with that's unlike what's happened in the rest of the country, and there have been numerous occasions where there have been takeovers of school districts by the state, and we were really posed to do that and perhaps put the district in receivership. We ended up instead forging a partnership, and I want to say I think it has been -- although it's been rocky and difficult, and we've gone through one superintendency and happily are in what we think is now going to be a very successful superintendency for the district, but we have been finding our way, and we do have a partnership team, and I just wanted to give you a chance and maybe give Gene a chance to have a few comments about that because we do have a presence on a weekly basis. Gene spends about two days a week up there. Matt George is up there on an as-needed basis, sometimes as often as three or four days a week or sometimes maybe only once every week or two. Most recently Matt has been involved in leading the search for a principal, and Gene and Matt have been working together to orient this new committee. So maybe Gene could just give you an update on those things in particular and more generally what the purpose of our role has been.

COMMISSIONER DRISCOLL: We should note, Juliane, it was a judge that forged the partnership.

MR. THAYER: Good morning. It's been a very interesting experience coming back to Lawrence. This is the third time I guess you might call it now, and I think all of the elements are there to have a real good success story, not only for Lawrence and its children but also for the Board of Education which has been involved in the educational enterprise up there as well. The focus is on instruction. The focus is on achievement of the students. The focus is also on using data to make sure that the proper instruction is taking place. There's a major effort this year to increase the accountability of the administration in supervising the staff within the classroom and the instructional process.

The issues with the current superintendent who from my perspective is an outstanding instructional leader, understands the educational issues as well as anyone I've met, has a great deal of compassion for all of the students, and also works well with the staff augurs well for the future of the Lawrence Public Schools. I have been working closely with him, and with Matt George. The selection of the high school principal, Dr. Sharkey, I think is another positive element in the issue of getting that high school in line and on the way to success. The accreditation process is underway, as we mentioned in the memo, and I think that Dr. Sharkey can in fact advance it further and turn that high school around. So I'm very, very positive and feel good about what's happening up in Lawrence at this point in time.

COMMISSIONER DRISCOLL: I just wanted to mention that I think we have to mention in all of this the focus on language acquisition as well. I think that's been a key and is a key element.

CHAIRMAN PEYSER: Where do we stand in terms of extension of our agreement with the district?

COMMISSIONER DRISCOLL: Well, the agreement is actually up, and I want to propose to this Board that we present to you a new agreement because I think both parties feel it's been advantageous. As you know, a lot of it was about selecting the superintendent, and that can still be in there, although I hope this one stays for a long time.

CHAIRMAN PEYSER: Do you anticipate a revised agreement coming back?

COMMISSIONER DRISCOLL: Right, and then having the mayor come before us and the superintendent and agree to an agreement and continue it.

DR. THERNSTROM: I wonder if Lawrence isn't a very simple story, we finally got the superintendent right. And if that's the story in your view, and maybe it's not, what does that say about the larger problem of under-performing schools and districts? I mean, isn't it all about leadership?

MR. THAYER: Exactly.

COMMISSIONER DRISCOLL: Said by a former superintendent. It's all about the superintendent.

DR. THERNSTROM: But that has some implications, it seems to me, when we've got this whole fancy system of intervention. You know, basically there's a very simple formula here, get the leadership at the very top rung.

MS. DOW: Well, here's the question, though, how do you get the leadership that you really need there to come? That school committee couldn't attract somebody to come and work with them and in that setting without the state's partnership. Matt George did the recruitment for the superintendency and kept candidates in, and has done that again now for the high school principalship. This is not a simple thing to get the people to come. You need to sell them the mission and tell them that people will stand with them and beside them to make it possible to do the job, and we've done that. And I want to say Gene's role in working with Wilfredo to bring him through all the many potential pitfalls that could have resulted in the whole thing blowing up and going sour at any point in the first year. It's been critical. And so although our role is somewhat, it's not being the one to run the system, there's a very important role that's being played by Gene and Matt as they've worked around collective bargaining, around the hiring, but also the day-to-day support about how do you deal in a difficult environment, a political environment, an environment that's very complicated with the kind of problems that go on, and I think that's where having a mentor, a colleague, somebody who knows the ropes has been very important for a new superintendent in Lawrence, and I think that Superintendent Laboy would be quick to say he has appreciated that support.

COMMISSIONER DRISCOLL: Yes, and as great as he was and he is, he is a rookie, and made rookie mistakes to be sure, as we all do.

DR. THERNSTROM: I'm not questioning your role and the constructive work you've done. All I'm saying is you had the right person to work with, and that it seems to me is a very important lesson to be drawn from this story which does have some important implications for the other settings in which we've got severe problems of under-performance.

MS. DOW: I agree.

MR. BAKER: I would go further than that. I would say that leadership matters most in times of change, and I don't think the Commonwealth of Massachusetts spends any money on leadership development as I

think about it or on leadership team development, and I know that there are lots of rules and procedures and requirements in place that make it very hard for good leaders to build leadership teams, and, you know -- I mean, Change Management 01 will tell you that change environments only succeed with great leaders, not even good ones, and I think it's not quite as simple as just getting the right person in place, but we've got to figure out a way to grow a whole generation of people who can lead and lead under mindbogglingly difficult circumstances.

CHAIRMAN PEYSER: I probably just ought to interject. There is some activity ongoing to try to at least begin to address some of those issues that you raised. There's a leadership project that Ann Duffy is working on that involves a bunch of folks both inside the Department and outside to improve the recruitment process for new leaders, to work with schools and districts around the professional development of and mentoring of principals and superintendents, and to try to rethink what some of the roles are of the principal and the superintendent, especially with an eye towards increasing the focus on instructional leadership and the ability of a principal in particular to be engaged more directly in what goes on in classrooms and the development of teachers, but the role of superintendent in that as well. That's not going to solve this problem, but there is a concerted effort to try to at least begin to move in that direction and do something about it. We've also in our budget request asked for I think it's a million dollars to begin the development of a leadership institute which is focused on putting in place at least some of the educational supports to help principals and teachers and presumably new principals and teachers entering the profession get off to a better start. This is a huge problem, a huge challenge, and those are probably relatively small steps, but at least there's some activity underway that hopefully will yield some fruit.

DR. SCHAEFER: Has that been funded?

CHAIRMAN PEYSER: This is an FY 03 recommendation. We actually made the recommendation in '02 and it did not get funded. Thank you all very much.

CHARTER SCHOOLS: PROPOSED MANAGEMENT CONTRACT – Discussion and Vote

CHAIRMAN PEYSER: The next item on the agenda is Charter Schools. There's a proposed amendment or actually a proposed management contract, a change in management companies with respect to the Mystic Valley Regional Charter School. I don't how much explanation needs to be made, but maybe Kristin could give us just a summary of what's before us.

MS. McINTOSH: Sure. Just by way of historical background, particularly for some of the newer Board members, Mystic Valley Regional Charter School used to have a contract with Advantage Schools, Inc. That contract was terminated in March of 2000 whereupon Mystic Valley Charter School began negotiating and working with Beacon towards Beacon coming into the school. They submitted a contract for our initial review in March of this year. We provided them quite substantial comments in April of this year. We received back a revised contract at the very end of September, and what you have before you is that contract which we subjected to review yet again based upon the guidance that we've received from the IG's office as well as the state auditor's office and our own views as to contract provisions that should or should not be in management contracts with charter schools.

MR. IRWIN: I have one question on the contract itself on page 6, Management and Operating of the Charter School, Section (c). It doesn't say anything in there about having licensed teachers.

MS. McINTOSH: That's actually covered in the charter school statute itself, so that it doesn't need to be reflected here. The charter school statute requires that teachers hired after August 10th of 2000 must either be certified to teach in Massachusetts or must take and pass the teacher test. So the parties are

required to comply with that as well as the charter school regulations. It doesn't need to be recited in the contract language.

MR. IRWIN: Where in this contract does it say that they will live by that as far as --

COMMISSIONER DRISCOLL: It's in the statute.

DR. THERNSTROM: She's saying it doesn't have to say that.

MR. IRWIN: It doesn't have to say it? I doesn't even have to say it in the contract?

MS. McINTOSH: It doesn't have to say that in the contract because for them to fail to do that would be a violation of the terms of their charter, and they would be in bigger trouble than just the contract.

MR. IRWIN: No, I understand that. But then why is it even referenced that the person would have a four-year Bachelor's Degree?

MS. McINTOSH: Because taking and passing the teacher test does not necessarily mean that you have to have a Bachelor's Degree, that's not a requirement currently in the charter school statute. I don't know as though charter schools go to that degree.

CHAIRMAN PEYSER: So, in other words, this is above and beyond what's required under the statute?

COMMISSIONER DRISCOLL: Right. You wouldn't have to necessarily require this. You don't have to have that. You wouldn't have to require that of people that have taught before whatever the date in the statute is.

DR. SCHAEFER: It's probably in here, but could you explain the difference between what Advantage was doing for them and what Beacon is going to do?

MS. HOLMES: It's a very similar contract in terms of the style of instruction. It's still a direct instruction followed by the core knowledge sequence and the science and history standards. I think the board of trustees took the lessons that they learned from working with Advantage and have applied the best practices they see into this contract with Beacon.

DR. SCHAEFER: But if it's a similar kind of contract, why do they think that this one will work when the other one didn't?

MS. HOLMES: It's much more the management company they deemed to believe more financially sound and solvent to be able to do the activities that they need at the school.

DR. SCHAEFER: Is it just the financial piece of it or is there a difference in the way they're going to interact with the company?

MS. HOLMES: I think a lot of that came out in their termination with Advantage, that they've set really clear and concise guidelines, and that that's mirrored in this contract as to how the relationship with Beacon will work at the school.

MR. BAKER: So this is not the same contract that they had with Advantage?

MS. HOLMES: No.

DR. SCHAEFER: So, was Advantage too, from their perspective, too interfering in the day-to-day operations or not enough or?

CHAIRMAN PEYSER: Well, I think there were a lot of issues, to put it mildly, between the board of trustees and Advantage Schools. Part of the change here is simply a change in the individuals who are actually managing the contract and managing the school. Part of it may similarly be the differences in the corporate culture and mission of the two management companies which I think are quite distinct. So I think the rejection of Advantage was not necessarily a rejection of the educational program per se as much as a rejection of a variety of issues that had more to do with the relationships, both personal and contractual, between the two parties.

DR. SCHAEFER: I was just trying to understand because there's another former Advantage school, and I don't know whether they're going to be looking at a contract with another company or whether they think they can do it on their own, or why one school is choosing this route and the other may be choosing something else. I was just trying to get a handle on that.

MR. MADDEN: Roberta beat me to my main concern as to what the differences were between Advantage and Beacon here, and I would just actually like if you could elaborate on Section 3.2 (a) on page 4. This talks about enrolling different students, bilingual education, all sorts of student issues are included in this wonderful paragraph, but what made it stand out to me is I looked at the profiles of the charter schools in Massachusetts, of Mystic Valley in the past and of the other two charters in Massachusetts, Murdock and Rising Tide, that are managed by Beacon, and each of these charters has a higher percentage of white students and a much lower percentage of black, Hispanic, English as a second language, special education, and low income students than their sending districts and also have slightly lower MCAS scores than their sending districts. I was wondering if this new contract would seek to change some of these things for Mystic Valley.

MS. HOLMES: I think the school holds a lottery in its mission and names of children are thrown into a pot and names are chosen, so it's a random selection of students, and that's required by law, and I think that addresses just how students are chosen to attend the school, and sometimes the ratios may not match exactly, and I think that's seen in many charter schools, whether the portions are exactly even with the district or they could vary slightly.

MR. MADDEN: If you could still elaborate on Section 3.2 (a) because it says that Beacon will be responsible for designing these things, "including rules and requirements relating to student admissions, bilingual education, access to equal educational opportunities, special education." By the looks of it, it seems like they want to do something. Could you elaborate on what is being done?

CHAIRMAN PEYSER: I think what that section really says is not so much that Beacon will do those things, but that all those decisions will be subject to approval by the board of trustees, that's the more important point of that section.

MS. McINTOSH: I would agree with you, and that also means -- that's something that we always review these contracts with an eye to, and making sure that the board of trustees who holds the charter is the body that's making the critical decisions, particularly the big picture decisions for the individual charter school.

CHAIRMAN PEYSER: I don't know what the prior contract was, but there was some tension certainly between the board of trustees and the prior management company over who gets to make those decisions, and so I think in some ways this is one of those areas where there is a change. It may not be necessarily a change in contractual terms, but I think the intention here is to have a change in the actual relationship and in particular control over decisions that reflect the core of the academic program.

MR. THOMAS: Just to reverse a little bit on James' question regarding diversity and the unevenness of the school population. I think even though there is a lottery and that provides some equity on the front end, my concern is that there is a thing called reverse creaming, if you will, that's a original coined term I just developed here, but reverse creaming in my mind is once the students get there how does the attrition happen, because what some schools are guilty of is getting rid of students who don't necessarily meet the profile that they desire to have within their school, and therefore you run into some of this unevenness, and I don't know from watching that type of thing, but it is something that concerns a lot of people.

DR. SCHAEFER: Well, there's also the reverse of that in that there are districts that are trying to dump certain kinds of kids into the charter schools, so we should be watching that from both ends.

CHAIRMAN PEYSER: Well, let's just make sure -- we're having a very interesting charter school discussion. However, this is a somewhat more narrow issue in that charter schools do have the authority to contract for the management of their schools with outside vendors. We have a responsibility to review those contracts to ensure that they're consistent with the regulations and in general with the best interests of the charter school itself, and I think the basic -- we're not suppose to rubber stamp it. However, we do certainly need to recognize the authority and responsibility of the board of trustees to make the subjective choice about which vendor to use and the nature of their relationship within, again, with the constraints of the existing law and regulations. With that, I would entertain a motion to approve the contract.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with General Laws chapter 71, section 89 and 603 CMR 1.00, hereby approve the management contract between Mystic Valley Regional Charter School and Beacon Education Management, Inc. , as voted by the Board of Trustees of Mystic Valley Regional Charter School. Such approval also operates to amend the charter granted to Mystic Valley Regional Charter School to include this management contract.**

The motion was made by Mr. Thomas and seconded by Dr. Gill. The motion passed 7-2. Mr. Irwin and Mr. Madden opposed.

APPOINTMENT OF COMMITTEE TO REVIEW COMMISSIONER'S PERFORMANCE - Discussion

CHAIRMAN PEYSER: The next item is the appointment of a committee to review the Commissioner's performance, and I have asked both Henry and Bill to join me in this annual exercise of evaluating how the Commissioner has done over the course of the past year. We will report back to this Board in January with our findings. Typically this is also part of a recommendation for salary adjustment, normally in a positive direction, although you never know how that may turn out. We're under unfortunately somewhat different circumstances in terms of our flexibility of recommending salary increases just for managers generally in the Commonwealth, and so we're going to need to take that into account, and in fact it may end up being more of a pure performance evaluation than a salary adjustment recommendation, but we'll work through that in the coming months and as well as assess the existing policy. And the timing of this couldn't be worse for David because we've discussed in the past how his compensation ought to be tied in some ways to the academic achievement of students in the Commonwealth as measured by MCAS. Nevertheless, justice may be slow, but it is certain I'm sure. In any event, if there's no objection, Henry, Bill, and I will meet and discuss this topic and report back to you in January. Let's move on.

APPOINTMENT OF MEMBERS TO ADVISORY COUNCIL - Vote

CHAIRMAN PEYSER: The next item is Appointment of Members to Advisory Councils. You have in Section 7 the list of members that was brought before us at the last meeting, and it is back. Are there any comments or discussion about the nominees to the various advisory councils? We did take into consideration comments made by Board members, and I think what we clearly recognize is that it's the pool. So there are some that are not as geographically balanced, et cetera than others, and in some cases we've actually recruited in order to try and provide a balance, so that's something that the Board can help us do as well. These come annually. There's plenty of slots, and so I would urge Board members to think about people that would provide good service on these councils and bring those forward to us on an annual basis, but I so recommend the list that we've sent.

MR. THOMAS: Can you accept names out of cycle?

COMMISSIONER DRISCOLL: Well, we can accept them out of cycle, but they can only be appointed in cycle.

CHAIRMAN PEYSER: What about when vacancies occur?

COMMISSIONER DRISCOLL: Well, if there are vacancies, we certainly could go to a waiting list, so yes. I would urge Board members to get me names of anybody for any council at any time, and we would keep it.

MR. THOMAS: Does each council have a prescribed number of members?

COMMISSIONER DRISCOLL: Generally speaking we have a range, and some are more specific in statute, in the actual education reform act as to who has to serve, what categories of people. For example, the special education committee I think has to have a majority of parents. So some are bigger than others depending on their, some because of their responsibility and so forth, but we have a general guideline that we follow.

MR. THOMAS: So some our formula based --

COMMISSIONER DRISCOLL: Right.

MR. THOMAS: I was approached by the vocational education professionals, and they were curious as to why there wasn't a vocational education committee.

COMMISSIONER DRISCOLL: There was a previous group in the law that was -- it was in the law appointed which was called SCOVE, and I forget what it stood for. State Comprehensive --

AUDIENCE MEMBER: Council on Vocational Education.

COMMISSIONER DRISCOLL: There you go. And that was eliminated at the federal government by statute -- it was eliminated, so the council was eliminated.

CHAIRMAN PEYSER: These advisory councils are officially created either by statute or by act of the Board.

On a motion duly it was,

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

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

APPROVAL OF SCHOOL BUILDING ASSISTANCE AND FEDERAL GRANTS - Vote

CHAIRMAN PEYSER: The next item is No. 8, school building assistance grants and federal grants. Let's take the school building assistance first.

MR. WULFSON: Mr. Chairman, if I could bring two items of information relative to the SBA grants to the Board's attention. These are grants which if awarded this year will receive their first payments next year. Because of the state's uncertain fiscal situation in next year's budget, we are recommending the award of fewer grants than has been authorized by the legislature. The number of grants that we are recommending and the cost of those grants is consistent with the amount that's been requested in the Board's fiscal year '03 budget request.

The other thing I would note is we are actually -- you've got here 18 grants. We actually are going to be recommending a 19th. The Worcester Vocational School is expected to be awarded a grant this year. They have just very recently resolved their environmental and siting issues, but they have not yet actually submitted the final paperwork from the department of environmental protection that we will need to come before you, so we are deferring action on the Worcester grant but expect to come back to you at a subsequent meeting for the award of that grant.

CHAIRMAN PEYSER: Are there any questions or comments about the school building assistance grants? This is authorization of first payments. These are schools that have been approved on the waiting list for in some cases many years. I would guess, without having it specifically in front of me, that some of these projects have been on the list for five or six years.

MR. WULFSON: No that long. These are about two or three years, but the ones that obviously are at the bottom of the waiting list will certainly be waiting five or six years.

MR. THOMAS: What page is Worcester?

CHAIRMAN PEYSER: Well, it's not on here. Schedule A or list A as one school, and the school that is right below it on the list is Worcester.

MR. WULFSON: Worcester is the next one on the Schedule A list, and we'll come back to you with that as soon as we get the paperwork in.

MR. THOMAS: Do I understand correctly that Springfield is number three on that same list?

MR. WULFSON: That's correct.

MR. THOMAS: And if Worcester is not successful, then would they just move up to number two?

MR. WULFSON: That would happen, but we believe Worcester will be getting the grant this year.

COMMISSIONER DRISCOLL: The only thing holding up Worcester, although it may be big. I mean, they finally have got their agreement. The only thing holding it up, I think, is a relatively routine piece of paper that just verifies that agreement from the Department of Environmental Protection.

CHAIRMAN PEYSER: So has the vernal pool been filled or --

DR. SCHAEFER: No, no. They've reached an agreement on this. Then the next problem is that the manager has said that he wants a PLA on the project.

COMMISSIONER DRISCOLL: We won't go into all that. So right now it's my belief that it's a technicality. If Roberta is right and there's more problems, then in fact if this dribbles on then we will revisit it, but it's our belief right now that the Worcester Vocational project will be --

CHAIRMAN PEYSER: And what's our deadline for making this decision?

MR. WULFSON: Given that the Springfield projects, correct me if I'm wrong, Mr. Thomas, that they've actually started construction on those projects --

MR. THOMAS: Yes, they have.

MR. WULFSON: -- so there's no benefit to them to getting an earlier notice of a grant award. We obviously would like to tell them if they were to get one by the spring so that they can factor that into their budget. So we've indicated to Worcester that, you know, they've got till mid winter certainly to resolve it.

MR. THOMAS: Springfield for the most part has heavily relied on the prior communications that they would be fait accompli for this particular year, and so it really puts the city in a strained position.

MR. WULFSON: Yes, a number of communities that were expecting grants this year are going to have to wait an extra year because of our recommendation to --

CHAIRMAN PEYSER: But they would be reimbursed retrospectively for the interest costs incurred during the period in which they're using short-term debt to cover the costs --

MR. WULFSON: Correct.

CHAIRMAN PEYSER: -- so it's a cash flow issue ultimately more than a total cost issue.

COMMISSIONER DRISCOLL: And an expectation. I mean, who knew what was going to happen, you know, to slow that right down.

MR. THOMAS: Right.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with the provisions of M.G.L. Chapter 70B and 603 CMR 38 and on the recommendation of the Commissioner, hereby approve one new Category One school construction grant totaling $958,997, with estimated cost, grant amount, and first annual payment as shown on List A.**

The motion was made by Mr. Thomas. The vote was unanimous.

CHAIRMAN PEYSER: The two lists of school building projects are approved for first payment. The next is a couple sets of grants. Math, Science, Technology/Engineering Curriculum Frameworks Classroom

Implementation and Community Service Learning School-Based Program, totaling about a half a middle dollars.

COMMISSIONER DRISCOLL: All are federal funds. Although, we at least have some state funds now, so we will be bringing some state grants, but these are federal.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Education, in accordance with the provisions of M.G.L. Chapter 70B and 603 CMR 38 and on the recommendation of the Commissioner, hereby approve seventeen new Category Two/Three school construction grants totaling $12,948,960, with estimated costs, grant amounts, and first annual payments as shown on List A.**

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

CHAIRMAN PEYSER: There's a motion in here I think giving you the authority to make initial grants.

COMMISSIONER DRISCOLL: We do need a motion. And you know how reluctant I am, but it turns out that because of the budget being finally realized and this Board not meeting, it may be that I need the authority in between meetings, so I do need the authority in between meetings.

CHAIRMAN: Do you have some sense for what grants are coming up?

COMMISSIONER DRISCOLL: Early childhood I know for one, and I'm not sure if there are others.

CHAIRMAN PEYSER: As I think you all know, this is a hundred million plus dollars which has been essentially sitting -- well, it hasn't been anywhere until recently, but we're halfway into the year, and so there's a certain sense of urgency in the field to receive the funds, and they're obviously not insubstantial. So I think keeping the lights on in a lot of places is necessary.

COMMISSIONER DRISCOLL: I obviously will let you know what they are. It's just having that authority in this unusual time of having programs be ready to shut down.

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 between December 19,2001 and the next regular scheduled Board meeting on January, 22, 2002; provided that the Commissioner shall report to the Board at the January 22, 2002 meeting on any grants that have been so approved.**

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

CHAIRMAN PEYSER: Is there any other business? I think Henry may wish to address the Board.

MR. THOMAS: Yes. Mr. Chairman, thank you. I'd like to offer -- actually I said one motion, but actually two motions for the Board to consider. One is posthumously a motion of accommodation to Reverend Theodore Brown in light of the fact that he died in the line of duty serving the interests of the Commonwealth and the children of the Commonwealth and certainly public school system of the Commonwealth, and I think it would be appropriate for the Board to acknowledge that particular service, and, also, the circumstance of his untimely demise is worthy of attention beyond the funeral, if you will.

CHAIRMAN PEYSER: Commissioner, would it be okay for you to work with Henry in drafting up a document of some sort that we can bring back and vote on at our next meeting?

COMMISSIONER DRISCOLL: Absolutely. I'd be more than happy to.

MR. THOMAS: And, secondly, I would like to make a motion to endorse a resolution, not a resolution but a legislative act of the Springfield City Council that was offered by the Mayor of the City of Springfield to grant the widow of Reverend Theodore Brown full retirement benefit in light of the fact that he did die in the line of duty, and like a public safety official who dies in the line of duty, his or her spouse would be entitled to full compensation or retirement benefits, and this would have to be acted on by the legislature. So the City of Springfield took the first step in promulgating the legislation. I would suggest that my motion would be that we endorse that legislation and advocate for it within the legislature to encourage not only the legislature but also the Governor to approve that particular legislation.

CHAIRMAN PEYSER: Is there a second to that motion?

DR. THERNSTROM: I second it.

CHAIRMAN PEYSER: Any comment or discussion? All in favor?

MR. BAKER: I wouldn't mind seeing it at some point.

MR. THOMAS: The legislation?

MR. BAKER: Yes.

CHAIRMAN PEYSER: In theory, this could come up very quickly in a formal session, so we ought to try to get a copy of that as soon as possible and put a letter together and circulate it to everyone.

COMMISSIONER DRISCOLL: We'll make note of that, and we'll try to get that. We should be able to get it today.

MR. THOMAS: There would be no fiduciary responsibility on our part. It's more of an advocacy kind of action that we would be taking.

CHAIRMAN PEYSER: All in favor? Opposed? It's adopted. So we will -- again, Commissioner, if you could work with Henry on that, and we'll put a letter together.

CHAIRMAN PEYSER: Is there any other business.

DR. SCHAEFER: Happy holidays to everyone.

MR. THOMAS: Happy holidays.

CHAIRMAN PEYSER: Thank you. We're adjourned.