

**Minutes of the Regular Meeting  
of the Massachusetts Board of Education**

**February 24, 2004  
9:10 a.m. – 12:30 p.m.**

**Massachusetts Department of Education  
350 Main Street, Malden, Massachusetts**

**Members of the Board of Education Present:**

**James A. Peyser**, Chairman, Milton  
**J. Richard Crowley**, Andover  
**Jeff DeFlavio**, Chair, Student Advisory Council, Belmont  
**Judith Gill**, Chancellor, Board of Higher Education  
**Roberta Schaefer**, Worcester  
**Abigail Thernstrom**, Lexington

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

**Member of the Board of Education Absent:**

**Henry M. Thomas, III**, Vice-Chairman, Springfield

Chairman James Peyser called the meeting to order at 9:10 a.m.

**Comments from the Chairman**

Chairman Peyser opened the meeting by reporting that the Governor's Task Force on State Intervention in Under-Performing School Districts, of which he is a member, will release its report and recommendations on February 25. The report will be posted on the Department's website, and the Board will discuss the report at its March meeting.

## **Comments from the Commissioner**

Commissioner David Driscoll announced to the Board that the Department, in cooperation with the U.S. Department of Education, is hosting a national forum on high school reform. The forum will be held in Boston on May 21-22, 2004.

## **Statements from the Public**

- Kathleen Kelley, President of the Massachusetts Federation of Teachers, addressed the Board in opposition to the proposed charter school in Lynn.
- Laura Barrett of the Massachusetts Teachers Association (on behalf of Cathy Boudreau, President of the MTA) addressed the Board in opposition to charter schools.
- Dr. Thomas Fowler-Finn, Superintendent of Cambridge Public Schools and Nancy Walser of the Cambridge School Committee addressed the Board in opposition to the proposed charter school in Cambridge.
- Christopher Yates and Gina Yarbrough on behalf of Hudson Public Schools addressed the Board in opposition to the proposed charter school in that region.
- Mark Masterson, Superintendent of Maynard Public Schools, addressed the Board in opposition to the proposed charter school in that region.
- Rose-Marie Boniface, Superintendent of Marlborough Public Schools, addressed the Board in opposition to the proposed charter school in that region.
- Mayor Edward Clancy of Lynn and State Senator Thomas McGee addressed the Board in opposition to the proposed charter school in Lynn.

## **Approval of the Minutes**

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

**VOTED:       that the Board of Education approve the minutes of the January 27, 2004 regular meeting as presented by the Commissioner.**

The vote was unanimous.

## **1. Amendment to Regulations on Competency Determination**

The Board discussed an amendment to the definition of the term “competency determination” in the Regulations on the Competency Determination, 603 CMR 30.02. The Board initially discussed the proposed amendment in November 2003 and solicited public comment on it. The amendment clarifies the definition in the regulations, consistent with the statute. It specifies that local school officials shall award the high school diploma or any other document connoting high school graduation only to a student who has satisfied the competency determination requirement and who has met local graduation requirements. Commissioner Driscoll said, “This clarification in the regulation should ensure that all

school committees understand the relationship between the competency determination, high school graduation, and the issuance of diplomas.”

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

**VOTED:**       that the Board of Education, in accordance with G.L. c. 69, §§ 1B and 1D, and having solicited and reviewed public comment in accordance with the Administrative Procedure Act, G.L. c.30A, § 3, hereby adopt the amendment to the Regulations on the Standards for the Competency Determination, 603 CMR 30.02 (Definitions), as presented by the Commissioner.

The vote was unanimous.

## **2. Supplement to the English Language Arts Curriculum Framework**

The Board discussed a supplement to the English Language Arts Curriculum Framework, providing more detailed guidance about the expectations at each grade level and the content of future grade-level assessments. The Board initially discussed the proposed grade level standards in September 2003 and solicited public comment on them.

The curriculum frameworks for English language arts (2001) and mathematics (2000) contain standards written for two-year grade spans, such as 3-4 and 5-6. The MCAS currently tests English language arts at grades 3, 4, 7, and 10 and mathematics at grades 4, 6, 8, and 10 based on these standards. The federal No Child Left Behind Act requires annual testing at each grade from grades 3 through 8 in both reading and mathematics. Therefore Department staff, working with committees of teachers, drafted standards for grades 3, 5, and 7 in these subjects. Educators who reviewed the supplement responded positively, noting that the grade-level standards refine and clarify the framework that they are currently using.

The Commissioner noted that the supplement does not change the curriculum framework; it simply makes the grade level standards more explicit. Similar work is being done on the mathematics framework. The Commissioner will bring the proposed supplement to the mathematics curriculum framework to the Board at the March meeting.

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

**VOTED:**       that the Board of Education, in accordance with Chapter 69, Sections 1D and 1E of the General Laws, approve the *Supplement to the English Language Arts Curriculum Framework*, and direct the Commissioner to distribute copies to the Joint Committee on Education, Arts and Humanities for their information, and to public schools and other interested parties throughout the Commonwealth for use in improving curriculum, instruction and assessment in English Language Arts.

The vote was unanimous. The Commissioner will distribute the supplement to schools and to the English language arts assessment development committee.

### **3. Charter Schools**

The Board discussed renewals of the charters for four schools: Barnstable Horace Mann Charter School, Conservatory Lab Charter School, Roxbury Preparatory Charter School and the Robert M. Hughes Academy Charter School in Springfield. Commissioner Driscoll addressed the issues relating to the Robert M. Hughes Academy first. He recommended renewing the charter for the Robert M. Hughes Academy with conditions, which would address two areas of concern: 1) the ability of the school to sustain its recent improvement in student achievement; and 2) financial concerns which were raised at the January 2004 Board meeting.

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

**VOTED:**      **that the Board of Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, and subject to the conditions set forth below, hereby grant a renewal of a public school charter to the following school for the five-year period from July 1, 2004 through June 30, 2009, as recommended by the Commissioner:**

**Commonwealth Charter School:**

**Robert M. Hughes Academy Charter School**

**Location: Springfield**

**Number of students: 180**

**Grade levels: K-8**

**This renewal is explicitly conditioned upon conditions that follow. Failure to meet any of these conditions may result in placing the Robert M. Hughes Academy Charter School on probation or revoking its charter.**

- 1. The Robert M. Hughes Academy Charter School (“School”) will make Adequate Yearly Progress in the aggregate as determined by the Department of Education based upon the results of the spring 2004 and spring 2005 administration of the Massachusetts Comprehensive Assessment System.**
- 2. Members of the Board of Trustees who also served as members of the board of directors, officers, executives, advisors, consultants, and in any other capacity for the D. Edward Wells Federal Credit Union must immediately request an opinion from the State Ethics Commission regarding their failure to disclose this interest on their financial disclosure forms and their participation in any decisions made regarding deposits of the funds of the School with the D. Edward Wells Federal Credit Union, including deposits made in excess of the “maximum insured sum” as noted in the school’s auditor’s report for FY03 on page 14 in number 14 of the Notes to Financial Statements. If the State Ethics Commission determines that any members of the Board of Trustees violated either the Commonwealth’s conflict of interest or financial disclosure laws, those members must immediately resign from the Board of Trustees.**

3. The Board of Trustees must hire a consultant by April 15, 2004 with experience working with boards of trustees of charter schools regarding board practice and governance. Such consultant must be acceptable to the Department of Education and must not have any personal relationships with any members of the Board of Trustees. The consultant shall perform an evaluation of the Board of Trustees' performance of its governance and oversight duties and submit a written report to the Department of Education by June 30, 2004. The Board of Trustees shall submit an action plan based upon this report by September 13, 2004 to the Department of Education for approval and for use in the ongoing evaluation of the school.
4. The Board of Trustees must comply with, or revise in a manner acceptable to the Department of Education, the bylaws for the School regarding terms of members by June 30, 2004.
5. Members of the Board of Trustees must cooperate with the Department of Education and the Office of the State Auditor to fully address the questions and issues raised by the Department.

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

The vote was unanimous.

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 grant a renewal of a public school charter to the following school for the five-year period from July 1, 2004 through June 30, 2009, as recommended by the Commissioner:

**Horace Mann Charter School:**

<b>Barnstable Horace Mann Charter School</b>	
<b>Location:</b>	<b>Barnstable</b>
<b>Number of students:</b>	<b>1,000</b>
<b>Grade levels:</b>	<b>5-6</b>

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

The vote was unanimous.

**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 grant a renewal of a public school charter to the following school for the five-year period from July 1, 2004 through June 30, 2009, as recommended by the Commissioner:

**Commonwealth Charter School:**

**Conservatory Lab Charter School**

**Location: Boston**

**Number of students: 132**

**Grade levels: K-5**

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

The vote was unanimous.

**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 grant a renewal of a public school charter to the following school for the five-year period from July 1, 2004 through June 30, 2009, as recommended by the Commissioner:

**Commonwealth Charter School:**

**Roxbury Preparatory Charter School**

**Location: Boston**

**Number of students: 432**

**Grade levels: 5-10**

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

**The vote was unanimous.**

Chairman Peyser congratulated the schools on their renewals. Board member Abigail Thernstrom noted that the Board carefully considers its decisions on charter renewals and the accountability of charter schools.

Chairman Peyser began the discussion on granting charters to new charter schools by making the following statement:

In all the controversy surrounding charter schools, what often gets lost is the underlying reason why these schools exist in the first place. To my mind it simply boils down to this: we have an urgent obligation to create more opportunities for students to achieve at high levels. One way to do this is through broad-based education reform, built on a foundation of rigorous academic standards, statewide assessments, and accountability for results. Another is to facilitate the establishment of new schools that aspire to excellence.

These two approaches are not mutually exclusive. Indeed, there are several major districts around the country that have embraced charter schools as part of a comprehensive reform strategy. Places like New York City, Chicago, Philadelphia and Buffalo have all adopted charter-friendly policies designed to establish new schools as a means of accelerating their district-wide reform efforts.

These districts recognize that charter schools create opportunities for credible people with fresh ideas to enrich the entire public education system. To improve student outcomes we need to consistently attract new talent with a commitment to educational excellence. One way to do this is to remove obstacles that deter bright people from becoming teachers or school leaders within the existing system. Another way is to provide opportunities for such people to start new schools.

These districts also understand that charter schools can act as a stimulus for broader, more rapid change throughout the larger system of public education. Listen to the words of Joel Klein, New York City's schools chancellor, on the day he announced that district's plan to charter 50 new schools:

*Today's announcement is a testament to our belief that there is more than one way to deliver high quality public education. Charter schools represent a tremendous opportunity to attract new resources to our public schools and to spur system-wide change. Charter schools also reflect the vision underlying the [district-wide] Children First reforms- that strong leadership, autonomy at the school level, and accountability for performance are key to giving our children the quality education they need and deserve.*

The argument is often made that while charter schools may create good opportunities for some children, they damage the opportunities of others by draining resources from the local school system. The problem with this perspective is that it focuses on the school district, rather than the community.

To begin with, charter schools are public schools, which are open to every child in the community. Even after all these years, charter opponents continue to repeat the specious claim that charter schools are somehow not really public schools because they are not controlled by a local school committee. These critics are simply wrong. Charter schools are authorized by and accountable to a public entity, they are subject to virtually all the state and federal laws governing public education, and they must serve all students without discrimination.

Furthermore, while a district's overall budget might be reduced as a result of having fewer children attend its schools due to parental choice, charter schools invariably attract more resources to the community--both through additional public and private grants and through the state's \$13 million reimbursement program for districts that lose students to charter schools. In addition, the legislature has specifically addressed concerns that charter schools will present an excessive fiscal burden to local districts by placing a cap of nine percent on the total resources any district may lose as a result of charter school tuition payments.

Finally, this Board is often accused of being too aggressive in its support of charter schools. The reality, however, is quite different. This Board was one of the first charter authorizers in the country to revoke a charter for poor academic performance. Moreover, this Board and this Department have consistently set a high quality bar for approving new charters, so much so that we have typically awarded far fewer charters than allowed under state law--which itself is among the most restrictive in the country.

The bottom line for this Board is quality, not quantity. We do not support charter schools for their own sake. We only support them when they further the cause of educational excellence. Now, I need to change the subject somewhat and address concerns regarding potential conflicts of interest, specifically involving my connections to some of the charter applications before us today.

As you all know, I have been an active supporter of charter schools for over a decade. Consequently, I know many other people who are involved with charter schools, both in Massachusetts and around the country. Some of those people are involved with the applications being recommended by the Commissioner for our approval. I have not spoken with any of these people concerning their charter applications. Neither have I discussed the merits of any of these applications with the Commissioner or his staff during their evaluation process.

To ensure that I do not violate any of the state's ethics laws, I have sought the opinion of the state ethics commission on whether it would be appropriate for me to participate in today's votes. Based on the information I submitted to the commission, which detailed all my personal and professional relationships with the relevant applicants--no matter how indirect or distant--I have been informed that I may vote on all these applications as long as I provide the Governor with a full disclosure statement, which I have done. I would be happy to make this disclosure available to anyone who wants to see it.

Although my connections to the pending charter applications do not require me to abstain from any of today's votes, given the heightened controversy around this matter I intend to recuse myself from our deliberations on the proposed KIPP Academy Lynn Charter School and the Community Charter School of Cambridge to avoid even the appearance of a conflict.

Having said this, let me make one final point. There are those who suggest that my long-standing work on behalf of charter schools should disqualify me from voting on any matter affecting charter schools. Not only does this argument misread state ethics law, but if accepted, it would also set an untenable precedent that would preclude anyone with an active involvement in public education from being a full participant on the Board of Education.



Therefore, I will continue to fulfill my obligations as a member of this Board, in compliance with both the letter and spirit of state law.

The Board discussed granting charters to three Commonwealth charter schools: the Advanced Math and Science Academy Charter School (a regional charter school to be located in Marlborough, Hudson, Maynard, or Clinton, opening in 2005); Community Charter School of Cambridge (opening in 2005); and KIPP Academy Lynn Charter School in Lynn (opening in 2004). Commissioner Driscoll said, "While it is unfortunate that the change in funding has turned the development of charter schools into such an emotional issue, the Massachusetts charter school initiative continues to be among the most successful in the nation."

On the KIPP Academy Lynn Charter School proposal, the Commissioner said the criticisms that have been presented to the Department and the Board relate almost entirely to the fiscal impact of the charter school on the city, not to the proposal on its merits. He said the KIPP model has been highly successful in Texas and in New York, and the proposal for the charter school in Lynn is strong. The Commissioner said he is concerned about the fiscal impact, but his responsibility as Commissioner is to the law and the overall goals of education reform. He said he supports the work of the Lynn school and municipal officials in improving the Lynn Public Schools; he also supports the KIPP Academy proposal and recommends that the Board grant the charter. Chancellor Gill asked if the Commissioner had considered deferring the opening of the charter school until 2005. The Commissioner responded that based on all of the information presented, the school will be ready to open in 2004.

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

**VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, and subject to the conditions set forth below, hereby grants a charter to the following school as recommended by the Commissioner:**

***Commonwealth Charter:***

**KIPP Academy Lynn Charter School**

<b>Location:</b>	<b>Lynn</b>
<b>Fifth year number of students:</b>	<b>320</b>
<b>Grade levels:</b>	<b>5-8</b>
<b>Opening year:</b>	<b>2004</b>

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

The motion passed 4:1. Mr. DeFlavio opposed the motion, and Chairman Peyser abstained.

Next, the Board discussed the Community Charter School of Cambridge proposal. Commissioner Driscoll commended the new superintendent in Cambridge for his early efforts to bring people together around positive educational changes in the Cambridge schools. He said the Department and the Board

have heard criticism that the Cambridge community does not support the proposed charter school, but if no families are interested in sending their children to the charter school, it will not survive. The other concern that has been presented relates to the proposed head of the school. The Commissioner said the Department focuses on the strength and ideas of the charter school's board of trustees, since the board of trustees holds the charter. The school is not dependent on a particular administrator.

In response to questions from the Commissioner, Mr. Crowley and Mr. DeFlavio, the Department's charter school staff commented on the programs that the school proposes to offer, its plans for recruiting students, and the net school spending cap in the charter school statute, in relation to Cambridge. The Commissioner said he expects to receive updated enrollment projections from the school as of September 2004. He said he recommends approval of the charter this month with a September 2005 opening date, so the school can proceed with its plans.

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

**VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, and subject to the conditions set forth below, hereby grants a charter to the following school as recommended by the Commissioner:**

***Commonwealth Charter:***

**Community Charter School of Cambridge**

<b>Location:</b>	<b>Cambridge</b>
<b>Fifth year number of students:</b>	<b>450 (limited to 300 students from Cambridge)</b>
<b>Grade levels:</b>	<b>7-12</b>
<b>Opening year:</b>	<b>2005</b>

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

The motion passed 4:1. Mr. DeFlavio opposed the motion, and Chairman Peyser abstained.

The Board then discussed the proposed Advanced Math and Science Academy Charter School. Acting Associate Commissioner Kristin McIntosh provided an overview of the proposal and responded to questions. Chairman Peyser asked if the charter school application had changed since the public comment period. Ms. McIntosh responded that the application did not change in a material way; rather, the founding group provided clarification on some issues about which questions had been raised during the interview process. Chairman Peyser asked about the school's plans for providing special education services as required by law. Ms. McIntosh said the proposal reviewers look for a commitment, a plan, understanding and agreement to meet the legal requirements, and that this school's founding group met that standard. She added that, like all charter schools, this school will have to flesh out the details of its special education program before it opens. Chairman Peyser noted that the school has been criticized for focusing its program on advanced learning, and he asked if the founders understand that

the school must serve all students, including students with disabilities and English language learners. Ms. McIntosh said that they do.

Commissioner Driscoll said the school's focus on advanced math and science makes it somewhat unique. The Department has done due diligence to ensure that the school is prepared to meet its legal obligations to educate all students. The Commissioner said he is satisfied that all of the issues raised in the January 23<sup>rd</sup> letter from Hudson have been addressed. Dr. Schaefer said she is pleased that the concept of charter schools is expanding to include a variety of educational programs. She expressed concern that some letters opposing the charter school that she has received from public school students appear to be part of an orchestrated campaign. Commissioner Driscoll said in recommending this charter he does not credit any opinions the founders expressed about the inadequacy of existing public schools; rather, the charter should be granted based on the strength of the proposed program and the fact that it meets the standards in the law.

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

**VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, and subject to the conditions set forth below, hereby grants a charter to the following school as recommended by the Commissioner:**

***Commonwealth Charter:***

**Advanced Math and Science Academy Charter School (regional)**

<b>Location:</b>	<b>Marlborough, Hudson, Maynard, or Clinton</b>
<b>Districts in region:</b>	<b>Marlborough, Hudson, Maynard, and Clinton</b>
<b>Fifth year number of students:</b>	<b>828</b>
<b>Grade levels:</b>	<b>6-12</b>
<b>Opening year:</b>	<b>2005</b>

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

The motion passed 5:1. Mr. DeFlavio opposed the motion.

The Board discussed granting a charter to one Horace Mann charter school: the Marston Mills East Horace Mann Charter School in Barnstable, opening in 2004.

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

**VOTED: that the Board of Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, and subject to the conditions set forth below, hereby grants a charter to the following school as recommended by the Commissioner:**

*Horace Mann Charter:*

**Marston Mills East Horace Mann Charter School**

<b>Location:</b>	<b>Barnstable</b>
<b>Fifth year number of students:</b>	<b>370</b>
<b>Grade levels:</b>	<b>K-4</b>
<b>Opening year:</b>	<b>2004</b>

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

The vote was unanimous.

The Board also discussed requests from two charter schools, Hilltown Cooperative Charter School (a regional charter school located in Haydenville) and Rising Tide Charter School (located in Plymouth) to amend their charters by increasing their maximum enrollment.

**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 amend the charters granted to Hilltown Cooperative Charter School (increase of enrollment limit) and Rising Tide Charter School (increase of enrollment) as presented by the Commissioner.**

The vote was unanimous.

**4. Responses to Report from Educational Management Audit Council (EMAC) on Fitchburg and Webster Public Schools**

The Board heard presentations from Fitchburg School Superintendent Thomas Lamey and Webster School Superintendent Vincent Simone on their responses to the Tier II reports prepared by the Office of Educational Quality and Accountability (EQA) and transmitted to the Board by the Educational Management Audit Council (EMAC). At the January Board meeting, Joe Rappa of EQA presented the Tier II reports on the Fitchburg Public Schools and the Webster Public Schools to the Board. After reviewing all of the information available on these two districts, the Commissioner will make a recommendation to the Board about next steps with respect to Fitchburg and Webster.

**5. School Building Assistance**

The Board discussed the annual report on the School Building Assistance (SBA) program. The annual report summarizes SBA activity in FY 03 and includes the SBA priority list and a list of outstanding grant obligations.

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

**VOTED: that the Board of Education approve the annual report of the School Building Assistance program for 2003 and authorize the Commissioner to transmit said report to the Governor and Legislature in accordance with G.L. Chapter 70B, Section 17.**

The vote was unanimous. The Commissioner will file the report with the Governor and the Legislature.

The Board also discussed proposed amendments to the School Construction Regulations. The proposed amendments address the following issues: an annual cost factor adjustment; final audit requirements; procedures governing the sale or lease of state-funded school buildings; recent changes to the state requirement for evaluation of contractors and designers; and some technical and editorial revisions. Associate Commissioner Jeff Wulfson responded to questions from Board members.

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

**VOTED: that the Board of Education, under the authority of G.L. Chapter 69, Section 1B and G.L. c. 70B, s. 3, hereby authorize the Commissioner to proceed in accordance with the Administrative Procedure Act, G.L. Chapter 30A, Section 3, to solicit public comment on the proposed amendments to the School Construction Regulations, 603 CMR 38.00, as presented by the Commissioner.**

The vote was unanimous. The Commissioner will bring the regulations back to the Board for final action in May or June.

The Board also discussed Governor Romney's major legislative proposal to address the huge backlog of unfunded SBA projects and the current moratorium on new applications.

## **6. Approval of Grants**

The Board discussed grants under two categories of the federal Perkins Act for career and technical education: a total of \$1.1 million to establish new or upgrade existing programs and a total of \$200,000 to fund summer transition programs for high school juniors and seniors. In addition, the Board discussed a correction in the amount awarded to a grant recipient in January under the federally funded Massachusetts Mathematics and Science Partnership Program (under Title II-B of the No Child Left Behind Act).

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

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

The vote was unanimous.

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

**VOTED:      that the meeting adjourn at 12:30 p.m., subject to the call of the Chairman.**

Respectfully submitted,

David P. Driscoll  
Commissioner of Education  
and Secretary of the Board