# **Minutes of the Regular Meeting**

**of the Massachusetts Board of Elementary and Secondary Education**

**135 Santilli Highway**

**Everett, Massachusetts 02149**
**Tuesday, May 21, 2024, 9:11 a.m. – 12:51 p.m.**

**Members of the Board of Elementary and Secondary Education Present:**

**Katherine Craven**,Chair,Brookline

**Matthew Hills**, Vice-Chair, Newton

**Ericka Fisher,** Worcester

**Ela Gardiner,** Wellesley, Student Member

**Farzana Mohamed,** Newton *(participated remotely)*

**Michael Moriarty,** Holyoke

**Patrick Tutwiler**, Secretary of Education, Andover

**Mary Ann Stewart,** Lexington

**Martin West,** Newton

**Members of the Board of Elementary and Secondary Education Absent:**

**Dálida Rocha,** Worcester

**Paymon Rouhanifard**, Brookline

**Russell D. Johnston,** Acting Commissioner of Elementary and Secondary Education

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Chair Craven called the meeting to order at 9:11 a.m., and members introduced themselves. She noted one member is participating remotely and votes would be taken by roll call. She announced that today’s Board of Elementary and Secondary Education (Board/BESE) meeting, like all regular meetings of the Board, is being [livestreamed and recorded](https://vimeo.com/user217853291).

**Statements from the Public**

* **Kahris McLaughlin** addressed the Board on the Commissioner search.
* **Sophia Stephney,** Interim Executive Director, Helen Y. Davis Leadership Academy Charter Public School (DLA), addressed the Board on the recommended action on DLA.
* **Tia Lites,** Principal, DLA, addressed the Board on the recommended action on DLA.
* **Cassandra LeBrun,** DLA Board Chair, addressed the Board on the recommended action on DLA.
* **Mary Fortin** addressed the Board on Everett Public Schools.
* **Paula Sterite** addressed the Board on Everett Public Schools.

**Comments from the Chair**

Chair Craven announced the Board will hold three meetings in June: a special meeting on June 17, 2024, from 5:00–7:00 p.m., to hear from Professor Tom Kane on education recovery after the pandemic; the regular Board meeting on June 18, 2024; and a joint meeting with the Board of Higher Education on June 20, 2024, from 3:00–5:00 p.m.

**Comments from the Secretary**

Secretary Tutwiler acknowledged Teacher Appreciation Week and commended dedicated teachers throughout the Commonwealth, He noted that graduation season is upon us and there is still time for students and families to complete the FAFSA. He added Massachusetts has extended the MASSGrant deadline to July 1, 2024.

**Comments from the Acting Commissioner**

Acting Commissioner Russell Johnston provided updates on several matters.

Receivership districts (Lawrence, Southbridge, Holyoke)

He stated that on May 17, the Lawrence Alliance for Education voted 5-2 to hire Ralph Carrero as the next Lawrence Public Schools superintendent, a decision that now comes to the Acting Commissioner for ratification. On May 14, the Southbridge School Committee voted to accept DESE’s expectations for improving local capacity and DESE will provide support. The Acting Commissioner said he continues to meet regularly with the local control subcommittee of the Holyoke School Committee; the next meeting will focus on community and district engagement in developing the transition plan.

Felix Commonwealth Virtual School

The Board approved Felix Commonwealth Virtual School, with conditions, to open in fall 2025. Acting Commissioner Johnston said the Felix board of trustees has been submitting policies and plans related to opening procedures and the conditions placed on the certificate. Assuming the school meets the conditions on its certificate, he anticipates returning to the Board in the fall with a recommendation on a tuition rate and will discuss the methodology and recommendation in detail then. He said DESE staff meet regularly with representatives from Felix and he is encouraged by the ongoing collaboration.

Brockton

The Acting Commissioner said DESE continues to provide Brockton Public Schools with support aligned with our general targeted assistance efforts and the Memorandum of Understanding relating to quality instruction, school finance, and services for English language learners and students with disabilities. In addition, DESE is coordinating with executive branch agencies and the City of Brockton around fiscal issues.

Chronic Absenteeism Data

Acting Commissioner Johnston said DESE has posted student attendance data for the current school year through March 1, showing chronic absenteeism rates decreased from 2023 to 2024. He said districts, families, and students have been working together to improve attendance and strengthen student engagement and connections. The Acting Commissioner said while there is still work to be done, we are pleased to see these numbers moving in the right direction.

ESSA State Plan

Acting Commissioner Johnston noted the Board packet includes information about draft revisions to our 2017 Every Student Succeeds Act state plan. ESSA is a federal law that provides funding for programs such as Title I and Title IIA, and the U.S. Department of Education (USDE) has asked states to update their plans based on current practices. The draft revised plan documents policies and programs DESE has implemented since 2017. The draft is on DESE’s website and is open for public comment until June 7. After incorporating public input, DESE will submit the updated plan to USDE.

School Nutrition

In August 2023, Massachusetts became the eighth state in the nation to make universal free school meals permanent. Acting Commissioner Johnston said universal free school meals support the whole child, eliminate stigma, and promote equity for all students, particularly those who have been historically underserved. He commended DESE’s Office for Food and Nutrition Programs, noting that last week the Greater Boston Food Bank named DESE one of the 2024 Public Advocates of the Year for being a steadfast partner in the mission to end hunger in Massachusetts.

Amazing Educators Event

DESE hosted the 2024 Amazing Educators event in Devens, MA on May 7, during Teacher Appreciation Week. Acting Commissioner Johnston said it was a wonderful event, recognizing 29 teachers, administrators, nurses, and the Counselor of the Year. It included a musical performance by Lowell High School students and an inspirational speech by the 2024 Massachusetts Teacher of the Year, [De’Shawn C. Washington](https://www.doe.mass.edu/amazingeducators/stoy/#stoy), fourth grade teacher in Lexington. Acting Commissioner Johnston concluded by expressing deep gratitude to all educators in Massachusetts.

Chair Craven thanked Acting Commissioner Johnston. She called for a motion and vote to approve the minutes of the April 30, 2024 regular meeting.

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

**VOTED:**  **that the Board of Elementary and Secondary Education approve the minutes of the April 30, 2024 Regular Meeting.**

The vote, by roll call, was unanimous.

**Update on Commissioner Search Process**

Chair Craven said the procurement team will be reviewing bids that search firms have submitted in response to the Request for Proposals and she will report again next month.

**Update on Boston Public Schools**

Acting Commissioner Johnston welcomed Boston School Committee Chair Jeri Robinson and Boston Public Schools Superintendent Mary Skipper for an update on the district’s progress on its Systemic Improvement Plan (SIP). He presented a brief overview on the SIP, which was agreed to in June 2022 and includes eight areas: student safety, special education, transportation, English language learners, facilities, transformation schools, data, and accountability. DESE has committed targeted financial support to Boston Public Schools (BPS) and provides ongoing technical assistance to support the district’s efforts. Acting Commissioner Johnston said while the district has made meaningful progress in some areas, such as improving the quality of data, many areas still require significant improvements.

Superintendent Mary Skipper said BPS has made steady progress implementing the SIP and has put in place structures to ensure continuous improvement. She acknowledged BPS has more to do to deliver an equitable education and positive outcomes for all students. Her presentation focused on inclusive education, capital planning, and transportation. She said BPS is working to address disparities in achievement and is expanding its capacity to respond to students’ specific needs. Superintendent Skipper said in the coming school year BPS will strengthen its use of high quality instructional materials and prioritize professional learning and practice related to universal design for learning, specially designed instruction, and explicit and systematic academic language instruction. She noted BPS is applying cost controls to transportation, saving about $1 million in school bus transportation in 2024 and projecting another $5 million in cost savings in FY2025.

School Committee Chair Jeri Robinson said as a lifelong Bostonian who began her educational journey in BPS 70 years ago, she sees this work as urgent and essential. She said BPS is moving in the right direction to meet the challenges; now is the time to address systemic issues and show progress.

Superintendent Skipper responded to questions from Board members about school safety, early literacy, chronic absenteeism, systems change, and variability in school performance across the district. Chair Craven thanked Superintendent Skipper and Chair Robinson for their presentation, adding that there will be more updates on BPS at future meetings.

**Commissioner’s Performance Evaluation Committee: Summary Goals**

Chair Craven asked Vice-Chair Hills to present the report from the Commissioner’s Performance Evaluation Committee. Vice-Chair Hills chairs the committee, which includes Chair Craven and Members Fisher, Moriarty, and West. Vice-Chair Hills said because Acting Commissioner Johnston has held his position for less than two months, the committee is not drafting an annual review this spring. Instead, the committee recommends highlighting four key goals for the next few months, two on policy and one each on governance and community, as set forth in his May 14, 2024 memorandum to the Board.

Policy: 1) Literacy and 2) Student Learning. DESE has a range of high-quality initiatives and programs that support literacy and other student learning objectives. At the same time, our state has significant challenges from learning loss from the pandemic, including widening gaps among student groups; pre-pandemic “flatlining” and widening gaps among student groups.

Vice-Chair Hills said the committee recommends the Acting Commissioner and Board discuss the

literacy and student learning goals in the summer or September and agree on a summary of DESE’s strategy to successfully address these challenges including potential additional initiatives the Acting Commissioner may introduce, realistic options, and specific metrics to use in evaluating progress.

Governance: Continue developing open, trusting and collaborative relationships with Secretary Tutwiler and the Board to improve decision-making, enhance overall buy-in, and improve student learning/other outcomes. Periodic Board updates may include policies and initiatives, specific district initiatives involving DESE, and other priorities. The committee is not suggesting metrics.

Community. Continue growing collaborative and trusting relationships with school districts, and community and parent organizations. The committee is not suggesting metrics.

Board members expressed support for the recommendations. Acting Commissioner Johnston said he appreciates the focus on key goals that will help us deliver on our mission to benefit students.

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

**VOTED:**  **that the Board of Elementary and Secondary Education endorses the recommendations of the Commissioner’s Performance Evaluation Committee as set forth in the May 14, 2024 memorandum.**

The vote, by roll call, was unanimous.

**Charter Schools: Amendment Request for Benjamin Banneker Charter Public School**

Acting Commissioner Johnston introduced Alison Bagg, Director of DESE’s Office of Charter Schools and School Redesign, and Alyssa Hopkins, Assistant Director. He said he is recommending that the Board approve a technical amendment to the charter of the Benjamin Banneker Charter Public School (BBCPS), a Pre-K–6 school that is currently located in Cambridge and is chartered to serve Cambridge. BBCPS plans to purchase the former Matignon High School property and locate there as of the 2025-26 school year. Because the property is in both Cambridge and Somerville and state regulations require the districts’ location to be included in its charter region, BBCPS has requested a charter amendment to become a regional charter school serving Cambridge and Somerville. Acting Commissioner Johnston said prior to occupancy, the school will be required to provide DESE with evidence of its readiness to serve students in the new facility, and even with approval of the proposed amendment, enrollment of Somerville students at BBCPS would be strictly limited due to net school spending caps. He said the school’s request is reasonable and consistent with the charter school statute and regulations. Ms. Bagg and Ms. Hopkins responded to questions from Board members.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.00, hereby amends the charter granted to the following school, effective July 1, 2025, as presented by the Commissioner:**

**Benjamin Banneker Charter Public School**

**(regional school with Cambridge and Somerville in region)**

**Location: Cambridge and Somerville**

**Districts in Region: Cambridge and Somerville**

**Maximum Enrollment: 350, with a limit on total Somerville enrollment imposed by the Commissioner**

**Grades Served:  PK-6**

**Effective:  FY2026**

**Benjamin Banneker Charter Public 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 or the Board of Elementary and Secondary Education may from time to time establish, all of which shall be deemed conditions of the charter, including a limit on total Somerville enrollment, known as a sub-cap, to be imposed by the Commissioner, upon approval by the Board of Elementary and Secondary Education of the amendment to the school’s charter.**

The vote, by roll call, was unanimous.

**Recommendation to Place Helen Y. Davis Leadership Academy Charter Public School on Probation**

Acting Commissioner Johnston said he is recommending that the Board place the Helen Y. Davis Leadership Academy Charter Public School on probation with specific conditions, as outlined in his memorandum to the Board. He said placing the school on probation signals DESE’s grave concerns about the school’s viability and ability to provide adequate programming for students, and he will review and report to the Board on the school’s success or lack of success in meeting the terms of probation. Chair Craven asked if members had questions. Hearing none, she called for a vote.

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

**VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.12(2), places Helen Y. Davis Leadership Academy Charter Public School on probation with conditions on the school’s charter, as recommended by the Commissioner.**

1. **Until further notice, DLA must submit to the Department of Elementary and Secondary Education (Department), at** **charterschools@mass.gov****, full board and committee (finance, governance) meeting agendas, materials, and minutes at the same time that these items are sent to the school’s board members. The documents and the school’s website, where meeting notices are posted, must reflect adherence to the Open Meeting Law.**

1. **Until further notice, the school must submit to the Department weekly updates on the total number of students enrolled, the weekly attendance rate, and the total number of students on its waitlist, by 5 p.m. on Friday of every week. Weekly updates submitted to the Department must also be submitted to the school’s board of trustees.**
2. **Until further notice, by 5 p.m. on Friday of every week, DLA must submit to the Department weekly reports on applications for admission received by the school and the number of prospective and currently enrolled students planning to attend DLA during the 2024-2025 school year. DLA must submit the number of applications collected in total and by grade; the total number of students who have applied only to DLA in total and by grade, as submitted through the Boston Charter Public Schools Online Application System; the number of offers of admission accepted by prospective students, in total and by grade; and the number of currently enrolled students who have confirmed that they plan to attend DLA during the 2024-2025 school year, in total and by grade. Weekly reports submitted to the Department must also be submitted to the school’s board of trustees.**
3. **Until further notice, the school must submit to the Department monthly financial reports, including a statement of revenues and expenses, a balance sheet, and a cash flow statement. The cash flow statement must reflect all considerations in revenue and expenditures, including grants, lines of credit, debt obligations, and fundraising. Statements submitted to the Department must also be submitted to the school’s board of trustees.**
4. **By May 24, 2024, the school must submit evidence to the Department that it has provided the school community with notice that the school’s charter has been placed on probation with conditions that the school must meet. The school must inform parents/guardians, teachers, staff, board members, students, and other community members of the school’s current status and post the notice on its website.**
5. **By May 24, 2024, the school must demonstrate actual enrollment levels sufficient to meet its FY2025 budget and the financial requirements for operating the school’s educational program as envisioned in the school’s charter. The Department reviewed enrollment evidence for FY2025 on site at DLA on May 9,2024. By May 24, 2024, the Department will verify DLA’s enrollment evidence. Should the school fail to provide sufficient evidence, the Commissioner and the Board will consider revoking the school’s charter.**
6. **By May 27, 2024, the school must establish an escrow account in an amount determined by the Department in consultation with the school to pay for any potential closing, legal, and audit expenses associated with closure, should that occur.**
7. **By May 31, 2024, all members of the board of trustees must participate in training on the Open Meeting Law offered by the Massachusetts Office of the Attorney General.**
8. **By December 31, 2024, the school must demonstrate that it is an academic success by providing evidence of significant and sustained academic improvement in mathematics, English language arts, and science.**
9. **All corrective actions related to 2024 Tiered Focused Monitoring (TFM) reports issued by the Office of Language Acquisition and the Office of Public School Monitoring must be fully implemented and all noncompliance corrected as soon as possible and, in any event, no later than the deadlines for corrective action imposed by the Office of Language Acquisition and the Office of Public School Monitoring.**

**Failure of Helen Y. Davis Leadership Academy Charter Public School to meet any of these conditions may result in immediate suspension and revocation of the school’s charter or the imposition of additional conditions. The Commissioner will review and report to the Board on the success or lack of success of Helen Y. Davis Leadership Academy Charter Public School in meeting the terms of probation and based upon his review, shall recommend such further action as he deems appropriate.**

**In addition to meeting the terms of probation, Helen Y. Davis Leadership Academy Charter Public School, like all charter schools, must comply with the terms of its charter. Helen Y. Davis Leadership Academy Charter Public 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 additional conditions as the Commissioner may from time to time establish, all of which shall be deemed conditions of the charter.**

The vote, by roll call, was unanimous.

Chair Craven called for a short break at 11:05 a.m. The meeting resumed at 11:20 a.m.

**Update on DESE’s Educational Vision**

Acting Commissioner Johnston presented briefly on DESE’s Educational Vision and Strategic Objectives and introduced updates on three aspects of DESE’s work to advance the vision.

**Communication and Literacy Skills MTEL**

Claire Abbott, Director of DESE’s Office of Educator Effectiveness; Liz Losee, DESE’s Director of Educator Effectiveness Policy; Claire Smithney, DESE’s Senior Education Assessment and Policy Coordinator; and Malika Ali, Chief Innovation Officer from Throughline Learning, presented on work DESE has underway to develop a culturally and linguistically sustaining communication and literacy skills framework that will guide future revisions to the Communication and Literacy Skills Massachusetts Test for Educator Licensure (MTEL). The panelists reviewed MTEL requirements, highlights of the new framework for communication and literacy skills, the development process and timeline, and responded to questions from Board members. Ms. Abbott said DESE continues to learn from outside evaluators and advisors about ways to strengthen the connection between MTEL and educator effectiveness. Acting Commissioner Johnston said he will bring updates to the Board as this work proceeds.

Member Moriarty left the meeting at 12:00 noon.

**Updates to the District Standards and Indicators**

Rob Curtin, DESE’s Chief Officer for Data, Assessment, and Accountability; Erica Gonzala, Associate Commissioner of Data and Accountability; and Robbie Havdala, Director of District and School Accountability, presented on District Standards and Indicators. They provided background information about the District Standards and Indicators and how they are used, discussed the revision process, highlighted key changes, and summarized anticipated next steps in the process. They noted that while the six standards as set forth in regulation remain unchanged, the indicators would be updated to emphasize equity, particularly racial equity; intentionally center students; align with the Educational Vision; and add missing pieces such as mental health systems, district operations, and instructional leadership. The panelists responded to questions from Board members.

**Update on MCAS Contract**

Rob Curtin, DESE’s Chief Officer for Data, Assessment, and Accountability, and Associate Commissioner for Student Assessment Michol Stapel updated the Board on the MCAS contract. They reviewed the timeline and procurement process and gave an overview of the new contract with Cognia and its subcontractors, which begins on July 1, 2024. It covers the full range of assessment services including item development and test construction, test administration and customer support, scoring, and reporting, as well as updates and enhancements summarized in the materials. The panelists responded to questions from Board members.

Chair Craven thanked the Acting Commissioner and all the panelists for the work that DESE is doing and for their presentations today.

Vice-Chair Hills and Member Gardner left the meeting at 12:45 p.m.

**Education Budget Update**

Senior Associate Commissioner/CFO Bill Bell reviewed some highlights in the Senate Ways and Means Committee’s FY25 education budget proposal. He added that the full Senate will debate the budget this week and we expect to get the conference committee report in late June. Mr. Bell also gave a brief update on ESSER funding.

Chair Craven thanked Acting Commissioner Johnston, Mr. Bell, and DESE staff. She asked Board members to review the proposed meeting schedule for 2024-2025. Acting Commissioner Johnston said he will work with the Chair to chart out tentative agenda topics for the coming year.

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

**VOTED:**  **that the Board of Elementary and Secondary Education adjourns the meeting at 12:51 p.m., subject to the call of the Chair.**

The vote, by roll call, was unanimous.

Respectfully submitted,

Russell D. Johnston

Acting Commissioner of Elementary and Secondary Education

and Secretary to the Board