# MEMORANDUM

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| **To:** | Members of the Board of Elementary and Secondary Education |
| **From:**  | Russell D. Johnston, Acting Commissioner |
| **Date:**  | March 20, 2025  |
| **Subject:** | Briefing for the March 25, 2025 Regular Meeting of the Board of Elementary and Secondary Education |

The Board of Elementary and Secondary Education (Board) will have a **regular meeting** on **Tuesday, March 25, 2025**, 9:00 a.m.–1:00 p.m.,held in person at the office of the Department of Elementary and Secondary Education (DESE or Department), 135 Santilli Highway, Everett, MA 02149. The meeting will be live-streamed and recorded. Helene Bettencourt will assist with all arrangements; please email or call her if you have any questions.

**REGULAR MEETING, March 25, 2025**

Our business agenda will lead off with an update on the Commissioner Search from Chair Craven. I will introduce the Massachusetts School Counselor of the Year, Sugeily Santos. Member Asikis will provide a mid-year report on the work of the State Student Advisory Council. I will provide an update on the Department’s Educational Vision, including its ongoing work to advance student learning. I will present to the Board proposed amendments to the regulations for Prevention of Physical Restraint and Requirements If Used, and the regulations for Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs, for initial discussion and a vote to solicit public comment. I will review my recommendations for a vote on the removal and extension of conditions on the Commonwealth Virtual Schools. I will recommend the approval of the proposed contract between Roxbury Preparatory Charter School and its educational management organization. I will also provide an update on the *Increasing FAFSA and MASFA Completion* report issued jointly by DESE and the Department of Higher Education (DHE).

**Statements from the Public**

**Comments from the Chair**

**Comments from the Secretary**

* Conclusion of the Higher Education Financial Aid Road Show
* First Statewide Graduation Council Meeting
* Acting Commissioner Johnston

**Comments from the Acting Commissioner**

* Power of Presence Initiative
* Update on Boston Public Schools Systemic Improvement Plan
* Information on Upcoming Board Meetings

**Routine Business: Approval of the Minutes of the Board of Elementary and Secondary Education Regular Meeting, February 25, 2025, Minutes of the Special Meeting, February 24, 2025, Minutes of the Special Meeting, March 10, 2025**

The Board will vote on approval of the minutes.

**ITEMS FOR DISCUSSION AND ACTION**

1. **Update on Commissioner Search Process**

Chair Craven will update the Board on the search process.

1. **School Counselor of the Year – Discussion**

School counselors play an essential role in preparing students to be college- and career-ready and helping meet their social and emotional needs. The school counselor’s role has greatly expanded beyond the traditional “guidance counselor” with a focus on student attendance, mental health support, and post-secondary planning. We celebrate and honor the work of all school counselors, exemplified by the Massachusetts School Counselor of the Year, Sugeily Santos, a 7th & 8th grade school counselor at Curley K-8 School in Jamaica Plain, Boston. I am delighted that Ms. Santos will join us at the Board meeting on March 25.

Lisa Harney, DESE’s Coordinator of Secondary Supports, and Bob Bardwell, Executive Director, MA School Counseling Association (MASCA), will be at the meeting to welcome and celebrate Ms. Santos.

1. **State Student Advisory Council Mid-Year Report – Discussion**

Member Asikis will provide a mid-year report on the work of the State Student Advisory Council.

1. **Educational Vision and Advancing Student Learning Update – Discussion**

I will provide an update on the Department’s Educational Vision, including its ongoing work to advance student learning.

1. **Proposed Amendments to 603 CMR 46.00 and 603 CMR 18.00 (Use of Time-Out Practices) – Discussion and Vote to Solicit Public Comment**

At the meeting of the Board on January 28, 2025, we discussed the use of time-out practices in educational settings and considerations on reducing or eliminating the use of time-out and safeguarding the well-being of students and school staff. This month, I will present to the Board proposed amendments to 603 CMR 46.00, the regulations for Prevention of Physical Restraint and Requirements If Used, and 603 CMR 18.00, the regulations for Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs, for initial discussion and a vote to solicit public comment. The memo in your materials summarizes the proposed amendments and provides context.

A redlined version of the regulations is attached to the memo you received, along with a motion to solicit public comment on the proposed amendments. With the Board’s approval, DESE will solicit public comment on the proposed amendments. After reviewing comments that are received and determining whether further changes are needed, DESE plans to bring the amended regulations back to the Board in June 2025 for final adoption.

Iraida J. Álvarez, Acting Executive Director of Special Education, Jamie Camacho, Acting State Director of Special Education, Janelle Roberts, Director of the Office of Approved Special Education Schools, and Johanna Wakelin, Associate General Counsel, will join us for the discussion.

1. **Commonwealth Virtual Schools Report on Conditions – Discussion and Vote**

Two virtual schools currently operate in Massachusetts under certificates the Board granted: Greater Commonwealth Virtual School (GCVS) and TEC Connections Academy Commonwealth Virtual School (TECCA). Under G.L. c. 71, § 94, and 603 CMR 52.11, the Board renewed the certificates of GCVS and TECCA on [March 22, 2022](https://www.doe.mass.edu/bese/docs/fy2022/2022-03/item5.docx) and placed conditions on each school’s certificate to remedy concerns documented during the renewal process. The memo in your materials reports on the current status.

Given the evidence presented in my memo, I recommend that the Board remove seven conditions imposed on GCVS and extend one condition related to academic results. Further, I recommend that the Board remove two conditions imposed on TECCA, extend one condition related to academic results, and impose a new condition related to the school’s financial oversight.

Deputy Commissioner Regina Robinson and Alison Bagg, Director of the Office of Charter Schools and School Redesign, will be at the table to answer your questions on items 6 and 7.

1. **Proposed Contract with Management Organization for Roxbury Preparatory Charter School – Discussion and Vote**

The board of trustees of the Roxbury Preparatory Charter School (RPCS) intends to renew its third contract with Uncommon Schools, Inc. (USI), to procure substantially all educational services. RPCS was founded in 1999, one of the first charter schools in Boston. The school currently serves 1,126 students in grades 5-12. RPCS has contracted with USI since 2011. The school’s charter was renewed in 2024, and the school plans to continue its management relationship with USI for its fifth charter term.

Under the charter school statute, G.L. c. 71, § 89(k)(5), the Board must approve contracts between charter schools and entities from which they intend to procure substantially all educational services. The boards of trustees of charter schools are permitted to enter into contracts for services to achieve their mission and educational objectives, including services related to the implementation of the educational program and school operations. The approval requirement ensures that the charter school board of trustees fulfills its statutory and fiduciary responsibility to supervise and control the school while safeguarding the public interest.

The memo in your materials provides details on the review process and my recommendation that the Board vote to approve the contract.

1. **College Access: Update on ACARE and Increasing FAFSA and MASFA Completion – Discussion**

At the March 25 meeting of the Board, DESE staff including Associate Commissioner of College, Career, and Technical Education Elizabeth Bennett, Nyal Fuentes, Coordinator of College and Career Readiness, and Lisa Harney, Coordinator of Secondary Supports, and Department of Higher Education (DHE) GEAR UP Director Robert Dais will present an update on progress related to goals and activities to increase college access and affordability for Massachusetts public school students. The update builds upon the Governor’s[*Advisory Council for the Advancement of Representation in Education (ACARE) Report*](https://www.mass.gov/doc/read-the-acare-report/download) and the *Increasing FAFSA and MASFA Completion* report issued jointly by DESE and DHE in February 2025.

**OTHER ITEMS FOR INFORMATION**

1. **Chronically Underperforming Schools – Quarter 3 Report**

This month, I am presenting the third of four SY2024-2025 quarterly progress updates to the Board on the two chronically underperforming schools’ implementations of their school turnaround plans, focusing on activities from October 2024 to January 2025. There are currently two schools designated as chronically underperforming in response to their low performance and lack of improvement while in underperforming status: John P. Holland Elementary School (UP Academy Holland) and Paul A. Dever Elementary School (Dever) in Boston. The narratives for this progress update have been provided by the School Empowerment Network, based on classroom observations led by that group during that timeframe. A final annual review will be provided in June.

1. **Charter Schools: Report on Charters Renewed and Actions Taken on Conditions**

At its meeting in February 2013, the Board authorized the Commissioner to act on its behalf in “(a) granting charter renewals that do not involve probation; (b) approving charter amendments that do not involve changes in grade span, maximum enrollment, or districts served; and (c) removing or continuing conditions imposed on charters of charter schools; provided that the Commissioner shall report to the Board on all charter renewals, charter amendments, and conditions that have been so approved; and provided further, that the Commissioner shall notify the Board in advance of all such intended actions, and a Board member may request that the Commissioner place the charter matter(s) on the agenda of the Board for discussion and action.” The Charter School Regulations also allow the Commissioner to impose conditions, and to remove the conditions imposed, on a school’s charter.

On February 19, 2025, I notified the Board that I intended to renew the charters of 19 schools, 17 unconditionally and 2 with conditions. I notified the Board in a separate memo dated February 19, 2025 that I intended to remove the conditions currently imposed on two schools. I am now notifying the Board that I have taken these actions. Summary information is provided in the enclosed memo.

 **11. Charter Schools: Report on Approval of Management Contracts**

Under the charter school statute, G. L. c. 71, § 89(k)(5), the Board must approve contracts between charter schools and entities from which they procure substantially all educational services. Eight of the 73 operating charter schools procure substantially all educational services through a management contract. In prior years, the Board delegated to the Commissioner the authority to approve certain management contracts on the Board’s behalf. Pursuant to this authority, former Commissioner Riley and I approved management contracts in 2023 and 2024 for Community Day Charter Public School, Holyoke Community Charter School, UP Academy Charter School of Dorchester, and Worcester Cultural Academy Charter Public School. The enclosed memo reports on these actions.

If you have questions about any agenda items, please call me. I look forward to meeting with you on March 25.