

# MASC Bulletin

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MASSACHUSETTS ASSOCIATION OF SCHOOL COMMITTEES

## MA submits Race to the Top Phase 2 proposal

**M**ORE THAN TWO-THIRDS OF THE Commonwealth's public school districts and charter schools signed a commitment to support the state's second Race to the Top application, which could secure up to \$250 million in federal funding. The deadline for submitting the Phase 2 application for the \$4.35 billion federal grant program was June 1.

In all, 276 school districts and charter schools signed Memorandums of Understanding to implement the initiatives in the application, 20 more than signed on to participate in Phase 1. Those districts, from small and large districts in urban, suburban, and rural communities, represent 88 percent of the state's low-income students and 74 percent of K-12 students statewide. Of the 276 participating districts, 159 are traditional school

districts, 60 are charter schools, 36 are regional school districts and 21 are vocational schools. The proposal has also been endorsed by Massachusetts Teachers Association (MTA), the state's largest teacher's union.

The state's enhanced proposal focuses on results over process, clarifies how students and teachers will benefit from the initiatives and strategies, and how the state's public school system will be improved over the next four years. The Department of Elementary and Secondary Education closely analyzed federal reviewer comments from the state's first application, and worked collaboratively with educators, teacher unions, state associations, and other education stakeholders to revise and

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## Revere to open doors to Commonwealth's first Innovation School

Last week, the Revere School Committee voted unanimously to approve Superintendent Paul Dakin's proposal to open the Paul Revere Innovation School in September—the first Innovation School in the commonwealth.

A signature component of the Governor's education reform bill signed into law in January, Innovation Schools will function as in-district charter-like public schools that will employ the same strategies that exist in many of the state's high perform-

ing schools—all while keeping school funding within districts.

The school will operate an extended day and focus sharply on improving teaching and learning in the key areas of literacy and math. Teachers will integrate technology into the classroom, and also use new tools to collect and analyze data and improve instruction.

Although the Paul Revere Innovation School is similar to a charter school, the process for creating and

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## Accountability, Assessment & Turnaround Strategies for Level 4 Schools

Braving heavy winds, rain and some hair-raising thunderclaps, members from more than 20 urban school districts, among others, met at Assabet Valley on Saturday, May 8 for a briefing on the DESE's accountability and assistance framework for schools and districts in Level 4 ("underperforming") status.

Hosted by MASC's Division IX (Urban Division), Chair Jacqueline Doherty, a member of the Lowell School Committee, welcomed attendees and briefly summarized the most common challenges that Division 4 schools and districts are confronting: demographics, poverty, mobility, language barriers, family health and other social services issues, all compounded by the dismal state of the economy. Concurring with Doherty's assessment was DESE Associate Commissioner Karla Brooks Baehr, the program's keynote speaker and former Superintendent in communities as diverse as Wellesley and Lowell.

Following a brief history of the accountability system since Ed Reform 1993 (largely based on school reviews that deemed schools underperforming or chronically underperforming, and then layered onto that in 2001 the federal requirements and sanctions under No Child Left Behind), Baehr explained the systemic changes to

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## National News

### EDUCATION ASSOCIATIONS SET FORTH PRINCIPLES FOR TEACHER INCENTIVE FUNDS

With more than \$400 million in competitive federal dollars becoming available to support performance-based compensation systems, the National School Boards Association, the American Association of School Administrators and the National Education Association have issued jointly a set of guidelines for districts that choose to participate in the 2010 Teacher Incentive Fund (TIF) grant program.

The 11 principles issued by the three associations last week stress cooperation among the parties in the development and implementation of performance-based plans and address strategies judged to work best when designing compensation models that conform to the TIF requirements. The principles include developing evaluation systems based on multiple measures, providing adequate funding for the programs, and using collective bargaining or another buy-in mechanism as a vehicle for designing the plans.

Funding for the program is provided through the ARRA and FY10 appropriations cycle. The US DOE expects to award between 40 and 80 grants of \$5-10 million apiece under the new competition. Final regulations for the competition were also released last week and applications are due July 6. The joint guidelines are posted on the NSBA website: [www.masc.org](http://www.masc.org). The regulations for the grant and application forms are on the US DOE website at [www2.ed.gov/programs/teacherincentive/index.html](http://www2.ed.gov/programs/teacherincentive/index.html).

### FUNDING ESTIMATES FOR THE EDUCATION JOBS FUND

According to projections compiled this week by the Education Commission of the States (ECS), Massachusetts could be eligible for a total of \$456 million (\$351 million for K-12; \$104 million for higher ed) in new dollars as part of the Education

Jobs Fund proposal included in the Supplemental Appropriations Bill being taken up the week of June 7 by the House Appropriations Committee. ECS also estimates that in Massachusetts 4,316 K-12 teaching positions would be saved.

The entire MA Congressional delegation has already pledged their support for the Jobs Fund, however MASC members are encouraged to contact their Congressman and thank them for their continued support of this important legislation.

## MA News

### MA AWARDED \$13 MILLION DATA SYSTEMS GRANT

The U.S. Department of Education has awarded MA a \$13 million grant for the development of a statewide longitudinal data system (LDS) designed to track student progress from early childhood through adult employment.

The statewide longitudinal data systems (SLDS) grants are funded through the American Recovery and Reinvestment Act (ARRA) of 2009. Last year, Congress expanded the program to include not only K-12 data systems, but also provide links with pre-K, postsecondary, and workforce data, allowing states to match teachers to students while protecting student privacy and confidentiality consistent with applicable privacy protection laws.

The Massachusetts proposal called for an expansion of the state's Data Warehouse to provide all 80,000 of the Commonwealth's educators with access to more timely and comprehensive data on student performance. This will be used to target instruction to meet the individual needs of students and close performance gaps. This is the second year Massachusetts has been awarded an LDS grant; in 2009 the state was awarded \$6 million.

State Longitudinal Data Systems (SLDS) grants were authorized by the Educational Technical Assistance Act of 2002 and the first grants were awarded in 2005. The 2009 ARRA grantees were selected in a competi-

## NOTE: MASC

### DEADLINES AHEAD

Please note that the deadline for submitting resolutions and by-law changes to be considered by the 2010 Delegate Assembly is **July 1**. Nominations for Life Membership, Lifetime Achievement and the All-State School Committee are also due in the MASC office by **July 1**. Resolutions and Nomination forms and guidelines are posted on the MASC website and can be downloaded and mailed to the MASC office. <http://www.masc.org/member-resources/186-recent-masc-mailings>

tion based on the merit of the applicants' proposals and the funding available for the program. An independent peer review panel evaluated the proposals on aspects such as need for the project, project goals and outcomes, activities and timeline, management and governance, and personnel and financial resources. The process is independent from Race to the Top and was administered by the Institute of Education Sciences (IES) at the US Department of Education.

In total, \$250 million was awarded this year through the SLDS grant competition.

### SCHOOL WELLNESS AWARD ANNOUNCED

The MA DESE and Department of Public Health have just announced a new MA School Wellness Award that will recognize schools that support healthy eating, physical activity and tobacco-free lifestyles among students and staff. The three levels of achievement (gold, silver and bronze) are based on a point system and winners will receive their choice of valuable materials to support school wellness activities. Applications for the award are due June 15. For more information, contact Laura York, DPH Coordinated School Health Director at: [laura.york@state.ma.us](mailto:laura.york@state.ma.us)

# Accountability

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accountability and assessment that the DESE has been implementing over the past 12 months.

“We began to reevaluate the effectiveness of our intervention plans on struggling school districts and realized that we needed to rethink and redesign the entire system of assessment and assistance if we were really going to help bring change to these districts,” Baehr said. Over the past year the Department has conducted 20 district evaluations, of which more than half were in so-called “best practices” districts. These, Baehr explained, are districts where “kids are outperforming comparable students in similar economic/demographic circumstances. We want to figure out what those districts are doing and share those successful strategies with others.”

With the passage of Ed Reform 2010 this past January, DESE has released new regulations

around determining underperforming (Level 4) schools and new strategies for intervention and assistance in those districts. Baehr explained that the law allows no more than 4 percent of schools (72 of Massachusetts approximately 1800 schools) to be identified in Level 4 status. She also emphasized that only achievement, growth level and MCAS improvement will be considered when identifying schools or districts as Level 4: NCLB standards will no longer be factored into the determination. In addition, the number of districts that would be labeled Level 4 would be proportional to the Department’s capacity to intervene and assist. “We’re not going to label you if we aren’t in a position to effectively help you improve.” And as such, she reported, it is unlikely that any additional districts would be added to the list this year. “We need to focus our efforts and resources on those 17,000

students in 35 schools/9 districts that have already been targeted for Level 4 intervention.”

These lowest performing schools will be eligible for intensive intervention from the Department, including assistance in developing effective leadership and evaluation models and turnaround strategies. A stakeholders group for each Level 4 school, made up of community, municipal and school leaders, educators and other education specialists, will be responsible for providing recommendations for improvement. This input will inform the final turnaround plan the superintendent submits to DESE for approval. These turnaround strategies, Baehr advised, may require contract changes, which,

“ We began to reevaluate the effectiveness of our intervention plans on struggling school districts. ”

if not agreed to, could result in binding arbitration that would take into account first and foremost “the best interests of the students.”

Baehr also reported that DESE is working with the US Education Department to access money for turnaround

grants (money that is separate from RTTT dollars) for severely underperforming schools and suggested that some early “bridge” funds may become available this summer to help districts implement pieces of their plans over the fall. Applications for full grants for the 2011-2012 school year will be due in December and the Department will work with districts to provide guidance on meeting the grant requirements for developing teacher and school leader effectiveness.

Baehr also noted that districts will be held accountable for the performance of all their schools and that “a district is no stronger than its weakest school.” While only Level 4 and Level 5 schools/districts have been identified for assistance thus far, schools deemed to be in Level 3—the 20% lowest achieving schools based on 4 years of data—will be notified in the fall and given priority

intervention status. In addition, approximately 60 of these Level 3 middle and high schools will be eligible to compete for voluntary school turnaround grants.

“This is preventive money,” Baehr said. “The goal is to use these grants to implement best practices and other turnaround strategies in order to stay out of Level 4.

Also upcoming from DESE this fall will be the Center for Targeted Assistance which will work closely with teachers and principals in Level 4 schools as well as an aggressive initiative to recruit highly qualified teachers to work in these schools and districts. The goal, Baehr indicated, is to put “the best and most talented teachers” in front of the children who need them. The recruiting campaign will kick off with a website: [amazingteachers.org](http://amazingteachers.org), where interested teachers can learn more about teaching opportunities at the 35 schools in need. Baehr also noted that even though DESE will be assisting districts in recruiting high performing teachers, hiring decisions will be made by the districts themselves.

## Revere School

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approving these schools is entirely locally based; a wide range of applicants including teachers, school and district leaders, institutions of higher education, and business and community partners can develop an innovation plan, and local stakeholders including the superintendent, local teachers’ union, and school committee are involved in the approval process—very different from the often contentious approval process involved in establishing commonwealth charters.

US Education Secretary Arne Duncan last week visited with the planning committee for the Paul Revere Innovation School to discuss this new opportunity and praised the district for its commitment, vision and leadership in taking on this new challenge.

# Changes to Open Meeting Law

The following advisory on changes to the Open Meeting Law, as enacted by the MA Legislature in 2009, was prepared by the law firm of Deutch Williams, a member of MASC's Council of School Attorneys. The new Open Meeting Law, found at M.G.L. c. 30A, Sections 18-25, takes effect on July 1, 2010. The new law:

## **Creates a single Open Meeting Law (OML) to be administered by the Attorney General's Office that will apply to municipal, county, and state officials**

- The law transferred enforcement of OML from the District Attorney to the Attorney General under the new Division of Open Government.
- The law gives the public body an opportunity to remedy its action before the Attorney General reviews a complaint of a violation of OML and holds an administrative hearing.

## **Permits "Good Faith Compliance with the Advice of Legal Counsel" as a Defense to Violations of Open Meeting Law.**

## **Expands the Definitions of "Deliberation"**

- "Written communication" and "electronic mail" are now included in the definition of "deliberation" for which an open meeting must be held.

## **Alters Meeting Notice Requirements**

- Public bodies must post notice of a meeting at least 48 hours prior to the meeting, excluding Saturdays, Sundays, and legal holidays.
- Notice shall include a listing of the topics that the chair reasonably anticipates will be discussed at the meeting.
- Notice shall be posted in hard copy or in electronic format and conspicuously visible to the public at all hours.

## **Creates a Remote Participation Option**

- The Attorney General may by regulation or letter ruling, authorize remote participation by members of a public body not present at the meeting location.

## **Relaxes the Rule for Recording Meetings**

- Any person may make a video or audio recording of an open session and transmit the meeting through any medium.

## **Adds to Procedure for Entering Executive Session**

- In addition to the purpose for the executive session, the chair must state all subjects that may be revealed to the attendants at the open session without compromising the purpose for which the executive session was called.

## **Clarifies Preconditions for Entering Executive Session for Strategizing Purposes**

- **The chair must declare** that an open meeting may have a detrimental effect on the position of the public body **before** the public body may enter executive session to conduct strategy sessions:
  - With respect to collective bargaining
  - With respect to litigation.
- **Without a declaration** regarding the potential for a detrimental effect, the public body may enter executive session to:
  - Conduct strategy session in preparation for negotiations with nonunion personnel
  - Conduct collective bargaining sessions
  - Conduct contract negotiations with nonunion personnel
  - To discuss strategies with respect to deployment of security personnel or devices.

## **Expands Rights for Individuals Discussed in Executive Session**

- The individual has the right to cre-

ate an independent record of the executive session by audio-recording or transcription, at the individual's expense.

## **Adds to the Required Content of Minutes:**

- A summary of the discussions, decisions made, and actions taken on each subject.
- A list of documents and other exhibits used at the meeting.

## **Creates a Requirement for Creating/ Approving/Providing Minutes**

- Minutes of all open sessions shall be created and approved in a timely manner. The minutes, if they exist and whether approved or in draft form, shall be made available upon request by any person within 10 days.

## **Requires Periodic Review of Past Executive Session Minutes to Determine Whether Certain Previously Withheld Documents Warrant Continued Nondisclosure**

- Documents that are permitted withheld may only be withheld until the release no longer defeats the purpose of the executive session.
- Exceptions include documents that are attorney-client privileged.

## **Requires Response to Any Request for Executive Session Minutes within 10 Days.**

## **Expands Public Records Inclusions**

- Along with the minutes, documents, photographs, recordings, maps, or other exhibits used by the body at an open or executive session, including notes, recordings, or other materials used to prepare minutes, shall be part of the official record of the session.

## RTTT Phase 2

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enhance the reform strategies outlined in the proposal.

In updating the proposal, DESE worked with the MTA on some of the most complicated issues in the application, including the development of a comprehensive educator evaluation system. The proposal outlines the development of an annual evaluation system that uses multiple measures of student achievement and growth to assess the effectiveness of teachers and administrators, and will trigger intervention and supports to help educators continually improve.

**Also in the proposal:** A plan to allow the Board of Elementary and Secondary Education to vote to adopt the Common Core Standards by the federal deadline of August 2, 2010 if they are deemed to be as strong as or stronger than the state's current standards; Strategies to ensure that high poverty, low performing schools have access to highly effective teachers; The development of new curricular and instructional resources to provide every educator with the tools necessary to promote and support student achievement; and Strategies to prepare more students for success in college and career.

Senate President Therese Murray, Speaker of the House Robert DeLeo and Joint Committee of Education Co-Chairs Sen. Robert O'Leary and Rep. Martha Walz all submitted letters of support. Other partners that submitted letters of support included the Race to the Top Coalition (comprised of local funders, business partners, and civil rights and advocacy organizations); state associations representing elementary school principals, secondary school administrators, school committees, and charter schools; the Massachusetts Business Alliance for Education; and the Museum of Science.

The Race to the Top (RTTT) program is a \$4.35 billion federal grant

## Changes to MCAS test/timelines being studied

**I**N AN EFFORT TO BOOST THE ACHIEVEMENT of all students, a Board of Education Task Force on the "proficiency gap" has proposed a new timeline for higher scores that they hope will be more attainable than the current benchmark set out under No Child Left Behind.

Instead of the NCLB goal of having 100 percent of students achieving proficiency on the MCAS test by 2014, the task force has recommended setting a goal that 85 percent of students score proficient or advanced on MCAS by 2020. According to education officials, the revised benchmark and timeline reflect the considerable challenge the state confronts in raising achievement levels for all cohorts of students and the amount of work that needs to be done to overhaul underperforming schools and expand programs for English Language Learners.

The federal goal, created eight years ago under NCLB, has been challenged by MA and other state education leaders as well as the Obama administration, as both narrow and unrealistic, and has prompted some states to lower their standards in order to meet the 2014 deadline. The MA Board of Education accepted the report and instructed Commissioner Chester to present recommendations based on the report.

In addition, Chester presented his own report to the Board of Education last month, updating the Department's work with the multi-state effort "Partnership for the Assessment of Readiness for College and Career (PARCC). PARCC is one of two major

competition designed to support state reform efforts related to four reform areas: standards and assessments; statewide data systems; effective educators; and turning around low-performing schools. The U.S. Department of Education will

consortia of states preparing to submit a proposal for a federal Comprehensive Assessment Systems grant.

This grant program, a component of the RTTT initiative, provides for two grants to consortia of up to \$160 million each for new assessment systems for grades 3-8 and a grant of up to \$30 million for high school end-of course assessments. Like MCAS, the proposed assessments would test students in English and math in grades 3-8 and 10, but might add tests in grades 9 and 11. According to the Commissioner the new tests would be at least as rigorous as MCAS and could take effect for the 2014-2015 school years. The PARCC consortium, in which MA is a lead player, currently includes Florida, Indiana, Louisiana, New York, Rhode Island, Tennessee and DC.

Although MA has up till now been reluctant to endorse national standards and a common testing system, education officials have said they believe the Obama administration's proposed national standards are on a par to those in the commonwealth so the curriculum impact on local schools would be minimal. They also say a shared testing system could reduce the approximately \$35 million the state spends annually assessing students on MCAS and other tests. According to Deputy Education Commissioner Jeff Nellhaus, MA would still keep the science and technology MCAS exams.

The MA Board of Education is expected to vote on whether to accept national standards later this summer.

announce phase 2 finalists in August, and awards will be announced in late August or early September.

An outline of the proposal is available online at <http://www.doe.mass.edu/arra/default.html?section=2>.

## Bullying Task Force seeks School Committee Participation

In conjunction with the recently enacted Anti-Bullying legislation, the Legislature established a special Commission to study whether the General Laws need to be amended in order to address bullying and cyber-bullying and investigate parental responsibility and liability for the same.

Attorney General Martha Coakley will chair the Commission and MASC has been invited to designate a member to participate on the Commission, which will report its findings on or before June 30, 2011. The

first meeting of the Special Commission on Bullying will take place on June 21, 2010 at 10:00am at the Office of the Attorney General in Boston. Coakley has indicated that the study will take place over the course of the fall and winter.

If you are interested in serving on the Commission please send a letter of interest to MASC Executive Director Glenn Koocher on/before Friday, June 11. Email: [glkoocher@masc.org](mailto:glkoocher@masc.org); Fax: 617-742-4125.

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With the recent onslaught of legislative, regulatory and educational changes and challenges (think: Education Reform Act of 2010; anti-bullying legislation; RTTT phase 2; proposed changes to MCAS; and of course, the fiscal crisis and its impact on local budgets) school leaders need look no further for guidance than the Joint Conference this fall. With more than 50 workshops, panels,

special sessions and targeted strands the four-day program will present the information you need to implement the new changes and move your district forward.

In order to make it advantageous for as many members as possible to attend the program, MASC is offering a special "End of Year" conference registration rate. Register on/before July 15 for the reduced rate of \$225.00 per registra-

tion (standard registration is \$340.00). You can register easily—online ([www.masc.org](http://www.masc.org)) or download the form and fax or mail it to MASC (617-742-4124; MASC, One McKinley Square, Boston MA 02109). This special registration is nonrefundable, but we will allow you to transfer the registration to one of your colleagues should you be unable to attend.

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