

Senate approves \$49.7 billion budget bill

Late last month the MA Senate approved a \$49.68 billion state budget bill for FY23 that proposes \$60 per student in minimum new Chapter 70 aid and would increase discretionary local aid by 5.4%.

The Senate bill also includes a provision to extend authorization for remote local government meetings, including school committee meetings (see side box on page 6).

The budget passed by the Senate (S.4) had few changes from the recommendations put forward earlier in the month by the Senate Ways and Means Committee, which proposed increases in education-related line items including Chapter 70 aid, charter school reimbursements, and the special education circuit breaker account.

S.4 did approve an amendment to increase rural school aid from \$4 million

to \$5.5 million. However, an amendment to fully fund the regional school transportation account was not adopted.

The Senate budget would increase Chapter 70 aid by \$494.9 million over this year, for a total of \$5.99 billion. The funding level would continue to fund the Student Opportunity Act on the intended schedule.

The Senate bill would also double the per-pupil minimum aid from \$30 per student to \$60, in recognition of the challenges faced by the 135 school districts due to receive only minimum new aid. This matches the increase in the budget the House adopted. The Governor's budget retained the \$30 amount.

The Division of Local Services has posted preliminary Cherry Sheet numbers for cities, towns, and regional school districts (www.mass.gov/lists/

continued on page 6

MASC Summer Institute has got your "back-to-school" challenges covered

Yes, summer's the perfect time to kick back and take it easy.

The school year just passed is a high five in the rearview mirror. Meetings are fewer and farther between, and budget season is a way down the road.

But summer is also the perfect time to get a head start on the year ahead: what are some of the leadership and management challenges you confronted this year, and how might you more effectively address them in the future? MASC's Summer Institute program, a collegial, low-key opportunity to meet up with colleagues, share ideas and learn some new strategies might be just the pick-me-up you need to be ready for the new school year.

Topics include: Meeting Management; Effective School Committee/Student

continued on page 6



IN MEMORIAM

Stratos G. Dukakis 1932-2022

It is with deep sorrow that MASC notes the passing of Stratos "Strat" Dukakis, a longtime member of the



Nashoba Valley Vocational Technical School Committee, a Life Member of MASC, and a 26-year superintendent-director at Montachusett

Reg. Vocational Technical School in Fitchburg.

A resident of Chelmsford, Strat was elected to the Nashoba School Committee in 1968 and served for 29 years. Education was always at the forefront of his life, his colleagues have noted, and his commitment to high expectations, highest quality vocational education, following his career as an engineer at AVCO and Raytheon, became a model and a standard for vision and leadership. Following his retirement at Monty Tech., he remained involved with the school serving on its Foundation Board of Directors. He also served as an instructor for a number of years at Wentworth Institute in Boston and Fitchburg State College.

At MASC, Strat was a regular participant at advocacy and professional development events. Elected to Life Membership in 1993, he served on numerous MASC subcommittees including Regional Schools and Legislative. From 1983-85, he served on the MASC Board of Directors as Chair of Division VIII and was often the district's representative to the annual Delegate Assembly.

The family has established a scholarship in his name. Donations can be made to the Monty Tech Foundation, c/o Katy Whitaker, 1050 Westminster St., Fitchburg, MA 01420.

NEWS YOU CAN USE

DISTRICTS CAN REQUEST MORE TIME TO SPEND COVID-RELIEF FUNDS

According to a recent communique from the US Department of Education, schools districts will be able to request an additional 14 months beyond the previously established deadlines for spending the three rounds of ESSER Covid-relief aid dollars distributed to K-12 schools.

A department spokesperson indicated that the agency typically grants deadline extensions for extenuating circumstances only, such as the supply-chain issues that are delaying school construction projects, which will be given priority. However, the department will allow schools to apply to extend the deadline for other types of contracts—such as mental health, tutoring, and other third-party services—as well.

Schools have until this September, 2022 to commit funds to specific purposes, from the first round of COVID relief (ESSER I). The deadline to commit the second round of funds (ESSER II) is September 2023, and for ESSER III, September 2024.

Previously, schools were under the impression they would have four months from those deadlines to spend the money. Districts still have to obligate each round of funds by the September deadlines, but if they hire a contractor before the deadline, they can get 18 months past those dates, instead of four, to pay the contractor—if their state department of education secures a waiver from the federal Education Department.

Many MA school districts have been worried that they might not be able to finish important construction projects like replacing an HVAC system before the federal deadline, citing soaring materials costs and persistent supply shortages.

Nevertheless, the department is still urging districts to spend the ESSER funds as quickly as possible.

SUSTAINING FEDERAL FUNDING TO ADDRESS TEACHER SHORTAGES

While U.S. Secretary of Education Miguel Cardona has continuously pushed for states and districts to

use pandemic relief and recovery funds to address the teacher shortage crisis, he highlighted in a recent speech how American Rescue Plan (ARP) funds can support the teaching profession and be sustained in the long-term through other existing federal allocations.

Cardona has previously called for sustained efforts for ARP funding through President Biden's budget, but education leaders have (rightly) worried about the potential fiscal cliff.

In a fact sheet released on June 16 (www2.ed.gov/documents/coronavirus/factsheet-teachers.pdf) the Education Department outlined how ARP funds can still give teachers competitive wages, cover licensure fees, and create or add to loan forgiveness or scholarship programs. The federal COVID-19 relief can also help pay for high-quality teacher mentorship opportunities and partnerships between state, educator preparation programs and districts to support teacher residencies and “grow your own” approaches.

But the support for these programs can go beyond ARP funding, according to the fact sheet.

Suggested strategies for other federal funding streams to address teacher shortages include investing:

- Title I funds to give financial incentives to recruit educators to work in schools that serve more low-income students.
- Teacher Quality Partnership Grants from the Higher Education Act Title II to support effective teaching pathways.
- Augustus F. Hawkins Centers of Excellence Grants from HEA Title II to support diverse teacher pipelines by expanding teacher education programs at minority serving institutions and historically Black colleges and universities.
- Providing teachers needed resources by using Elementary and Secondary Education Act Title IV funds to expand the number of mental health professionals in schools through recruitment and retaining practices.
- Individuals with Disabilities Education Act, Part B grants to improve salaries of special education teachers and address costs associated with speech therapists and psychologists.

Cardona noted however that federal funding alone is not going to resolve the problem—which needs to be addressed at multiple levels. Teacher shortages have been noted widely, as 44% of public schools report full- or part-time teacher vacancies, according to a National Center for Education Statistics survey of 670 public schools released in March.

One issue that needs to be addressed in greater depth is why teachers, particularly educators of color, are leaving schools to begin with; the tragic shooting events of the past weeks may have further added to educators' worries and an increase in some seeking alternative careers.

Nearly 40% of 2,000 teachers surveyed nationwide said they are more likely to leave the profession at the end of this school year if a push for laws that “prevent honest teaching and conversations” reaches their classrooms, according to a January report from Stand for Children, a nonprofit advocating for equity in public education, and SurveyUSA, an independent research firm.

WHEN A GENDERQUEER STUDENT DOESN'T WANT PARENTS TO KNOW

When a student expresses a desire to be known by a name or pronoun different from that given to them at birth, it can present challenges for school districts, especially if the parents are unaware of the situation and the student expresses fear of informing them, or if the parents are opposed to it.

Such situations were addressed, tacitly, in Florida's recently-enacted “Parental Rights in Education” law, also referred to as the “Don't Say Gay” bill. The law requires parent/guardian notification of information about the “mental, emotional, or physical health or well-being” of their children.

Critics claim the “Don't Say Gay” law goes so far as to required schools to “out” gay and transgender students to their parents. However, the law contains an exception: it allows schools to permit personnel to withhold information for parents if a

continued on page 4

GRANT OPPORTUNITIES

Listed below are two recently announced federal grant opportunities of interest to school districts. These are funded through the Infrastructure Investment and Jobs Acts (IIJA).

- **\$500 million: Clean School Bus Rebate Program**
- **\$1 billion: Middle Mile Broadband Infrastructure Grant**

The grant summaries below also include details on eligibility and how to apply.

CLEAN SCHOOL BUS PROGRAM

Department: Environmental Protection Agency (EPA)

Description: With funding from the IIJA, EPA's new Clean School Bus Program provides \$5 billion over the next five years (FY 2022-2026) to replace existing school buses with zero-emission and low-emission models. EPA is offering \$500 million through the 2022 Clean School Bus Rebates for zero-emission and low-emission school bus rebates as the first funding opportunity.

EPA anticipates offering \$250 million for clean school buses and \$250 million for zero-emission school buses.

Eligible Applicants: An entity must be a state or local government that provides bus service; eligible non-profit or not-for-profit contractors that sell clean or zero emission buses or related infrastructure; non-profit school transportation associations; and Indian tribes, tribal organizations or tribally controlled schools responsible for the purchase of school buses.

Closing Date for Applications: August 19, 2022

Award Range: Applications can request funds for re-

placing up to 25 buses. Maximum funding amount per bus is up to \$375,000 depending on the school district and the bus type.

Funding Opportunity Number: NTIA MMG-2022

Link to Opportunity: <https://www.epa.gov/cleanschoolbus/school-bus-rebates-clean-school-bus-program>

MIDDLE MILE BROADBAND INFRASTRUCTURE GRANT

Department: National Telecommunications and Information Administration (NTIA)

Description: The NTIA has published a Notice of Funding Opportunity (NOFO) for \$1 billion in grant funding through the Middle Mile Broadband Infrastructure Grant (MMG) Program

The MMG provides funding for the construction, improvement, or acquisition of middle mile infrastructure. The purpose of the grant program is to expand and extend middle mile infrastructure to reduce the cost of connecting areas that are unserved or underserved to the internet backbone.

Eligible Applicants: An entity must be a State, political subdivision of a State, Tribal government, technology company, electric utility, utility cooperative, public utility district, telecommunications company, telecommunications cooperative, nonprofit foundation, nonprofit corporation, nonprofit institution, nonprofit association, regional planning council, Native entity, economic development authority, or any partnership of two (2) or more of these entities.

Closing Date for Applications: September 30, 2022

Award Range: \$5,000,000 - \$100,000,000

Funding Opportunity Number: NTIA-MMG-2022

Link to Opportunity: <https://broadbandusa.ntia.doc.gov/sites/default/files/2022-05/MIDDLE%20MILE%20NOFO.pdf>

Past Presidents Scholarship Winners Announced

The MASC Past Presidents Council has selected two winners for the 2022 Past Presidents Scholarship award. Congratulations go to **Lana Antocci**, a 2022 graduate of Bay Path Regional Vocational Technical High School residing in Charlton and **Robert (Bo) Canfield** who graduated this month from Foxborough High School.

Antocci, who will attend the prestigious Embry-Riddle Aeronautical University in Florida this fall with a focus on mechanical engineering, has a resume as impressive as it is varied. A member of the Show Choir in middle school, a member of the soccer, track and field and field hockey teams at BayPath, and Robotics Club member

who was invited as a sophomore to participate on the National Competition Robotics team. She is Secretary of the National Honor Society and earned her OSHA certification in Advanced Manufacturing, her vocational focus at school. A four-year member of the Student Council, she was also accepted into the American Legion and MA State Police Youth Cadet Training Program, the only female out of 230 cadets and one out of only two recipients selected by the MA State Police for their Outstanding Achievement and Leadership award.

Outside of school, Lana has been a student of karate since age three and earlier this year earned her 2nd degree

Black Belt in Tang Soo Do. In addition to serving as an instructor, mentor and role model to other young karate students, Lana is involved in numerous local community services efforts, serving on the Town Library Teen Advisory Board. All while working at a co-op job as an engineering and machine intern at Henke Sass Wolf of America, a company that specializes in the repair and production of endoscopic devices for surgical applications and weekend work at MacDonalds where she was asked to enter the Manager-in-Training program and is currently a Shift Coordinator.

As a sophomore Bo Canfield opted to enroll in the challenging and highly selective AP Capstone program offered

continued on page 4

Scholarships

continued from page 3

by the College Board. The two-year diploma program focuses on developing students' skills in research, analysis, evidence-based arguments, collaboration, writing, and presenting, the culmination of which includes a formal research paper and thesis defense. Canfield chose as his area of study African American Vernacular English (AAVE), learning about the diversity of language between the American Caucasian majority and the African American minority and consider the future of this diversity.

He has also made a quest of helping others understand and become more comfortable with diversity of people. As an active three-year member of the Gender Sexuality Alliance (GSA) he has spoken to students at Foxboro Middle School about the queer experience and offered guidance and support to students to navigate the challenges associated with it. For the past several years he has shared his passion for the arts as a counselor at the town's youth theater camp for students 6-12. As both a choreographer and assistant director he connected with younger children, helping them to develop self-confidence as both performers and as people. One of his adult musical colleagues praised not only Bo's talent, but his authenticity: "an artist who has the courage to be true to himself in ways that can take other people years to come to find, and he that confidence enables him to be a dedicated and steadfast partner who reaches out to others as a wonderful team player."

Bo was accepted early decision to Washington University in St. Louis.

Congratulations and best wishes to both of them.

NEWS YOU CAN USE

continued from page 2

"reasonably prudent person" would believe disclosure would result in abuse, abandonment, or neglect. The Florida law also requires schools to encourage students to discuss issues with their parents or facilitate such discussions.

Meanwhile, parents have been filing lawsuits asserting their specific right to be given information about their child's gender identity in school. Currently, there are two such cases in Florida, one in California and one in Ludlow, MA.

The Ludlow lawsuit was brought by two sets of parents, claiming their rights were violated by the school for choosing not to tell parents when children seek to establish a new gender identity at school.

Named as defendants in the case are the Ludlow school committee, an interim and former superintendent, a school principal and two school staffers.

The suit identifies the following key events:

- The school alerted the parents of an 11-year-old sixth grader to some mental health and sexual orientation issues that the student raised with a teacher.
- The parents asked the school staff to refrain from further conversations with their child about their mental health, as the parents were addressing it pri-

vately with professional help.

- The next year, the student emailed school staff stating that they were "genderqueer" (i.e. not solely male nor female). The student asked to be referred to by a list of acceptable pronouns and a different name consistent with their gender identity.

- The parents allege that the school instructed employees to honor the student's request and not discuss it with the student's parents, as the student was in the process of telling their parents.

According to the lawsuit, "to affirm discordant student gender identity at school violates parents' fundamental rights."

Ludlow school district protocol on gender identity in school aligns with guidance issued by the MA Department of Elementary and Secondary Education: "Guidance for MA Public Schools Creating a Safe and Supportive School Environment." In 2012, the MA legislature enacted An Act Relative to Gender Identity, which includes protections against discrimination in employment and education. The state also has a separate law on bullying (Ch. 71, sec. 37O) that includes special provisions for students more vulnerable to bullying due to gender identity and expression.

MASC is following the case, but advises school committees in the meantime that current MA law and MASC policy on gender protection applies until otherwise determined.

MASC/MASS 2022 JOINT CONFERENCE

November 2-5, Resort and Conference Center, Hyannis

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NARRATIVE TO DEFINE
THE MESSAGE



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US DOE Releases Proposed Changes to Title IX Regulations

On the 50th anniversary of Title IX, the US DOE released for public comment its long-awaited proposed revisions to its Title IX regulations.

The 700-page proposed regulations are largely a response to the 2020 regulations that created an onerous grievance/investigation procedure. The proposed regulations would replace the procedure required by the 2020 regulations with a general obligation to conduct a “prompt and equitable” process. The proposed regulations would also expand the informal resolution process to be available at any point during the grievance/investigation process, rather than only before the grievance/investigation process begins. Further, rather than dictating the manner in which a school shares evidence, the proposed regulations would require that all parties have an equal opportunity to present and respond to evidence from other parties.

The proposed regulations would also enhance training and policy requirements. In particular, the proposed regulations would require all employees to refer information that may constitute sex discrimination to the Title IX Coordinator or provide information about how to file a complaint to the potential complainant. If adopted, this will be an important point on which schools must train all staff on a regular basis.

In addition to proposed changes to the grievance/investigation procedure, the proposed regulations clarify that Title IX applies to all sex discrimination, including sexual orientation

and gender identity discrimination. Although potentially important nationally, this change is unlikely to have a material impact in Massachusetts, which already prohibits discrimination on these bases.

The proposed regulations also clarify that retaliation includes retaliation against students by other students.

In its media release the DOE indicated the proposed regulations:

- Clearly protect students and employees from all forms of sex discrimination.
- Provide full protection from sex-based harassment.
- Protect the right of parents and guardians to support their elementary and secondary school children.
- Require schools to take prompt and effective action to end any sex discrimination in their education programs or activities – and to prevent its recurrence and remedy its effects.
- Protect students and employees who are pregnant or have pregnancy-related conditions.
- Require schools to respond promptly to all complaints of sex discrimination with a fair and reliable process that includes trained, unbiased decisionmakers to evaluate the evidence. Require schools to provide supportive measures to students and employees affected by conduct that may constitute sex discrimination, including students who have brought complaints or been accused of sex-based harassment.
- Protect LGBTQI+ students from discrimination based on sexual orientation, gender identity, and sex charac-

teristics.

- Clarify and confirm protection from retaliation for students, employees, and others who exercise their Title IX rights.
- Improve the adaptability of the regulations’ grievance procedure requirements so that all recipients can implement Title IX’s promise of nondiscrimination fully and fairly in their educational environments.
- Ensure that schools share their nondiscrimination policies with all students, employees, and other participants in their education programs or activities.

The Department will address Title IX’s application to athletics in a separate ruling.

The proposed regulations will be open for comment for at least 60 days after the DOE formally publishes them in early July. The DOE will then evaluate the comments and determine whether to make revisions to the proposed regulations. Only after the DOE formally adopts the proposed regulations, or a variation thereof, will schools be able to rely on them in addressing their Title IX obligations.

Information in this article is drawn from a legal update provided by the law firm of Mirick O’Connell.

Additional information on the proposed rule, including a summary with background information and a fact sheet, is available at: <https://www2.ed.gov/about/offices/list/ocr/docs/t9nprm-factsheet.pdf>

UPCOMING MASC EVENTS

Friday-Saturday, July 15-16
MASC Summer Institute
Marriott Courtyard, Marlboro

Friday, August 5
Noon-1:00pm
MASC Learning Lunch
Topic: TBA

Friday, September 9
Noon-1:00pm
MASC Learning Lunch
Topic: TBA

Saturday, September 17
8:00am-4:00pm
Charting the Course
Pittsfield High School, Pittsfield

Saturday, September 24
8:00am-4:00pm
Charting the Course
Canton High School, Canton

Wednesday-Saturday, November 2-5
MASC/MASS Joint Conference
Resort and Conference Center,
Hyannis

budget bill

continued from page 1

cherry-sheet-estimates#fy2023-preliminary-cherry-sheet-estimates-).

As we go to press:

A \$6 billion temporary budget filed by Gov. Charlie Baker is now back on his desk, after the House and Senate sped the bill through the legislative process on Monday, June 27. The bill (H. 4911) authorizes spending to keep government running in July in the absence of a full annual budget in place for the fiscal year that starts on Friday, July 1 enabling lawmakers to continue budget talks past that deadline without repercussions. While it's possible that a budget ac-

Remote Meetings Extended in Senate Budget

The fiscal 2023 state budget bill passed by the Senate includes language to extend temporary authorizations for remote local government meetings, including school committee meetings—currently due to expire on July 15—through December 15, 2023.

The budget bill passed by the House does not include a remote meeting extension.

cord could emerge by the end of the month, the interim budget also positions House and Senate Democrats to move into and beyond the July 4 holiday weekend without any fears that an overdue budget will imperil state services. A six-person House-Senate conference committee, led by Ways and Means Chairs Rep. Aaron Michle-

witz and Sen. Michael Rodrigues, officially started negotiating on June 8 over the \$50 billion fiscal 2023 budget. Once lawmakers do agree on and pass a final budget bill, Baker will get 10 days to review it. (*Information in this report supplied by the MA Municipal Association and State House News Service.*)

Summer Institute

continued from page 1

Representative Relationships; Rethinking Public Comment Period: Do's. Don'ts. How to Manage It (don't you wish we had offered this session last summer?); Role of the Chair; MIAA and their focus on growing

courageous leaders of tomorrow; and a Saturday session on the Taking Care of You: Supporting Students, Staff, and Yourself in Stressful Times.

Register now for one or both days: Friday, July 15 (4:00-6:00pm) and Saturday, July 16 (9:15am-noon). www.masc.org.

The session will be held at the Marriott Courtyard in Marlboro. MASC has reserved a block of rooms for members who want to stay over on Friday night. Contact the hotel directly for reservations and mention that you are registering for the MASC room block.

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