

Mar 2, 2017
Hd 3833

Massachusetts Department of Elementary and Secondary Education

75 Pleasant Street, Malden, Massachusetts 02148-4906

Telephone: (781) 338-3000
TTY: N.E.T. Relay 1-800-439-2370

Mitchell D. Chester, Ed.D.
Commissioner

February 28, 2017

Steven James, Clerk of the House
State House, Room 145
Boston, MA 02133

Dear Mr. James:

Pursuant to its authority under M.G.L. c. 69, §§ 1B, 1J and 1K, and in accordance with the Administrative Procedure Act, M.G.L. c. 30A, § 3, the Massachusetts Board of Elementary and Secondary Education is soliciting public comment on proposed amendments to 603 CMR 2.00, Accountability and Assistance for School Districts and Schools Regulations.

Among other matters, the regulations describe the Commonwealth's framework for district accountability and assistance, and the process for placing schools in Levels 1-5. The proposed amendment would allow the Department of Elementary and Secondary Education to refrain for a one year period from placing certain schools into Levels 1-3.

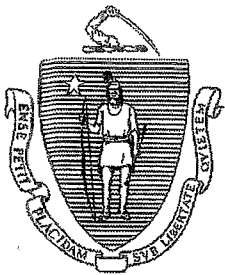
For your information, and consistent with M.G.L. c. 69, § 1J(a), I have enclosed the proposed regulations as well as my February 17, 2017 memorandum to the Board. If you have any questions, please contact me or Jessica Leitz at (781) 338-3103 or jleitz@doe.mass.edu.

Thank you.

Sincerely,

Mitchell D. Chester, Ed.D.
Commissioner of Elementary and Secondary Education

Enclosures



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Mitchell D. Chester, Ed.D.
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MEMORANDUM

To: Members of the Board of Elementary and Secondary Education
From: Mitchell D. Chester, Ed.D., Commissioner
Date: February 17, 2017
Subject: Proposed Amendment to Regulations on Accountability and Assistance for School Districts and Schools, 603 CMR 2.00 (Limitation of Certain Provisions for 2016-17 School Year)

I am presenting to the Board of Elementary and Secondary Education a proposed amendment to *603 CMR 2.00: Accountability and Assistance for School Districts and Schools*. I will be asking the Board to vote on February 28, 2017 to solicit public comment on the proposed amendment.

Among other matters, the regulations describe the Commonwealth's framework for district accountability and assistance, and the process for placing schools into Levels 1-5. The proposed amendment would allow the Department of Elementary and Secondary Education to refrain from placing certain schools into Levels 1-3 at the beginning of the 2017-18 school year.

Massachusetts schools enrolling students in grades 3-8 had the option of administering either MCAS or PARCC assessments over the last two school years. These schools are now transitioning to the next-generation MCAS, which will be administered for the first time in the spring of 2017. In light of these changes, the Board voted in November 2015 to hold these schools harmless in the state's accountability system. Given that vote, the varied assessments that have been administered over the last three years, and our anticipated transition to a revised system of accountability and assistance as required by the federal Every Student Succeeds Act (ESSA), I am proposing to reset the accountability baseline for schools administering the next-generation MCAS tests this spring, under the terms detailed below.

Schools enrolling students in grades 3-8 would not be placed in Levels 1-3 of the framework for district accountability and assistance for the 2016-2017 school year, provided that the school maintains at least 90 percent participation for each student group in each subject on the spring 2017 assessments and, if the school goes through grade 12, the school does not have persistently low graduation rates for one or more student groups.¹ Assessment results will be reported publicly, and the 2017 next-generation MCAS results for grades 3-8 will serve as the baseline for future accountability reporting.

¹ "Persistently low graduation rate" is a federally defined term (below 67% for 4-years and below 70% for five years over a period of years).

The first district and school accountability determinations under our revised system of accountability and assistance will take place in the fall of 2018. At that time, we plan to use assessment results and other indicators from 2017 and 2018 to make accountability determinations, with the intention of building up to a system that includes four years of data.

At the high school level, traditional MCAS tests will be administered as usual in 2017, and assessment and accountability results will be reported as they have in the past. High schools serving only grades 9-12 will continue to be placed into an accountability and assistance level based on their PPI and school percentile data, with adjustments for those schools with persistently low graduation rates, or low or very low assessment participation.

With the Board's approval, the Department will solicit public comment on the proposed amendment. I will also share the proposed amendment with the Board's Advisory Council on School and District Accountability and Assistance at their next meeting on April 12, 2017, for the council's review and comment. After reviewing all the comments and determining whether further changes are needed, I plan to bring the amendment back to the Board in April 2017 for final adoption.

A redlined version of the regulations is attached, along with a motion to solicit public comment on the proposed amendment. Senior Associate Commissioner Russell Johnston and Associate Commissioner Robert Curtin will be at the Board meeting on February 28 to answer your questions.

Enclosures:

- Proposed regulations, strikethrough version and clean version
- Motion

**PROPOSED AMENDMENT TO REGULATIONS ON ACCOUNTABILITY AND ASSISTANCE
FOR SCHOOL DISTRICTS AND SCHOOLS**

603 CMR 2.00

- Presented to the Board of Elementary and Secondary Education for initial review and vote to solicit public comment: **February 28, 2017**
- Period of public comment: **through April 5, 2017**
- Anticipated final action by the Board of Elementary and Secondary Education: **April 18, 2017**

Summary: Among other matters, the regulations on Accountability and Assistance for School Districts and Schools describe the Commonwealth's framework for district accountability and assistance, and the process for placing schools into Levels 1-5. The proposed amendment would allow the Department of Elementary and Secondary Education to refrain from placing certain schools into Levels 1-3 at the beginning of the 2017-18 school year.

See below for the text of sections 2.04 of the regulations, with the proposed amendment redlined. The full text of the regulations is posted at: <http://www.doe.mass.edu/lawsregs/603cmr2.html>.

603 CMR 2.00:

Accountability and Assistance for School Districts and Schools

Adopted by the Board of Education: June 16, 1997

Most Recently Amended by the Board of Education: June 26, 2012

2.04: Accountability and Assistance for Districts and Schools in Levels 1-3

(1) Placement of schools and districts in Levels 1 and 2

(a) A school shall be placed in Level 1 or 2 of the framework for district accountability and assistance based on the performance of students in the aggregate and subgroups, according to the Department's annual performance determination. The Department shall publish guidance for schools as to what performance leads to placement in what level.

(b) A school shall move from one level to another within Levels 1 and 2 by virtue of change in the performance of students in the aggregate and subgroups, according to the Department's annual performance determination, and in accordance with guidance published by the Department pursuant to 603 CMR 2.04(1)(a).

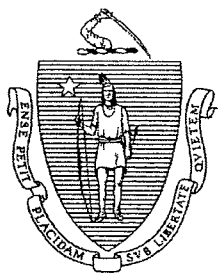
(c) Districts shall be placed in Levels 1 and 2 in accordance with the levels of their schools, and shall move from one level to another within Levels 1 and 2 by virtue of change in their schools' levels pursuant to 603 CMR 2.04(1)(b). The Department shall publish guidance for districts as to what performance leads to placement in what level.

(2) Placement of schools and districts in Level 3 A school shall be placed in Level 3 of the framework for district accountability and assistance if any one of its subgroups scores among the lowest performing

subgroups in the state. The Department may place a school in Level 3 if it scores in the lowest 20% statewide of schools serving common grade levels pursuant to 603 CMR 2.05(2)(a). The Department shall publish guidance describing the specific methodology used to identify Level 3 schools, as well as guidance for districts as to what performance leads to placement in what level.

(3) Self-assessment by districts in Level 3 A district in Level 3 shall use a process approved by the Department to complete a self-assessment, shall use the self-assessment to identify unmet conditions for school effectiveness (see 603 CMR 2.03(4)(b)), and shall address the unmet conditions by revising its District Improvement Plan and School Improvement Plans.

(4) Limitation of certain provisions In 2017, the provisions of 603 CMR 2.04 (1) – (3) will not apply to any school that enrolls students in grades 3-8, provided that the school has a participation rate of at least 90 percent in the administration of the spring 2017 MCAS tests and does not have a persistently low graduation rate.



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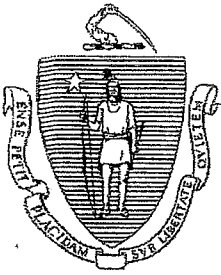
Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mitch D Chester".

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