

The Massachusetts Board of Elementary and Secondary Education

Proposed Technical Amendments to Regulations on Accountability and Assistance for School Districts and Schools (603 CMR 2.00)

To: Members of the Board of Elementary and Secondary Education

From: Mitchell D. Chester, Ed.D., Commissioner

Date: October 14, 2016

I am presenting to the Board of Elementary and Secondary Education proposed technical amendments to *603 CMR 2.00: Accountability and Assistance for School Districts and Schools*. I will be asking the Board to vote on October 25, 2016 to solicit public comment on the proposed technical amendments.

Among other matters, the regulations describe the process for developing and implementing turnaround plans for schools that have been declared underperforming (placed in Level 4) and for schools and districts that have been declared chronically underperforming (placed in Level 5). The proposed amendments provide clarity to underperforming schools and chronically underperforming schools and districts, address provisions in the Achievement Gap Act that may be ambiguous, and conform to existing practice with respect to Level 4 schools. These proposed technical amendments make explicit the commonsense result that a turnaround plan authorized pursuant to the Achievement Gap Act remains in effect until the statutory process to develop a new, modified or renewed turnaround plan is completed, or the school or district is no longer designated as underperforming or chronically underperforming.

For example, with respect to Level 4 schools, G.L. c. 69, § 1J(l) provides "[u]pon the expiration of the turnaround plan," the commissioner conducts a review of the school to determine whether the school has improved sufficiently, requires further improvement or has failed to improve. On the basis of his review, the commissioner may determine that the school remains underperforming. In that case, the superintendent, with the approval of the commissioner, will either renew the turnaround plan, or create a new or modified turnaround plan, consistent with the statutory process (e.g., convening a local stakeholder group to make recommendations regarding the turnaround plan, submitting a preliminary turnaround plan to stakeholders for their review, and considering proposed modifications before providing a final turnaround plan). The proposed technical amendments make clear that during the period that a new or modified turnaround plan is under development, the prior turnaround plan remains in effect. This result permits a smooth transition and avoids the disruption that would occur if a turnaround plan expires before the planning process required by the statute has been completed and the successor plan has been put in place.

With the Board's approval, the Department will solicit public comment on the proposed amendments. I will also share the proposed amendments with the Board's Advisory Council on School and District Accountability and Assistance at their next meeting on October 26, 2016, for the council's review and comment. After reviewing all the comments and determining whether further changes are needed, I plan to bring the amendments back to the Board in January 2017 for final adoption.

A redlined version of the regulations is attached, along with a motion authorizing the period of public comment. Senior Associate Commissioner Russell Johnston will be at the Board meeting on October 25 to answer your questions.

Enclosures:

Motion



Redline version of the regulations