

# MASC Bulletin

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MASSACHUSETTS ASSOCIATION OF SCHOOL COMMITTEES

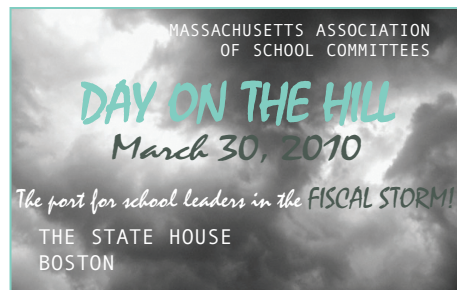
## FY11 local aid cuts threatened

Join MASC members at Day on the Hill to call for level funding

MEMBERS OF THE LEGISLATIVE LEADERSHIP team announced last week that local aid cuts in the FY11 House Ways & Means budget could hit five percent, reducing the total amount to cities, towns and regional districts by a quarter of a billion dollars. This drastic reduction in aid would likely lead to steep layoffs and slashed programs in school districts across the state.

Although the budget proposed by Governor Patrick in late January contained no cuts to Chapter 70, it relied on several new taxes (sodas, candy, tobacco products) and the use of federal assistance dollars not yet authorized by Congress.

House Ways and Means Chair Charles Murphy has been adamant that the Committee will not support new taxes this year, and that cuts are therefore unavoidable. Aides to House Speaker Robert DeLeo and



Senate President Therese Murray indicate that the Speaker and President are of a similar mind.

According to Mary Jo Rossetti, a member of the Somerville School Committee who is currently the Association's Secretary-Treasurer and former Chair of the Advocacy Committee, members have contacted the Advocacy Committee seeking strategies on how to help legislators understand the devastating ramifications of the proposed cuts.

"MASC members are fortunate in

that our Day on the Hill is next week (Tuesday, March 30). This event is an invaluable opportunity—and never more so than this year—for us to share with our legislators the impact of these cuts and propose alternatives that would be less harmful to our schools and students. I urge you to bring your message in support of the Governor's level funding of Chapter 70 to the State House on March 30."

MASC will be providing ample background material on lobbying strategies, public policy issues and talking points for the Association's nine legislative priorities in 2010. They are:

- Adequate and equitable distribution of Chapter 70 school aid
- Local and regional transportation funding
- Charter school finance reform

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## MA selected as finalist in Race to the Top competition

MASSACHUSETTS IS AMONG THE 16 STATES which will advance as finalists for phase 1 of the \$4.35 billion Race to the Top (RTTT) competition--the US Department of Education's initiative to better engage and prepare students for success in a competitive 21st century economy and workplace.

States competing for Race to the Top funds were asked to document past education reform successes, as well as outline plans to: extend reforms using college and career-ready standards and assessments; build a workforce of highly effective

educators; create educational data systems to support student achievement; and turn around their lowest-performing schools.

A team of five people from the Department of Elementary and Secondary Education will be going to Washington, D.C. the week of March 15 for an in-person interview with federal officials, and final award notifications are expected to be made the first week in April. If selected, Massachusetts could receive as much as \$287 million in federal funding for education reform over the next four

years.

Applications for phase 2 will be due on June 1 of this year, with finalists announced in August and winners in September. The only states prohibited from applying in phase 2 are those that receive awards in phase 1.

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School Board members and student achievement survey (see page 3)

# Improvement reported in Statewide Dropout Rate

Less than 3% of the state's high school students dropped out of school during the 2008-09 school year, marking the first time the statewide dropout rate has dipped below 3% in the past decade.

According to a new state report released last week, the dropout rate for Hispanic students statewide showed the biggest improvement among the five largest racial/ethnic groups since last year, improving from 8.3 % in 2007-08 to 7.5 % in 2008-09.

In all, 8,585 students (2.9%) out of 292,372 high school students in grades 9-12 statewide dropped out of school during the 2008-09 school year, a 0.5 percentage point improvement from the 2007-2008 school year, and a 0.9 percentage point improvement from the 2006-2007 school year.

## Several urban school districts made impressive gains by reducing the number of dropouts between 2007-08 and 2008-09, including:

- Fall River had 179 fewer students drop out in 2008-09 than in 2007-08 (6.3% point improvement, from 12.5 to 6.2%);
- Fitchburg had 44 fewer students drop out (2 percentage point improvement, from 9 to 6.1%);
- Lawrence had 80 fewer students drop out (2.7 percentage point improvement, from 12.9 to 10.2%);
- Everett had 40 fewer students drop out (2.1 percentage point improvement, from 5.9 to 3.8%);
- Haverhill had 47 fewer students drop out (2 percentage point improvement, from 7.4 to 5.4%);
- Holyoke had 39 fewer students drop out (1.8 percentage point improvement, from 11.6 to 9.8%).

Annual dropout rates improved for African American/black, Asian, Hispanic, and white students since last year. During the 2008-09 school year, 5.6% of African American/black high school students dropped out of high school (down from 5.8% in 2007-08), as did 1.7% of Asian students (down from 2%), 7.5% of Hispanic students (down from 8.3%), and 1.8% of white students (down from 2.2%). Similar improvements were made by students with disabilities (dropout rate of 5% in 2008-09, down from 5.5% in 2007-08), limited English proficient students (8.5%, down from 8.8%), and low income students (5%, down from 5.5%).

## Other results in the 2008-09 report include:

- Statewide, 25.5% of all dropouts were 9th graders, 25.1% were 10th graders, 24.4% were 11th graders, and 25% were 12th graders.
- 2.5% of female students and 3.4% of male students dropped out of high school during the 2008-09 school year.
- 44.2% of all dropouts were white, 33.8% were Hispanic, 16.9% were African American/black, 2.8% were Asian, 41.3% were female, 58.7% were male, 26.3% were students with disabilities, 10.6% were limited English proficient, and 47.9% were low income.
- 73.7% of 12th graders who dropped out and 53.1% of 11th graders who dropped out during the 2008-09 school year had already earned their Competency Determination by passing the grade 10 MCAS ELA and mathematics tests or retests.

The Department calculates the annual dropout rate by dividing the number of students who drop out over a one-year period by the October 1 grade 9-12 enrollment, multiplied by 100. "Dropouts" are defined as students who leave school between July 1 and June 30 of a given year and do not return, graduate, or receive a GED by the following October 1. [The full report, including local district and school numbers, is accessible online at www.doe.mass.edu/infoservices/reports/dropout.](http://www.doe.mass.edu/infoservices/reports/dropout)

## Race to the Top

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Each of these communities have committed to participating in efforts to:

- Develop and retain an effective, academically capable, diverse and culturally competent educator workforce.

- Develop curricular and instructional resources that support educator effectiveness with all students.
- Concentrate great instruction and supports for educators, students and families in our lowest performing schools.
- Increase our focus on college and career readiness for all students.

The other finalists are Colorado, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina and Tennessee and Washington, D.C.

[Massachusetts' full Race to the Top application is posted at http://www.doe.mass.edu/arra/?section=2.](http://www.doe.mass.edu/arra/?section=2)

# Local Aid Cuts

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- Full funding of special education circuit breaker
- Require local approval for district consolidation
- Streamline the 15 accountability, assessment and accreditation systems
- Funding to support education for mobile students
- Strengthen the children's services safety net through collaboration
- Ensure that the maximum eligible stimulus, RTTTT and district improvement grant funds go directly to school districts.

**REGISTRATION FOR THE DAY ON THE HILL EXTENDED THROUGH FRIDAY, MARCH 26.**

[www.masc.org](http://www.masc.org)

## **SURVEY: Roles and Responsibilities of School Board Members Relative to Student Achievement**

### MASC members urged to participate

MASC Division IV Vice Chair Steven Ultrino, a member of the Malden School Committee and a doctoral student at NOVA Southeastern University is conducting a survey on how school board members perceptions of their roles and responsibilities relative to improving student learning, as well as the impact of mandated training and other outside factors, influence student achievement.

The results of this study may be able to offer preliminary impressions related to:

- which governance roles and responsibilities are most important for positively impacting student learning;
- whether some factors have more influence on school board members' beliefs about their responsibilities for improving student learning than others;
- the impact of current mandated school board training on the effectiveness and impact on student learning.

The survey which can be accessed at <http://www.zoomerang.com/Survey/WEB22ADM4756NV> should take no more than 15-20 minutes of your time.

# Landmark Opportunity for Students in Massachusetts' Most Struggling Schools

UNDER THE NEWLY ENACTED Massachusetts Education Reform law, the state's 35 most persistently low performing schools ("Level 4" schools, identified earlier this month) are now eligible for federal aid and state support. The combination of financial and intervention assistance is intended to raise student achievement through a blend of new school designs, better instructional support and stronger leadership.

Under the law, the identified schools will develop redesign plans in collaboration with the superintendent, school committee, teachers' union, administrators, teachers, community representatives and parents. The redesign plan at each of the identified schools will serve as its application for the federal grant funding. The schools are also now eligible for additional federal funds to help the planning and implementation.

More than 17,000 mainly minority students attend the 35 schools. Nearly 9 out of 10 are eligible for free or reduced-price lunch based on family income, 21% are students with disabilities and 26% are limited English proficient.

Two-thirds of the schools are located in the Commonwealth's two largest cities, Boston and Springfield. The other schools are in seven other cities: Fall River, Holyoke, Lawrence, Lowell, Lynn, New Bedford and Worcester. In all, 20 are elementary schools, 8 are middle schools, 3 are K-8 schools and 4 are high schools.

In February, the U.S. Department of Education (USED) finalized regulations to allow states to offer competitive grants over the next three years to intervene in each of their lowest performing schools. Through this program, Massachusetts is eligible for an estimated \$76 million over the next three years, which will be awarded to the districts. Those that commit to one of four intervention models identified

by USED can apply for grants of \$500,000 or more per year on behalf of each Level 4 school.

Of the 35 schools, 33 were identified based on an analysis of 4-year trends in overall school performance, student growth and improvement as measured by the Massachusetts Comprehensive Assessment System. Two are schools previously identified as "chronically underperforming".

The three-year plan will be a blueprint for change that will:

- Provide a pathway for significant improvement at each identified school;
- Address district-level capacity to support low performing schools; and
- Set measureable, annual goals that will serve as the standard for exiting Level 4 status.

Schools can exit Level 4 status by showing a 3-year increase in student achievement, as well as demonstrating that the conditions are in place at both the school and district to sustain that improvement. Year-to-year funding commitments will be dependent on making progress towards these goals.

"MASC is hopeful that these strategies will have meaningful impact on raising student achievement," says MASC President Kathleen Robey, a 14-year member of the Marlborough School Committee. "While Massachusetts leads the nation in both student performance, and in having set the highest bar for achievement, we know that many of our students continue to struggle against perilously high odds, including poverty, transience, lack of social services support, and language barriers. We commend the US and MA Departments of Education for underwriting these remediation efforts, but we will be monitoring them closely to ensure that goals are being met and that bounds of law are not being overstepped in the name of enforcement."

## Legally Speaking. . .

### Supreme Court Declines Teachers' Union Appeal on Strike Rhetoric

The U.S. Supreme Court has refused to hear an appeal by the Boston Teachers Union. The union had asked the justices to take review of a state court injunction which required the union to disavow its call for a vote on a one-day strike in reaction to collective bargaining negotiations. The union's executive board had decided to put before its membership "for discussion, consideration, and debate" on February 14, 2007 whether there should be a strike the next day.

The union claimed that the injunction violated its First Amendment right of free speech.

When the union had initially announced its intentions, the Boston School Committee asked the state employment relations board to investigate whether the union's scheduling of the vote violated a state law which makes strikes by public employees illegal and which prevents their unions from inducing or encouraging strikes. The board found that the union had commenced steps toward an unlawful strike and required it to disavow the strike vote motion. When the union failed to do so, a state trial judge issued an injunction ordering disavowal of the motion and later assessed a \$30,000 per day fine for failure to comply. Following the

injunction, the vote never took place.

After the union appealed the ruling to the Massachusetts Appeals Court, that court issued a written opinion affirming the injunction as a proper enforcement of the law and squarely rejected the union's argument that no injunction could be entered until an actual vote to strike had occurred. The State Supreme Judicial Court denied the union's request that it overturn the Appeals Court.

In its petition to the U.S. Supreme Court, the union conceded that states may prohibit strikes by public employees, but argued that restricting a union's "speech" about strikes to prevent an illegal strike before it takes place violates the First Amendment. The School Committee filed an opposition which pointed out that the Supreme Court has always allowed a state to regulate speech which is intended to cause illegal conduct. Although the state board (with new commissioners) filed a document which said that it has now changed its own view of the statute and joined the union in asking the justices to vacate the Appeals Court's decision, the Court rejected the union's request, following its customary practice of stating no reasons. This leaves the Appeals Court's opinion as the authoritative interpretation of the strike statute.

According to Elizabeth Valerio, Esq., an attorney with Deutsch Williams, who represented the Boston School Committee in the proceedings before the state employment relations board, "the Supreme Court's decision not to hear the appeal confirms that the actions of the Boston Teachers Union were unlawful under Massachusetts law and do not merit First Amendment protection. The Massachusetts Appeals Court has stated emphatically that an actual strike vote is not required as a precondition for an injunction where the union has manipulated the dates so that as a practical matter the law cannot be enforced before the strike occurs. In other words, the statute means what it says and should be taken seriously. This decision has important, long-ranging ramifications for school districts and what may have previously been considered acceptable tactics by unions."

Valerio is also a Co-Founder and Past President of MASC's Council of School Attorneys. Her Deutsch Williams colleague John Foskett represented the School Committee in the appeals process.

#### **masc** UPCOMING EVENT

**March 30 (Tu)**

**Registration open through Friday**

**March 26**

**DAY ON THE HILL**

Register now: [www.masc.org](http://www.masc.org)

**Massachusetts Association of School Committees**

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**[www.masc.org](http://www.masc.org)**