

## MASC Issues Position Paper and Editorial on Educator Evaluation

**A**T ITS FIRST MEETING OF THE NEW year, the MASC Board of Directors drafted a well-considered position paper on a new framework for educator evaluation as well as an editorial on the importance of establishing a fair, comprehensive and thorough evaluation and assessment system to ensure that every student and classroom in the commonwealth has access to high quality instruction tied to high standards and expectations.

Although the discussion around rethinking teacher evaluation standards and practice is not new, it has taken on new impetus—and urgency—in that the recent Race to the Top grant which Massachusetts was awarded last August (\$250 million over four years) is tied to a set of school improvement strategies that include ensuring an academically capable, diverse and culturally com-

petent educator workforce whose performance may be measured against student achievement.

Announcing the release of the position paper, MASC President Dorothy Presser, a member of the Lynnfield School Committee, noted “the ‘product’ of our schools is our students. When we do our job well, we produce students who have the knowledge, skills and confidence to meet the challenges of the 21st century. Just as we use every tool in the toolkit to develop our students and assess their progress, we must use every tool in the toolkit to do the same for educators. This includes evaluating educators on how effectively they impact student learning.”

However Presser added, it is vital to remember that teaching is a complex job and that success for students involves more than test scores. “Any evaluation system must be compre-

hensive, balanced, fair, and have at its core the goal of developing excellent educators who will positively impact student achievement. Our students deserve nothing less.”

Large, small, urban, suburban and rural districts from across the Commonwealth—more than two-thirds of the state—agreed to implement the initiatives outlined in the state's RTTT application last spring. In all, these 275 participating communities and schools represent 74 percent of K-12 students across the Commonwealth and 88 percent of the state's low-income students. In districts that signed on to the RTTT application, the conditions were agreed to by the school committee, superintendent and local teachers union. In late December 2010, the MA Teachers Association released its own blueprint “Reinventing Educator Evaluation.” [continued on page 3](#)

## MASC files legislation for upcoming session

Based on actions taken by the delegates at the 2010 Delegate Assembly last November 3, MASC General Counsel Stephen Finnegan has filed legislation that will address the circuit breaker extension (MASC Resolution 1); charter school authorization (MASC Resolution 2); MCAS scores and 766 approved schools (MASC Resolution 3); charter school funding (MASC Resolution 4); school improvement plans (a refile of House 424); and special education place-

ments (a refile of redrafted House 481). Reported below is the language in the proposed legislation and the legislators sponsoring each bill.

### **An Act Relative to Special Education Reimbursements (Circuit Breaker Extension)**

*Sponsoring legislator: Senator Karen Spilka (D-Ashland)*

Section 5A(c) of Chapter 71B is hereby amended by deleting the fourth sentence and inserting in place

thereof the following:

The costs of programs shall be reimbursed at 75 percent of all approved costs that exceed 4 times the state average per pupil foundation budget, as defined in said chapter 70, for the previous fiscal year; provided, that the reimbursement rate for students placed in a collaborative program shall be 75 percent of all approved costs that exceed 2 times the state average for such placements

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# Regulations Proposed to Reduce Student Head Injuries

EARLY LAST WEEK, MASSACHUSETTS health authorities proposed a set of regulations aimed at reducing head injuries in adolescent athletes—and ensuring that injured players don't return to the field until their brains have recovered.

According to Dr. Lauren Smith, Medical Director—MA-DPH, who was a featured speaker on this subject at the 2010 Joint Conference, the rules give form to emergency legislation enacted last summer amid growing concerns about the long-term consequences of concussions.

Parents and students in middle school and high school would be required to complete online training courses annually. Schools would have to maintain records on head injuries. Doctors would have to undergo additional training if inexperienced in assessing and managing concussions.

A survey of middle and high school students conducted by the state Department of Public Health found that 18 percent reported that during the previous year they suffered a sports injury serious enough to spark unconsciousness, memory problems, blurred vision, headaches, or nausea. About 200,000 Massachusetts high school students participate in extracurricular sports.

The regulations are being presented to the Public Health Council, an appointed panel of doctors, consumer advocates, and professors whose approval is needed for passage. A vote is expected in late spring.

The concussion rules would apply to public middle and high schools as well as private schools that belong to the Massachusetts Interscholastic Athletic Association. That organization, as well as the Massachusetts Association of School Committees, expressed general support but cautioned that record keeping requirements could prove onerous for administrators already grappling with

new rules governing bullying.

Massachusetts is one of nine states that have adopted laws designed to protect student athletes from concussions and the potentially lethal complications that can ensue from repeated head injuries

The proposed new state regulations, Smith said, aim to end confusion surrounding last year's law. At their core, the rules focus on education—trying to prevent concussions from happening in the first place—and making sure that if a head injury occurs, the response is swift and the treatment complete. State health regulators said the cost to schools of implementing the new rules should be minimal.

Student athletes who sustain head injuries should be pulled from games and practices immediately, the regulations stipulate, and parents must be notified. If a player suffers a concussion, a plan must be developed to gradually reintroduce the student to academics and athletics.

A written authorization from a medical professional would be required before students could resume sports. That permission could come from a physician or from certified athletic trainers or nurse practitioners who consult with a doctor.

The panel of state officials and outside specialists that drafted the regulations insisted that the medical professionals who provide clearance to injured athletes must have training in assessing and managing concussions no later than September 2013.

**SAVE THE DATE**

— March 29, 2011 —

**DAY ON THE HILL**

The State House  
Boston

## IN MEMORIAM

### GEORGE KOULOHERAS

An outspoken, tenacious and dedicated member of the MASC family since



1962 when he was first elected to the Lowell School Committee (followed by his election to the Greater Lowell Voc. Tech. School

Committee in 1984), George Kouloheras passed away on January 22, three days shy of his 98th birthday.

With more than half a century of school district service (retiring from the Greater Lowell School Committee only several years ago), George first became involved in public education in the 1940s when he led a drive to rebuild a local elementary school, and later served several terms as President of its PTO. He was subsequently involved in the extensive school building program in Lowell during the 1990s and was especially proud of having been instrumental in the formation, development and construction of the Greater Lowell Technical High School.

His dedication to the students of Lowell was legendary, and he was relentless in his efforts to ensure the best educational opportunities for generations of its students. At MASC, George was an equally determined advocate for students, and was well-known as an active, strong-willed—and vocal—participant in many Association programs and subcommittees, including the Student Assessment; Legislative; and Resolutions Committees. The photo archive of MASC events is replete with pictures of George in the front row—at Day on the Hill, at the Delegate Assembly and General Sessions at the Joint Conference—always looking poised to raise his hand and spring to his feet with a question or comment on behalf of students and MA school leaders' role as advocates for them. In 1994, he was presented Life Membership in the Association.

Godspeed George.

# Legislation

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as defined in said chapter 70, for the previous fiscal year, and; provided further, that the reimbursement rate for students placed in an in-district or substantially separate program shall be 75 percent of all approved costs that exceed the state average for such placements, as defined in said chapter 70, for the previous fiscal year.

**Rationale:** This bill provides a financial incentive to encourage school districts to create programs to serve students in more cost effective district placements. Current law states that municipalities will be reimbursed at 75% of all approved costs that exceed 4 times the state average per pupil foundation budget. This legislation adjusts the formula to provide 75% of costs exceeding 2 times the average student costs for all students served by collaborative programs statewide, and 75% of costs exceeding the average student cost for in-district or substantially separate programs. As costs for special education continue to rise and circuit breaker funding has decreased by 50% the MASC Delegate Assembly is searching for ways to make available funds more cost effective.

## **An Act Relative to Charter Schools (Charter School Authorization)**

*Sponsoring legislator: Representative Frank Smizik (D-Brookline)*

Section 1- Section 89(ff) of Chapter 71 of the General Laws is hereby amended by adding at the end thereof the following:

Notwithstanding the foregoing, only commonwealth charter school applications that have received the approval of the local or regional school committee(s), or voters of school district(s) or regional school district(s) at town meetings or at general elections, shall be funded pursuant to the provisions of this section. Approval of an application by the board without the approval of either the school committee or the

voters of the district(s) pursuant to subsection (nn) of this section shall be funded by the board, exclusive of Chapter 70 or other local funds.

Section 2- Section 89 of Chapter 71 of the General Laws is hereby amended by adding at the end thereof the following:

(nn) Notwithstanding any provision of this section to the contrary, commonwealth charter school applications may be approved by any of the following actions: by the approval of the application by the school committee for each school district from which the charter school is expected to enroll students, by the approval of the voters at town meetings of each town from which the charter school is expected to enroll students, or in a city by the approval of the city council, by whatever title it may be known, and the Mayor, or in the alternative by vote at a general biennial state election by municipalities from which the charter school is expected to enroll students, or by the approval of the board. Applications that have received the aforesaid local approval for a commonwealth charter school shall comply with the provisions for such submission pursuant to the applicable provisions of this section.

Section 3- This act shall apply only to commonwealth charter school applications submitted after the date upon which the act becomes effective.

## **An Act to Assist Parental Choice Concerning Special Education Placements (MCAS Scores and 766 Approved Schools)**

*Sponsoring legislator: Representative Cleon Turner (D-Dennis)*

Section 1- Section 1 I of Chapter 69 is hereby amended by striking the first sentence thereof and inserting in place thereof the following:

The board shall adopt a system for evaluating on an annual basis the performance of both public school districts and individual public schools, including approved public and private special education schools serving commonwealth students who are receiving a portion of their tuition

paid by their community of residence; provided, that the board shall, without derogation of its existing powers, report the aggregate scores of said special education schools while preserving the confidentiality of students pursuant to applicable law.

**Rationale:** This legislation would provide essential data for parents and school districts to assess and determine the best placement options for special needs students by requiring the Board of Elementary and Secondary Education to report their aggregate MCAS scores. Current practice is for the board to include the individual test scores for out of district special education students in the sending district's aggregate results. It is the position of the MASC Delegate Assembly that a more transparent system should be available to parents and districts by providing the applicable aggregate scores for special education schools. We note that the provision of aggregate scores is required for each public school and school district in the commonwealth, and we believe that this principle should also be extended to publicly funded out of district special education students.

## **An Act Relative to Charter School Funding**

*Sponsoring legislators: Senator Sal DiDomenico (D-Everett) and Representative Stephen Smith (D-Everett)*

Section 89(ff) of Chapter 71 is hereby amended by striking the first sentence of the second paragraph and inserting in place thereof the following:

In calculating the per pupil foundation budget component, the department shall calculate a foundation budget for the students from each sending district attending the charter school in the previous fiscal year, pursuant to the provisions of section 2 of Chapter 70; provided, that the department shall not include in said calculation the assumed tuition-out special education enrollment, nor

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# legislation filed for upcoming session

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any amounts generated by said assumed enrollment, as defined by said section 2; provided further, that the calculation for assumed in-school special education enrollment pursuant to said section 2 shall reflect the individual student full-time equivalent enrollment and only the actual amounts generated by said enrollment in the previous fiscal year.

**Rationale:** Charter schools by law are supposed to receive the actual per pupil spending that would be expended educating the same student in the district schools. Several factors found in Chapter 70 are used to calculate charter school tuition, among which is the assumed in-school special education enrollment provision. The manner in which this enrollment factor is calculated assumes that a charter school serves the same special education enrollment as does a district school. Based upon a recent study and ample anecdotal evidence charter schools are not serving a diverse special education population and, therefore are disproportionately reimbursed to the detriment of the sending district school. This bill seeks to ensure that only the actual amounts generated by an individual student full-time equivalent enrollment in a charter school during the previous year shall be subject to reimbursement.

## **An Act Relative to School**

**Improvement Plans** (Refile of prior year H.424)

*Sponsoring legislator: Representative Patricia Haddad (D-Somerset)*

Section 1. Section 1 I of chapter 69 of General Laws is hereby amended by striking out the third and fourth sentences of the tenth paragraph and inserting in place thereof the following sentence:

Each school improvement plan shall be submitted to the superintendent and the school committee for review and approval not later

than July 1 of the year in which the plan is to be implemented, according to a plan development and review schedule established by the district superintendent.

Section 2. Section 59C of chapter 71 of the General Laws, as amended by section 82 of chapter 46 of the Acts of 2003, is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:

The principal of each school, in consultation with the school council established pursuant to this section, shall on an annual basis, in conformity with the provisions of section 1 I of chapter 69, develop and submit for approval by the district superintendent and school committee a plan for improving student performance. Said plan shall be prepared in manner and form prescribed by the department of education and shall conform to any policies and practices of the district consistent therewith. Action to approve, disapprove, modify or amend the school improvement plans shall be completed not later than July 1 of the year in which the plan is to be implemented; otherwise the plan shall be deemed to have been approved.

**Rationale:** This bill seeks to correct an amendment that was added in the Senate to a Supplementary Budget, Chapter 65 of the Acts of 2004. This amendment removed school committees from their longstanding statutory role concerning the review and approval of school improvement plans submitted by school councils.

MGL c. 71 §59C concerning school councils stated in relevant part, until the last few years, as follows:

“Each school improvement plan shall be submitted to the school committee for review and approval every year. If said school improvement plan is not reviewed by the school committee within thirty days of said school committee receiving said school improvement plan, the plan shall be deemed approved.”

In 2003 an amendment was added to §59C and to a related section of MGL.c. 69 §1I (Chapter 46 of the Acts of 2003), which required both the superintendent and the school committee to review and approve school improvement plans.

MASC considered these amendments to be reasonable and did not oppose them. However, by the budgetary amendment added to Chapter 65 of the Acts of 2004, the school committee was deleted from their traditional role of reviewing and approving school improvement plans. The related statute, MGL c. 69 §1I, now only allows school committees, upon request, to review but not approve school improvement plans.

The school committee is the policy making authority of the school district (MGL c. 71, §37). The review and approval of school improvement plans is an essential element of the policy making authority of school committees. This bill was reported favorably by the Joint Committee on Education during the last session.

## **An Act Relative to Special Education** (Redraft of H.481)

*Sponsoring legislator: Representative Kevin Murphy (D-Lowell)*

Section 3 of Chapter 71B of the General Laws is hereby amended by adding at the end thereof the following paragraph:

Notwithstanding any general or special law to the contrary, when the department of children and families determines that a child in its custody needs a new residential placement and the child is an eligible student with disabilities currently enrolled in a public day school placement within a school district or education collaborative, the department of children and families shall, except in cases of emergency, notify the school district at least 1 week prior to changing the child's residence. The notification from the department of children and families shall include an offer to meet with the school district prior to changing the child's place of resi-

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# TOWARD A NEW ERA OF EDUCATOR EVALUATION

By: Dorothy Presser, President, MA Association of School Committees. Member, Lynnfield MA School Committee

One critical strategy in closing the achievement gap and helping students-at-risk to become successful is to put excellent teachers in front of classrooms in schools where the principals are well-qualified leaders and mentors. Along with making sure students are well-fed and cared for and feel safe and supported, this is perhaps the most important step we can take.



A major goal for education public policy makers at every level is to insure that, indeed, every student has an excellent teacher. This means recruiting and retaining excellent teachers and helping all those who work in classrooms and in schools to become better – even if they're already good at what they do.

During 2011, the state Board of Elementary and Secondary Education (BESE) will address an important element of educator excellence – professional assessment and evaluation. Educators, like all workers, need feedback, guidance and strategies to improve. The performance evaluation is a major part of this process.

The evaluation debate is a matter of great controversy, invoking some of the most contentious issues of our time. As a party to the Race to the Top initiative, many

Massachusetts school districts have agreed to restructure the educator evaluation process. Within a few weeks, BESE will act on proposed regulations to impose a new framework for evaluation. They will then leave it to local districts where school committees, working with superintendents and local teacher unions will develop the fine details.

The MA Association of School Committees has identified important elements of a good evaluation system that we believe should be part of the master plan.

First, the primary goal of any evaluation process must be to provide better outcomes for students. It must focus on improved teaching and strategies for improvement of underperformance. In other words, the evaluation process must be used as a tool and not a weapon. The state's punitive culture for regulation must not get in the way of a positive approach to excellence in school.

Second, evaluations should assess such personal skills as innovation, creativity, and development of successful practices to support students. In addition, teachers, counselors, therapists and administrators should be credited appropriately with how they contribute to the psychological and emotional wellbeing of their students. We must reward educators who show the deepest concern for their students. As Joseph Villani, Deputy Executive Director of the National School Boards Association, has written so

succinctly, "They don't care how much you know, until they know how much you care."

Third, we must use every tool in the toolkit to assess student performance. This might include some measure of diagnostic tools such as MCAS tests, district and school-based testing, and many other forms of assessing how well students are learning. However, no standardized test should have a disproportionate impact on an educator evaluation. The primary determination of educator excellence must be observation and the professional judgment of supervisors, principals and school superintendents.

Fourth, evaluators and assessors of educators must be well-trained and supported in their mission to evaluate, mentor and develop good educators who will serve the needs of their students well.

Finally, state policy makers must understand that an effective system will only work if it is the product of collaboration and tailored to the schools and communities where it is used. Using an economic recession as an excuse to break the rules, impose top-level directives, and substitute the judgment of outsiders for that of local practitioners has never worked. School Committees, representing the community and management side of the bargaining table, superintendents who lead districts, and educators at every level understand how important it is to begin a new era of teacher evaluation.

## Legislation

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dence. In the case of an emergency, the district shall be notified within 3 days of the change in the child's residence and the department of children and families shall offer to meet with the district within 1 week of the notification. If the department of children and families makes a decision to place a child in an approved private residential school, the district is authorized, but not required, to continue enrollment of the child in his current public day school placement, if appropriate. If the district continues enrollment of the child in his current public day school placement, it is required to provide transportation at its expense for the child to and from

his residential placement and the department of children and families shall be responsible for the cost of the approved private residential school. If the district does not continue enrollment of the child in his current public day school placement, the district shall share the cost of the approved private residential school with the department of children and families, provided that the district shall not be required to pay more than it would be required to pay for the student's current public day school placement, including the estimated cost of transportation to and from the student's residential placement.

**Rationale:** The Department of Children and Families makes placements during the school year which

abruptly removes students from a public school and assigns them to a private special education residential placement. In 2010, the Joint Committee on Education addressed the problems created by such placements by requiring prompt notice and a meeting with the school district in which the child resides and is being educated. If after the meeting the district disagrees with the unilateral placement of the child it is authorized to continue the enrollment of the child in his current public day school placement, if appropriate and, the district must transport the child to and from the residential school. If the district does not continue the day school enrollment their costs shall not exceed that of the day placement plus the transportation to and from the residential placement.

The Massachusetts Association of School Committees (MASC) recognizes that we must move forward to establish a fair, comprehensive, and thorough evaluation and assessment system for educators that includes the following guiding principles:

- The system must be focused on promoting the skills and abilities of professional educators and as a tool to improve educator practice and student outcomes.
- Educators should be evaluated with a method that uses locally determined, fair and relevant criteria that include multiple means of assessment. Such criteria may include but are not limited to:
- Student achievement data derived from standardized tests such as those in the MCAS program or from credible national testing tools.
- Student performance data derived from district or school-based tests.
- Outcomes from classroom work as measured at the class or school level.
- Other standardized tests measuring proficiency and achievement as may be determined locally.
- Classroom observation by authorized professional educators assigned by the school district.
- Any other criteria as may be available, subject to local district standards and determinations.
- Student achievement data may be used to evaluate teachers and administrators but may not serve as an absolute determinant of the evaluation outcome.
- Evaluations must include, but not be limited to professional observation and the professional judgment of supervising administrators or others as determined locally.
- Evaluators should be highly trained to provide fair, effective and accurate assessments of educator performance.
- Educator evaluations should be an opportunity to recognize and consider the contributions by a teacher, administrator, or other member of the learning community to the learning community itself and should weigh such criteria as innovation, collaboration, and demonstration of best practices.

The MASC Board of Directors recognizes the contributions of the Massachusetts Teachers Association, whose recent proposal for educator evaluation provides a critical framework that we hope will be used as part of a forum for discussion by the task force created by the Board of Elementary and Secondary Education (BESE). The task force's charge is to recommend changes to BESE which may result in regulations for a new statewide framework for evaluations of the state's 80,000 licensed teachers and administrators. We hope this framework will stimulate thoughtful discussion among school committees, superintendents, and teachers throughout the state.

**UPCOMING: Charting the Course: Smith Voc. (February 12); CHARTING THE COURSE: Whitman-Hanson Reg. (March 12); Division III Meeting: King Philip Reg. (March 14)**