

Massachusetts Association of School Committees

Day on the Hill focuses on equity and adequacy in funding/services for students and families

BRANDISHING AN ENVELOPE OF flash cards that summarized MASC's 2018 legislative priorities, **MASC President Beverly Hugo** underscored the guiding principle of the day's advocacy agenda: that the current education funding realities are neither adequate nor equitable if schools are to meet the ever-increasing (and costly) needs of students in the Commonwealth.

"Schools can't do it alone," she emphasized, "even though schools are the only public entity held accountable for the success of children. MASC has long been in the forefront advocating for sustaining the children's services safety net, and as the challenges to students and families become more pervasive, we need all the agencies working together to support a family-centered master plan."



The morning program, which provided attendees with key talking points before they met their legislators at the luncheon and office appointments that followed, was also a reminder of the bond that school committee members shared with many of their senators and representatives.

"Forty sitting members of the legislature once served on school committees," Hugo reminded the audience. "They sat where you sit,

made the same difficult decisions and endured the pressure of having to face their constituents every day. They know the large picture, but they look to us to provide the details that affect each of our districts. It is our targeted data that helps inform their decisions—and their votes."

Hugo emphasized key points that members need to remind legislators of the hostile regulatory climate MA school districts face; the punitive set of standards of accountability; charter schools that take funds from vulnerable districts thereby creating a parallel network of publicly financed, but privately governed schools; and a laundry list of unfunded or partially funded mandates led by regional transportation, special education, and charter school reimbursement.

"Unlike charter schools who can

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Charter school cap retained

For the second time in less than two years, charter school advocates efforts to lift the ceiling on the number of charters permitted to operate statewide were roundly rebuffed by the state's highest court.

On Tuesday, April 24 the MA Supreme Judicial Court agreed with a lower court's dismissal of a lawsuit challenging the legality of the state's charter school cap. In its ruling, the Court said the plaintiff students from Boston "failed to state a claim for relief" under the equal protection clause or the education clause of the state constitution.

The defendants were officials with the state Department of Elementary and Secondary Education and its board.

In its 37-page opinion, SJC Justice Kimberly S. Budd wrote that the plaintiffs hadn't shown the state failed in its "constitutionally prescribed duty to educate" because of the cap. "Here, although the plaintiffs' complaint supports the claim that the education provided in their schools is, at the moment, inadequate, they have not alleged any facts to support a claim that the Commonwealth's public education plan does not provide rea-

sonable assurance of improvements for their schools' performance over a reasonable period of time," Budd wrote in the 6-0 opinion.

The lawsuit argued that caps on charters were arbitrary and denied students the opportunity for a quality education.

"As there is no constitutional entitlement to attend charter schools, and the plaintiffs' complaint does not suggest that charter schools are the Commonwealth's only plan for ensuring that the education provided in the plaintiffs' schools will be adequate, the Superior Court judge did not err in dismissing the plaintiffs' education

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MASSACHUSETTS NEWS

2019 BUDGET UPDATE

HOUSE ADDS \$81.3M IN SPENDING TO BUDGET BILL OVER FOUR DAYS

The House passed its roughly \$41 billion fiscal 2019 budget on Thursday April 26 by a 150 - 4 vote, devoting millions towards perennial priorities, including education and social services. Among the changes to the document made over the course of four days of debate is an increase in the earned income tax credit that assists the working poor, fewer restrictions on welfare for young families, and more tax credits to put land into conservation. The budget bill now heads to the Senate. House lawmakers also added \$81.3 million in spending to the budget bill this week through amendments, according to Ways and Means, bringing the final tally to \$41.065 billion. Regarding education, this budget includes an increase in the calculation of health insurance within the foundation budget of an additional 2.5%, a minimum per pupil increase within Chapter 70 aid of \$30, and a reduction of excess effort towards target of 92%. The House also included an increase to the circuit breaker to over \$300 million, the McKinney-Vento reimbursement line increased to \$9 million, regional transportation reimbursement to a total of \$64 million, and charter school reimbursement to \$90 million, all of which are significant increases from House 2 as proposed by Governor Baker. The House continues the commitment to districts accepting students evacuated due to Hurricane Maria, including \$15 million for those districts, and also recognizes the loss some districts recognized by the drop in the dollar amounts per decile in the poverty rate, adding \$12.5M for those districts. The Senate will deliberate its budget in May.

In Memoriam: Janice Mills

It is with great sorrow that we report the passing last month of Janice Mills, a longtime former member of the Mashpee School Committee and Past President of MASC (1995). Janice served on the Mashpee School Committee for close to 40 years and was instrumental in forming the town's school district, as well as hiring its first superintendent, overseeing the construction of a number of schools and helping to create the Cape Cod Regional Technical High School.



At MASC, Janice was an active member of numerous Association Committees throughout her school committee service and from 1986-89 she was the Chair of Division VII. In 1994, as MASC President-Elect, she was instrumental in supporting the purchase of MASC's office in Boston.

A memorial service is scheduled for Saturday, June 9 at 11:00am at the Old Indian meeting House in Mashpee.

SENATE APPROVES \$156M MIDYEAR SPENDING BILL

Also on Thursday, April 26, the Senate approved a \$156.4 million midyear spending bill that includes \$12.5 million to reimburse school districts for the costs of educating special-needs students. The circuit breaker reimbursement funding was the subject of about an hour's worth of floor debate as Minority Leader Bruce Tarr unsuccessfully sought to raise it to \$25 million. That level, the Gloucester Republican said, would bring the funding up to the 75 percent reimbursement called for in state law. Tarr said he expected to return to the issue of that statutory obligation during next month's debate on the fiscal 2019 budget. The Senate also added \$4 million in charter school reimbursement, recognizing the underfunding of that budget line, as well. In their deliberation, a number of senators recognized the responsibility the state bears towards districts under law; the circuit breaker, charter school reimbursement, regional transportation reimbursement, and Chapter 70 aid all were specifically mentioned. The bill (S 2481) will need to be reconciled with the version (H 4382) that passed the House on April 5, which totaled more than \$131 million, though the circuit breaker funding is the same in both versions.

MASC PEOPLE IN THE NEWS

Mildred Lefebvre, a member of the Holyoke School Committee and Vice Chair of the MASC Minority Caucus, is a candidate for the position of Secretary of the National School Board Association's National Hispanic Caucus...**MASC Immediate Past President Patrick Murphy** (Barnstable) has been appointed to the MA Occupational Health and Safety Hazard Advisory Board. The Board is responsible for evaluating injury and illness data, recommend training and implementation of safety and health measures, monitor the effectiveness of safety and health programs and determine where additional resources are needed to protect the safety and health of public employees. . . .**MASC President Beverly Hugo** (Framingham) represented the Association on May 3 at the "Equity and Opportunity for Every Student" Summit at Columbia University.

The event, which focused on ways to positively impact educational outcomes for every student, was co-sponsored by (among others) the National School Boards Association, the New York State School Boards Association and the Urban Education Leaders Collaborative at Teachers College, Columbia University.

MASC leads charge advocating for student rights at NSBA Delegate Assembly

(left to right) MASC President Beverly Hugo (Framingham), President-Elect Devin Sheehan (Holyoke) and Minority Caucus Chair Denise Hurst (Springfield) represented the Association last month at the NSBA Delegate Assembly. Among the many issues that delegates debated was an MASC-led effort first initiated two years ago to establish freedom from discrimination based on gender identity. When voted on this year, the resolution lost by one vote, but MASC delegate Sheehan moved for a hand recount. Ultimately, it was found that a mathematical error had occurred and the student rights provision finally carried by four votes and the national organization representing over 100,000 school board members is on record against discrimination based on gender identity. Lesson one: never stop looking for an opportunity to achieve your goals, because opportunity could be anywhere. Lesson two: if you fail today, you may prevail tomorrow—or maybe even later the same day.



Charter cap

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clause claim," Budd concluded. She added that while "the remedy the plaintiffs seek by way of this action, i.e., expanding access to charter schools, could potentially help address the plaintiffs' educational needs, other policy choices might do so as well, such as taking steps to improve lower-performing traditional public schools. There may be any number of equally effective options that also could address the plaintiffs' concerns; however, each would involve policy considerations that must be left to the Legislature."

Budd also noted that "the expansion of charter schools has detrimental effects on traditional public schools"

because some funding for charters comes from school districts' overall budgets.

But funding concerns may not be the sole reason for the cap, which limits the total number of charter schools permitted to operate in the state to 120, she added.

"For example, limits on charter schools may be based on a policy concern regarding the departure from local democratic control over public schools by local school committees because charter schools are instead governed by private boards of trustees," she wrote. "Additionally, a limit on charter school growth permits education administrators to assess, manage, and develop for replication any innovative educational practices that develop in charter schools for the students enrolled in

Senate votes for ed funding formula revamp

On Thursday, May 10, the Senate unanimously passed the Act Modernizing the Foundation Budget for the 21st Century (S2506), with a single amendment, proposed by Minority Leader Sen. Bruce Tarr, to have a commission review the foundation budget every five years.

Senator Sonia Chang-Diaz, who proposed the bill, outlined recent cuts that school districts have had to make in order balance their budgets and the programming and progress that might have been made but couldn't for lack of funds. Speaking of the original funding reform, Chang-Diaz noted that while most of us redo our budgets when conditions change, "we have acted as though education were a static enterprise."

In welcoming a busload of students and staff from Brockton to the deliberations, Sen. Mike Brady of Brockton noted, "This is an important piece of legislation and we couldn't have done this without the advocacy of our districts. We're doing diligent work on the Senate side. We can't do it without our residents and our local elected officials."

traditional public schools."

At MASC's recent Day on the Hill, members were reminded that the Association has been at the forefront in advocating for charter school reform, including:

- requiring that DESE take into account the impact that a new or expanded charter school will have upon the communities from which they will take children (and divert Chapter 70 financial aid);
- mandating that charters meet set requirements to recruit, enroll and retain students who are economically disadvantaged, English learners, and representative of the communities at large from which they take their students; and
- full funding of the charter school mitigation reimbursement account.

Day on the Hill

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cleverly cherry pick the students least at risk, or counsel out those who require substantial interventions, we don't reject any student regardless of the challenges they may bring," Hugo noted. These can include mental and physical health issues, homelessness, poverty, frequent relocation and language challenges.

Hugo was followed by the day's keynote speaker, **Noah Berger**, executive director of the MA Budget and Policy Center, who focused his points on education, opportunity, the state of the economy and the impact of current political and fiscal realities on these arenas.

Massachusetts, he pointed out, is by all measures the Education State in the country. "We don't have just a handful of well-educated people in MA. It has been the Commonwealth's mission from its founding to provide the opportunity for everyone to get the best possible education. Our constitution's framers recognized that education is not just a personal right, but vital to the preservation of the democracy and the foundation of the future."

That was in 1780. Two hundred and thirty-eight years later, there are clear instances in which the state is not meeting those goals.

According to MA Budget and Policy Center research, funding for early education is 18% below 2001 levels. Chapter 70 dollars have decreased a full percentage point since FY01 and in 2015 the Foundation Budget

Review Commission reported that the formula written 25 years ago no longer meets the costs of providing adequate education opportunities. To compensate, Berger noted, districts have had to shift dollars away from teachers, classrooms and student services to fund mandated expenses including health care, pension and special education.

Higher education in the commonwealth has also taken it on the chin. Since 2001, the state has cut overall higher education funding by 14%. In addition, enrollment has increased, so adjusted for inflation, the costs have shifted to students resulting in the second highest per-student cost in the country.

The good news on the MA education front is that the state leads the country in NAEP test scores at all levels. The bad news, however, is that only half of students are proficient in reading at grade 4, with 20% below basic level. Only 30% of low-income students (and that's 27% of all students in MA) are proficient in reading at 4th grade level.

Compounding the problem is the persistent poverty levels despite higher overall incomes and productivity, and the fact that middle class wages have remained largely stagnant. Berger also noted that the official poverty rate in the state (1 in 8 live below the federally designated poverty line) doesn't take into account different costs in different regions, and how social and economic challenges change over time and community.

Berger concluded his remarks with a summary of state-level strategies that are helping to remediate the impact of poverty on students, families and school districts. The Earned Income Tax Credit (EITC) has increased overall work earnings for many lower income families; food programs like SNAP and school breakfast and lunch programs have also had major positive impact on student health and well-being. However, the recent federal tax cut is likely to be felt most by those least able to absorb the cuts. "Make no mistake: the recent



Representative Aaron Vega makes a case with one of MASC's "talking points" cards.

tax cut was designed to help the highest income earners. There is a trillion and a half in cuts that are going to have to be paid for somehow, which is either going to have to be compensated for at the state level or sustain a devastating cut in services—mostly to those most in need."

The audience next heard from two state legislators who have been in the forefront of legislation and initiatives to address the challenges of poverty and homelessness. **Senator Sal DiDomenico** of Everett and **Representative Aaron Vega** of Holyoke together partnered the very successful "breakfast after the bill" legislation that enables breakfast to be served to all students in their classrooms at the start of the day.

"So many families are dealing with trauma: homelessness, poverty, addiction, physical and/or mental illness," Vega noted. "These all negatively impact a student's ability to learn and perform in school. We're working to get social services into schools where kids and their families can access them. We are also trying to encourage improved collaboration and communication between schools and the Department of Family Services to ensure that kids are getting the supports they need. We also strongly support critical partnerships in schools, such as dual enrollment and focused academies to help students who aren't thriving in their current settings."

Vega acknowledged that the state budget for FY19 is not all it could—or should—be. "We know the charter



MASC President-Elect Devin Sheehan praised school committee members for "putting principle above politics when it comes to our students."

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reimbursement amounts don't meet the dollars that schools lose and that charters are leaving behind the most challenging students. We tried to get the circuit breaker funding up to 75%; we know we aren't even close to meeting the regional transportation costs and that the foundation budget doesn't offset the sky-rocketing health and pension costs districts are facing."

The two tax-related questions that appear headed for a ballot vote this November also concern Vega. The Fair Share question, he acknowledged, will have some positive impact for schools if it passes, but he is more concerned about the sales tax reduction which could have a serious detrimental affect on the economy.

Vega urged districts to look for partnerships to help provide the growing range of services that districts find themselves in need of. Early education opportunities, after school options, job skills training, emergency assistance for students who relocated to MA after the hurricane in Puerto Rico. "We have to close the economic equity gap in this state."

DiDomenico spoke to a more pragmatic concern: talking to your legislators on these issues. "When calling your legislator's office with a request or a concern, don't bring the game down when you are talking to their aides. They often are more familiar with some of the issues than their bosses. I know. I started out as a legislative aide. And don't just state your case and think that's the end of it. Follow-through is critical. The question isn't whether your legislator support your issue; it's how strongly they support the issue. You need to ensure that words get translated into action. Don't let them off the hook."

Last year, the Senator introduced a signature initiative "Kids First" which convened a cross-jurisdictional working group of senators to look



Students from Granby (left) and Randolph (right) discussed MASC legislative priorities and advocacy strategies at Day on the Hill.

comprehensively at a wide array of policy areas that relate to supporting children. The Kids First working group invited experts in diverse fields including early childhood development, health, education, housing, and nutrition, among others, to share their knowledge through questionnaires, meetings, and presentations. The goal is to provide the services to ensure strong, resilient, educated students.



Sen. Sal DiDomenico

"I am proud of the strategic vision and values laid out by the Senate in Kids First, and I am confident that this document will provide our Commonwealth with a critical road map of steps we must take to make serious, significant, and sustained investments in our children's futures."

"Now, go out and convince my colleagues to really support these issues. How do you make your voices heard? Tell them your personal stories."

MASC Past President Jake Oliveira, who in addition to serving on the Ludlow School Committee is also on the Board of Directors of the National School Boards Association reinforced the impact that school committee members have on Beacon Hill and Capitol Hill and the high regard in which the Association's position papers have been received by MA legislators. "We are particular proud to have taken a national lead on some issues like strengthening Social Security for the 80,000 children in MA who receive it, Medicare for the 15,000 disabled kids that we serve, and Medicaid to fund health care for families at economic disadvantage."

MASC Immediate Past President Pat Murphy also spoke to the chal-

lenges of equitably educating all students. He noted that the Foundation Budget Review Commission concluded that the 25-year-old formula is underfunded by at least \$2 billion dollars. According to the report, expense estimates for mandated costs such as health insurance and special education are in the range of 20% below actual costs and in inflation-adjusted dollars, state funding for education is actually lower than it was in 2006. This has resulted in lost electives, enrichment services, after-school programs, personnel and, in some cases, not only essential services but the ability to give extra supports to students in economic or emotional distress. "And if we don't make continuous improvement, the state punishes us by lowering our rankings and in some cases, imposing sanctions or enabling privatization. It's sort of a vicious cycle."

One program that for more than 40 years has been instrumental in improving the educational opportunities for students at risk is METCO, which brings inner city students from Boston and Springfield to schools in over 20 suburban districts. The state's 27 vocational technical districts are also providing unique educational and skill-building opportunities for MA students who are thriving academically and in the job market, reported **MASC Vice President Deborah Davis**, a member of the Northeast Metropolitan Voc. Tech. School Committee.

"We have urged Congress and our state legislature not to allow the proposed consolidation of federal funding for vocational schools into a single large block grant that might be subject to diversion."

Regional school districts have

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learned the hard way that what the government promises is not always what the government delivers. In the 20 years that she has served on the Ashburnham-Westminster School Committee, **MASC Secretary-Treasurer/Regional School Committee Chair Ellen Holmes** noted that despite the state's original promise of 100% reimbursement, regional school transportation has been fully funded only once. She exhorted the attendees to action, advising "When you ask your legislators to fully fund transportation, special ed costs, charter school reimbursements, and implement the FBRC recommendations, you are likely to hear 'we have a finite amount of money and many requests. We have to prioritize.' Well, remind them that the Commonwealth's Constitution has spoken to the priorities when it identified public education for all as a foundational principle. Not the MBTA or any other agenda. Public education. THAT is the priority."

At the conclusion of the morning program, attendees (who included close to 100 students from 17 school districts across the Commonwealth) met with their legislators and aides over lunch in the Great Hall at the



MASC Division II Chair Stacey Rizzo (left, last row) brought students from Revere to the program and the State House.

State House. Considered by many the high point of the day, the buffet lunch is prepared and catered by MA culinary arts students from 24 school districts: Assabet Valley; Bay Path;

Blue Hills; Bristol-Plymouth; Diman; Essex; Everett; Greater Lawrence; Greater Lowell; Greater New Bedford; Keefe; Medford; Minuteman; Nashoba; Northeast Metro; Old Colony; Plymouth South; Smith Tech.; South Shore; Southeastern; Tantasqua; Upper Cape; Weymouth; and Whittier.

MASC thanks all the students who participated and shared their skills with special mention to Assabet Chef Lou Trudeau who coordinated the luncheon.

Ed Funding Formula

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Both Senators Jason Lewis and Karen Spilka dated their own political involvement to educational funding issues, Spilka commenting, "... it's hard for me to sit still when we're having a debate about changing the Chapter 70 funding formula." Lewis said, "Everyone is hearing from school committees. They just can't do it alone."

Calling the funding system

"archaic," Senator Dean Tran in his maiden speech spoke of his own experience with American education giving him opportunities, saying, "I've lived the American dream. Now I can assure these opportunities are available to generations to come."

The bill now goes the House Ways and Means Committee. The Legislature has until the end of July to act on this legislation. MASC will be sending members a detailed analysis of the Senate budget this week.

MASC

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