

The State of Public Education:
Massachusetts Board of Education 2004 Annual Report
May 2005



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*Special thanks to Abby Brack, State House Photographer, for cover photo of
Commissioner David Driscoll, Governor Mitt Romney, and Chairman James Peyser, and photo on page 24.*

Commissioner's Comments



Our public schools have reached a significant milestone that should make us all proud: students today are reaching higher standards than ever before.

The numbers tell the story best. In 2000, before we attached high stakes to the grade 10 MCAS exam, just 48 percent of sophomores passed the math and English language arts exams. The following year, when the class of 2003 was first tested

and the high stakes kicked in, 68 percent passed. Last year, when the class of 2006 was tested, an unprecedented 82 percent earned their competency determination on their first try.

This steady progress has stemmed both from our children's dedication to reach the reasonable goals we have set for them, and the commitment of our teachers and administrators to ensure that all students have the tools and skills they need to get there.

The evidence is clear in more than just MCAS results. Massachusetts' students have topped the nation on the National Assessment of Educational Progress exam, and our SAT results have been on a steady upward climb for more than a decade.

On the national spectrum we are viewed as a state both making progress and meeting our targets for improvement since Massachusetts made Adequate Yearly Progress in both English and math in 2004 for students in the aggregate.

It is critical that going forward we maintain and accelerate this progress, but to be successful we need to shift our focus on the next set of challenges.

Much of our work today involves building our capacity to turn around and improve our lowest performing districts, attracting and retaining top-notch teachers, and working to propel our best educators into leadership positions. Throughout all of this we must also keep our eyes on the overarching federal requirement that all students must reach proficiency by 2014.

On February 15, 2005 the Massachusetts Supreme Judicial Court issued an historic opinion in the well-publicized *Hancock vs. Driscoll* case. In the majority opinion, Chief Justice Margaret Marshall noted: "No one, including the defendants, disputes that serious inadequacies in public education remain. But the Commonwealth is moving systemically to address those deficiencies and continues to make education reform a fiscal priority."

I could not have stated it better myself. The SJC's decision put the responsibility for continuing and building on the progress we have already made right where it belongs – in the hands of the Board of Education and the Department of Education, as well as the Legislature and Administration.

Our mission going forward is clear. We must make sure that none of our children are left behind, and that each child is provided with the best education our public schools can offer.

Introduction

The purpose of the **Massachusetts Board of Education 2004 Annual Report** is twofold:

1. To document the state of public education in the Commonwealth, including data on students, schools, and school districts; and
2. To chronicle the major decisions and actions of the Massachusetts Board of Education from January through December 2004.

Section 1: *Who is served by public education in Massachusetts?* provides information about public school students in the Commonwealth.

In 2004, the public education system in the Commonwealth served:

- 980,818 students
 - 15.6% are students with disabilities receiving special education
 - 13.7% are students whose first language is not English
 - 5% are limited English proficient students
 - 27.2% are low income students

Section 2: *How are Massachusetts public school students performing?* provides data about student performance and improvement on a number of measures, including MCAS, NAEP, SAT, and other student indicators, including rates of attendance, dropouts, retentions, suspensions, exclusions, and plans of high school graduates.

Highlights from 2004 include:

- The fourth consecutive year in which progress was made towards moving student performance out of the *Warning/Failing* levels and into the *Advanced* and *Proficient* levels on the MCAS
- A continuation of the 14-year trend of increases in SAT scores

Section 3: *What does the Massachusetts public school system look like?* provides information about the number, types, and sizes of schools and districts operating in the Commonwealth. At a glance, the Massachusetts public education system is comprised of:

- ◆ 380 school districts
- ◆ 1,860 schools
- ◆ 51 charter schools

Section 4: *How are the Board and Department of Education working to improve teaching and learning in Massachusetts?* highlights the major decisions and actions of the Board of Education, as well as new and significant initiatives of the Department that support the goal of getting all students to proficiency and beyond.

Section 1: Who is served by public education in Massachusetts?

In October 2004, more than 1 million students were enrolled in Massachusetts public and private elementary and secondary schools. Of these, 980,818 students attended public schools.

Enrollment Data 2004

Enrollment (#)		Enrollment by Race/Ethnicity (%)	
Public Schools	980,818	African American	8.8
Grades PK – 12	980,459	Asian	4.7
Private Schools	133,333	Hispanic	11.5
Enrollment by Grade (%)		Native American	0.3
Pre-Kindergarten	2.3	White	74.6
Kindergarten	7.1	Selected Populations (%)	
Grades 1-5	37.4	Special Education	15.6
Grades 6-8	23.9	First Language not English	13.7
Grades 9-12	29.4	Limited English Proficient	5.0
Enrollment by Gender (%)		Low Income	27.2
Females	48.5		
Males	51.5		

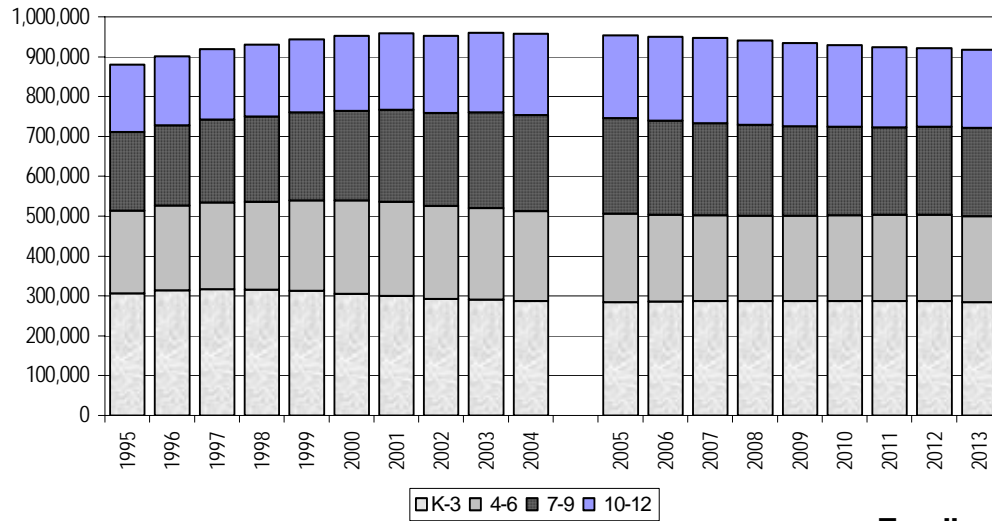
Massachusetts public school enrollment has grown more than 11% over the past decade. While the enrollment by grade level has remained relatively stable over the past decade, the demographics of the students enrolled in our public schools are changing significantly.



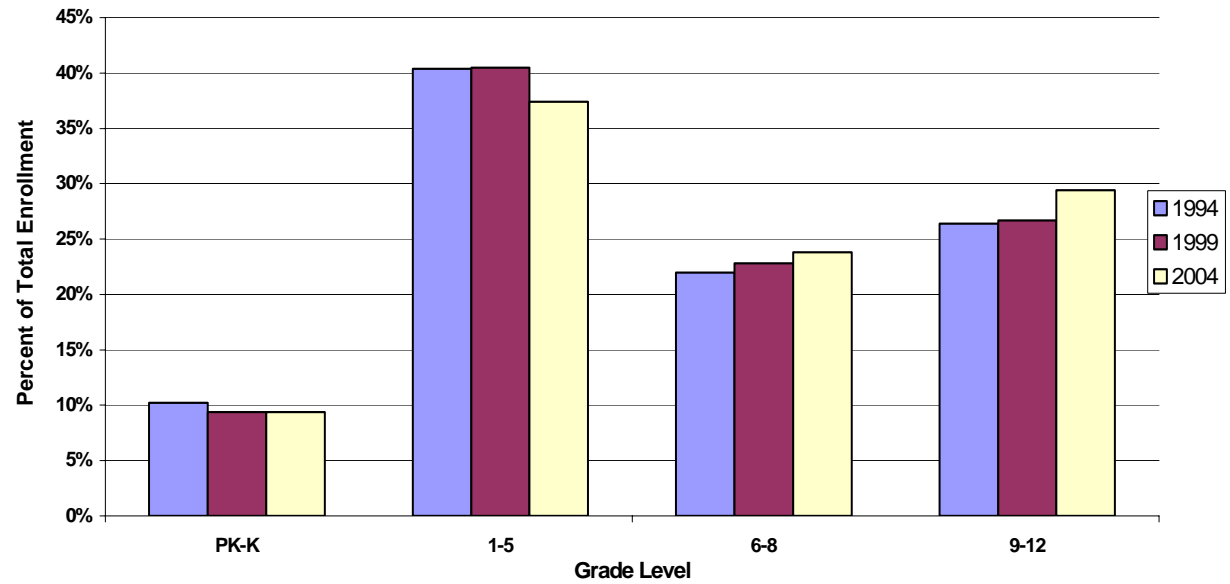
Enrollment Trends in Massachusetts Public Schools

	1993-94		1998-99		2003-04	
Total Student Enrollment	<i>879,663</i>		<i>963,761</i>		<i>980,818</i>	
Race	#	%	#	%	#	%
African American	71,090	8.1	82,670	8.6	86,652	8.8
Asian	32,501	3.7	40,139	4.2	46,299	4.7
Hispanic	77,120	8.8	95,958	10.0	113,101	11.5
Native American	1,528	0.2	2,192	0.2	3,169	0.3
White	697,424	79.3	742,802	77.1	731,597	74.6
Selected Populations	#	%	#	%	#	%
Special Education	149,431	17.0	164,925	17.1	154,391	15.6
First Language Not English	105,902	12.0	122,891	12.8	134,562	13.7
Limited English Proficient	43,690	5.0	45,287	4.7	49,319	5.0
Low Income	211,644	24.1	243,343	25.2	266,294	27.2

**Past & Projected Enrollment 1995-2013
Massachusetts K-12 State Totals**



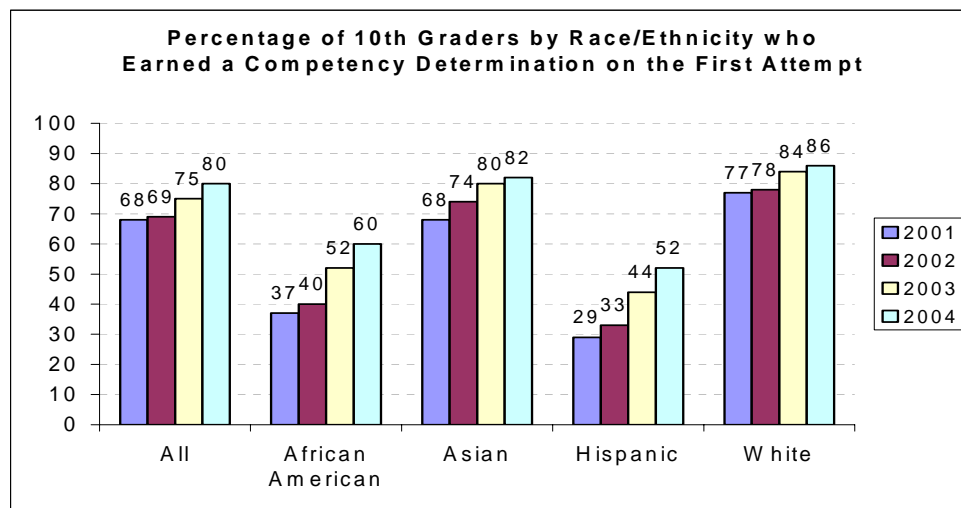
Enrollment by Grade 1994, 1999, 2004



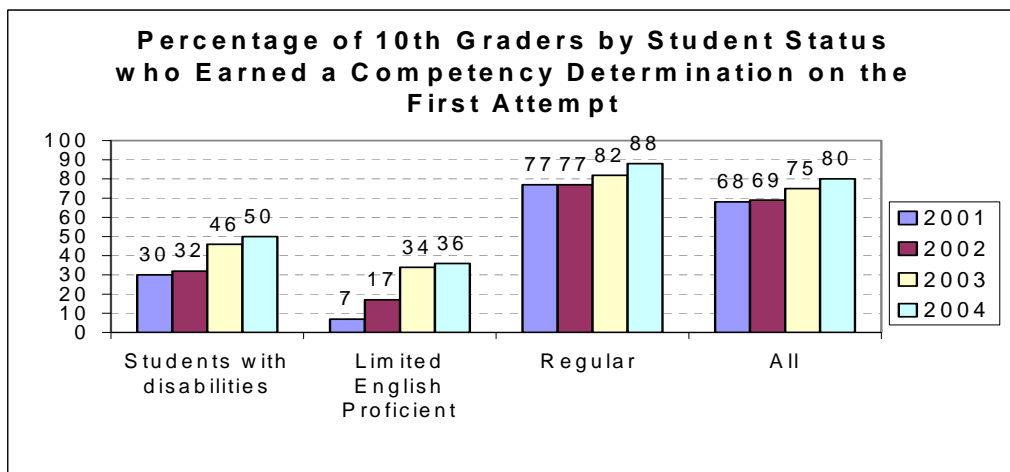
Section 2: How are Massachusetts public school students performing?

MCAS. By many measures, Massachusetts public school students are reaching higher standards than ever before. On the MCAS, for the fourth consecutive year, progress was made towards moving student performance out of the *Warning/Failing* levels and into the *Advanced* and *Proficient* levels. In addition, more students each year are passing the MCAS exams at grade 10 on the first try: from 48% in 2000 to 82% for the class of 2006.

More than 524,000 students across the state took part in ten operational tests in spring of 2004, the seventh administration of MCAS. Students in grades 3, 4, 7, and 10 were tested in English language arts; students in grades 4, 6, 8, and 10 were tested in mathematics; and students in grades 5 and 8 were tested in science and technology/engineering. Additionally, some ninth and most tenth graders participated in discipline-specific science and technology/engineering tests, for which no state, district, or school results are generated. More than 99 percent of all enrolled students participated in each of the ten operational MCAS tests in 2004.



Massachusetts students have demonstrated sustained improvement in student performance in English language arts and mathematics across nearly every student population. In 2004, the most impressive gains were made in mathematics at all four grade levels (4, 6, 8, 10). The percent of students statewide performing at the *Proficient* and *Advanced* levels increased while the percent of students performing at the *Warning/Failing* level declined.



Additionally, Hispanic students made important gains across every grade and subject tested, as a smaller percentage of students performed at the *Warning/Failing* level in 2004 than in 2003. A greater percentage of Hispanic students also moved into the *Proficient* and *Advanced* levels on each of the ten tests administered in 2004.

1998-2004 Statewide MCAS Results: Grade 10 <i>Percentage of Students at Each Performance Level¹</i>				
	<i>Advanced</i>	<i>Proficient</i>	<i>Needs Improvement</i>	<i>Failing</i>
ENGLISH LANGUAGE ARTS				
2004	19	43	27	11
2003	20	41	28	11
2002	19	40	27	14
2001	15	36	31	18
2000	7	29	30	34
1999	4	30	34	32
1998	5	33	34	28
MATHEMATICS				
2004	29	28	28	15
2003	24	27	29	20
2002	20	24	31	25
2001	18	27	30	25
2000	15	18	22	45
1999	9	15	23	53
1998	7	17	24	52
<p>1. Percentages may not total 100 due to rounding. For the purpose of computing school, district, and state results, students who were absent from any subject area MCAS test without a medically-documented excuse were assigned the minimum scaled score of 200 and a performance level of <i>Failing</i> for that subject area. These results include regular education students, students with disabilities, and limited English proficient students.</p>				

MCAS Performance Appeals

Background

The MCAS Performance Appeals process provides high school students who have repeatedly been unable to pass the Grade 10 MCAS English or mathematics tests with the opportunity to demonstrate through coursework that their academic performance meets or exceeds a level equivalent to or greater than the minimum passing score of 220 on the MCAS grade 10 tests. Students who either pass the English and math tests or are granted an appeal in one or both subjects will have met the competency determination, a state requirement for high school graduation beginning with the Class of 2003.

Two criteria are needed for an appeal to be granted; the student must be **eligible**, then he or she must meet the **performance requirement**, defined as academic work equivalent to or greater than the 220 passing score on the MCAS 10th grade English and/ or mathematics test(s).

To be eligible, evidence must be provided that a student has:

- (1) Maintained an attendance rated of 95%
- (2) Taken the MCAS test(s) three times
- (3) Achieved a score of 216 or 218 at least once (not applicable for students with disabilities), and
- (4) Participated in MCAS tutoring opportunities.

At the request of the superintendent submitting the appeal, the Commissioner of Education may waive one or more eligibility requirement(s) for any student if there are extenuating circumstances such as serious illness.

Once the Commissioner is satisfied that a student is eligible, he refers the appeal to the Performance Appeals Board comprised of public high school educators and a principal who review the student's grades received in courses taken in the subject area of the appeal. These grades are compared with the grades of other students who took the same sequence of courses yet passed the MCAS test. If the Board is satisfied that the student's performance meets the 220 standard even though he or she did not pass MCAS in that subject then they will recommend that the Commissioner grant the appeal.

For students who have fewer than six other classmates (the cohort) to whom grades can be compared, a portfolio of student work needs to be provided, instead. Details on filing portfolios can be found at www.doe.mass.edu/mcasappeals.

MCAS Performance Appeals Data: November 2002-May 2004

Following is a summary of all performance appeals submitted between November 2002 and May 2004. (Please note that these are approximate totals; reporting numbers vary due to appeals that are withdrawn, re-submitted or incomplete.)

	Total Submitted	Granted	Denied	No Determination	Math	English
2003	2348	1162 (49.5%)	576 (25%)	407 (18%)	1617 (70%)	726 (30%)
2004	1626	1146 (70%)	131 (9%)	166 (10%)	1080 (66%)	553 (34%)
Total	3974	2308 (60%)	707 (18%)	573 (13%)	2697 (68%)	1279 (32%)

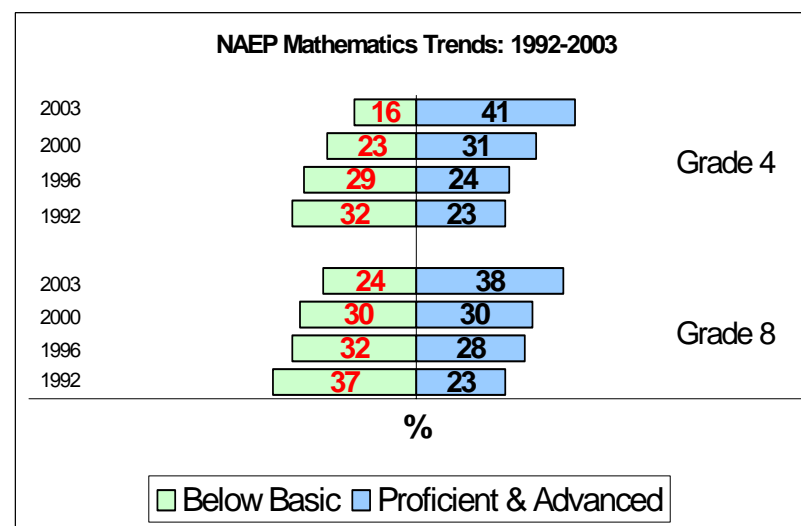
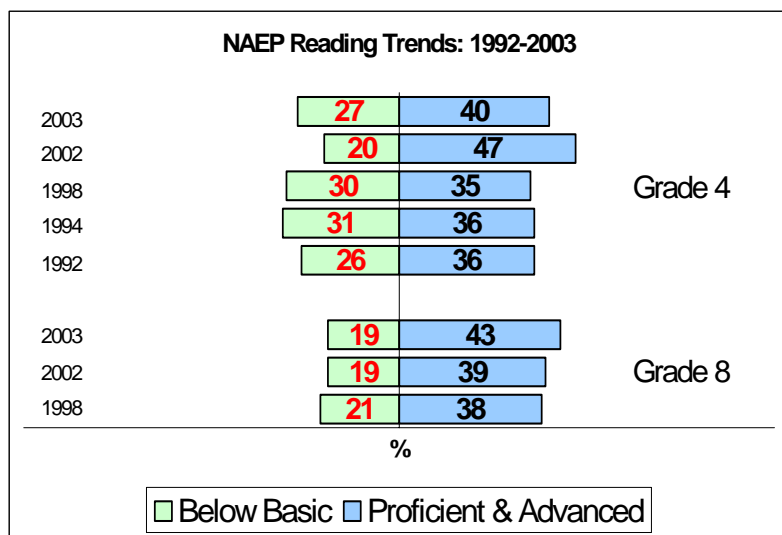
2004 special education data: Of 1,626 total appeals submitted, 637 (39%) were submitted for students with disabilities. Of 1,146 appeals granted, 461 (40%) were for students with disabilities. 72% of all appeals submitted for students with disabilities were granted, consistent with decisions on appeals granted for students without disabilities.

Additional Information:

- ◆ In the 2004 filing season fewer than 50 appeals were submitted on behalf of students in the Class of 2003.
- ◆ Most appeals were granted to students with MCAS scores of at least 218. Very few appeals were granted to students with an MCAS score of 216 or lower. Fewer than 20 appeals were granted to students with disabilities whose highest MCAS scores fell below 216.
- ◆ On rare occasions, superintendents requested that the Commissioner waive the minimum test score requirement of 216 for non-disabled students. Commissioner Driscoll granted only one appeal for a student without a disability whose highest MCAS score fell below 216. No appeal was granted to any student whose academic performance did not meet the 220 passing standard.

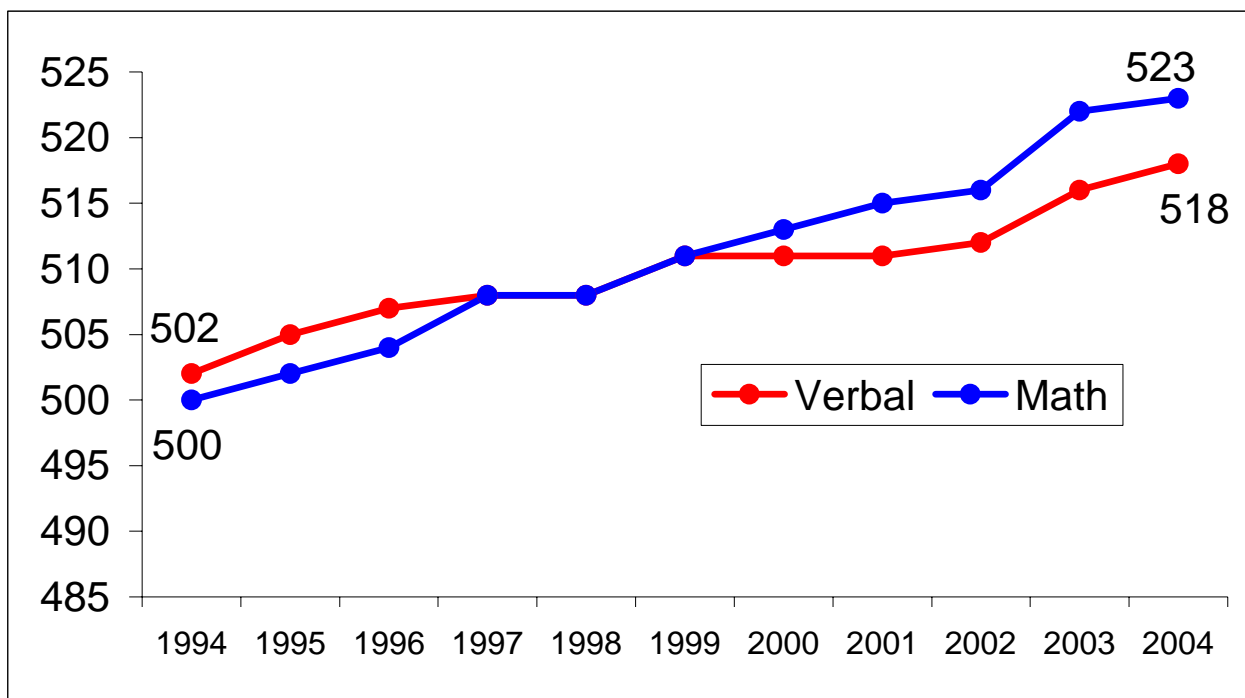
NAEP. The National Assessment of Educational Progress (NAEP) is the leading national assessment of what America's students know and can do in reading, mathematics, and other academic subjects. For state-level NAEP assessments, about 3,000 students per grade per subject area are tested in each state. According to the 2003 NAEP results, Massachusetts continues to perform at or near the top of all states. Students made significant gains in Mathematics; but reading scores declined at grade 4. According to NAEP, about 40% of fourth and eighth-graders in Massachusetts are proficient in reading and mathematics.

Massachusetts NAEP Results 1992-2003



SAT. Massachusetts has seen fourteen consecutive years of increases in its Scholastic Aptitude Test (SAT) scores. Massachusetts high schoolers outscored their peers regionally and nationwide on the 2004 SAT exam. In the Commonwealth, 85 percent of eligible high schoolers participated, scoring an average of 518 on the verbal exam and 523 on the math. Nationally, 48 percent participated, scoring an average of 508 on the verbal exam and 518 on the math. The 2004 results represent an unprecedented high from 1994, when students in Massachusetts scored an average of 502 in verbal and 500 in math.

Massachusetts Mean SAT Scores 1994-2004



*SAT results include students tested from both public and private schools in Massachusetts.



Student Indicators. In addition to test scores, the Department collects data on a number of other indicators that relate to student success. For example, the dropout rate, which was reported as 3.3% for the 2002-03 school year, is less than the dropout rate in 1997 (3.4%). In addition, the number of high school graduates who plan to attend college rose to an all time high of 76% in 2004.

Summary Student Indicators 2003-04 School Year

Attendance Rate	94.2	Grade 9-12 Dropouts*	9,389
Average number of days absent	9.8	Rate per 100	3.3
Students Retained in Grade	23,098	Number of HS Graduates	58,333
Rate per 100	2.6	Plans of HS Graduates	
Suspensions		College	
Out-of-School	57,971	4- Year Private	31.6%
Rate per 100	5.9	4- Year Public	24.6%
In-School	35,617	2- Year Private	2.6%
Rate per 100	3.6	2- Year Public	17.1%
Exclusions*	1,949	Other Post-Secondary	2.3%
Rate per 1000	2.0	Work	11.7%
		Military	2.0%
		Other	1.3%
		Unknown	6.5%

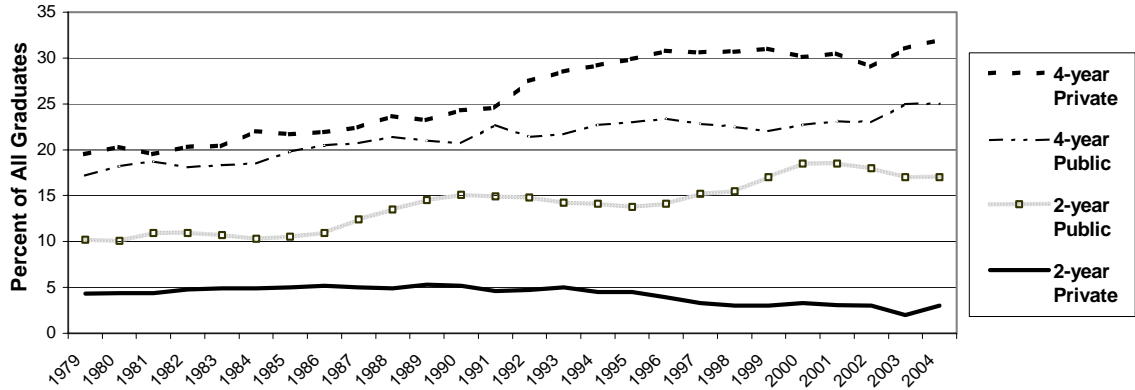
*Data reported for Exclusions and Dropouts are from SY 2002-03.

Plans of High School Graduates: Class of 2004

		Percentage of Graduates by Plans								
		Public College		Private College		Other				
Number		2-Yr	4-Yr	2-Yr	4-Yr	OPS	Milita	Work	Other	DNA
		ry								
Total	58,333	17.1	24.6	2.6	31.6	2.3	2.0	11.7	1.3	6.5
Gender										
Male	28,789	16.4	23.2	2.5	27.5	2.7	3.4	15.4	1.4	7.5
Female	29,544	17.9	26.1	2.7	35.7	2.1	0.7	8.2	1.2	5.6
Race/Ethnicity										
Afr. Am.	4,584	16.8	16.3	4.8	28.2	1.2	1.2	8.3	1.1	22.3
Asian	2,873	13.4	25.7	2.4	42.0	1.2	0.9	5.1	1.1	8.2
Hispanic	4,205	25.9	12.3	5.7	15.6	2.4	2.6	15.6	2.9	16.9
Nat Am.	129	19.4	17.1	1.6	25.6	2.3	3.1	19.4	2.3	9.3
White	46,542	16.6	26.5	2.1	32.8	2.5	2.1	12.1	1.2	3.9

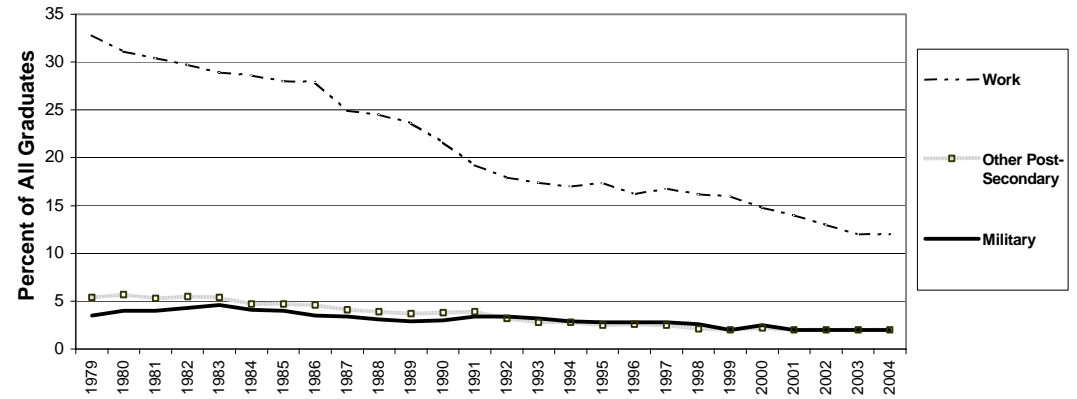


Graduates Planning to Attend College, 1979-2004





Graduates with Plans Other than Attending College, 1979-2004



Grade 9-12 Dropout Rates 1998-2003

	1998	1999	2000	2001	2002	2003
Total Dropouts (#)	8,582	9,188	9,199	9,380	8,422	9,389
Overall Rate	3.4	3.6	3.5	3.5	3.1	3.3
Gender						
Male	3.9	4.0	4.0	4.1	3.5	3.9
Female	2.9	3.1	2.9	2.8	2.6	2.8
Race						
African American	6.1	6.7	6.1	6.1	4.9	5.7
Asian	3.5	3.6	4.0	3.9	2.3	2.5
Hispanic	8.2	9.8	8.2	8.0	7.3	7.4
Native American	5.3	4.0	4.2	3.2	3.7	4.8
White	2.6	2.5	2.6	2.6	2.4	2.6
Grade						
9	2.7	3.1	3.1	3.3	2.9	3.2
10	3.6	3.8	3.7	3.5	3.1	3.4
11	4.2	4.3	3.9	4.0	3.3	3.3
12	3.3	3.1	3.1	3.1	2.9	3.5

Grade Retention Rates 1999-2004

	1999	2000	2001	2002	2003	2004
Total Retentions (#)	22,133	24,467	24,650	24,539	25,398	23,098
Overall Rate	2.3	2.5	2.5	2.5	2.6	2.6
Gender						
Male	2.7	3.0	3.0	2.9	3.0	3.1
Female	1.9	2.0	2.0	2.0	2.1	2.1
Race						
African American	4.8	5.3	6.0	5.9	5.0	5.9
Asian	2.8	3.2	2.6	2.7	2.3	2.4
Hispanic	5.3	5.7	5.6	5.8	5.3	5.9
Native American	3.5	3.5	2.8	2.7	3.4	3.6
White	1.6	1.7	1.7	1.6	1.9	1.7
Grade						
1	3.6	3.9	3.7	3.8	4.1	4.1
2	1.5	1.9	1.7	1.7	2.0	1.9
3	0.9	1.3	1.7	1.6	2.0	1.6
4	0.6	0.7	0.7	0.8	0.9	0.8
5	0.4	0.5	0.5	0.5	0.9	0.6
6	0.8	1.0	1.2	1.2	1.5	1.0
7	1.6	1.8	1.7	1.5	1.7	1.8
8	1.7	1.5	1.5	1.4	1.3	1.4
9	7.4	8.1	8.3	8.4	8.1	8.0
10	4.6	4.7	4.3	4.7	4.0	4.2
11	3.3	3.6	3.2	3.1	2.9	3.1
12	1.9	1.8	2.0	1.7	1.6	2.1

* The Department no longer reports retention data for grades PK and K.

Section 3: What does the Massachusetts public school system look like?

The Commonwealth is comprised of 380 school districts. The majority of the school districts in Massachusetts are relatively small in size; 56% of our school districts serve fewer than 2,000 students.



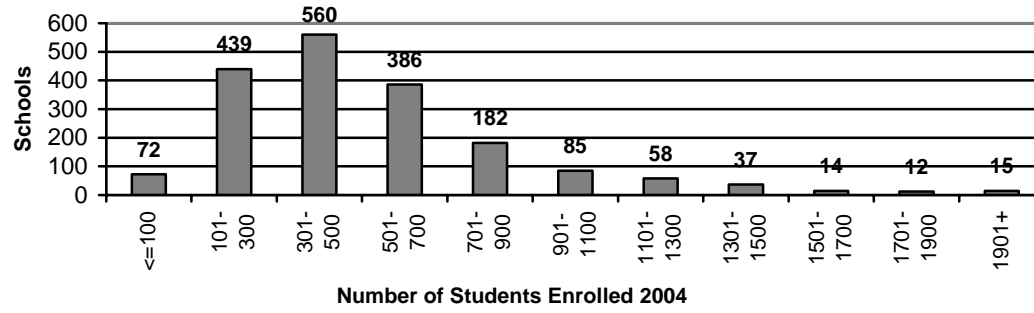
Types of School Districts and Public Schools

Total Operational School Districts	380	Type of Public School	
City/Town Regular Districts*	244	Elementary	1,216
Academic Regional Districts	55	Middle/Junior	282
Vocational Technical Regional Districts	30	Secondary	313
		Other Configurations	49
Charter Schools		Total	1,860
Commonwealth	44		
Horace Mann	7		
Educational Collaboratives**	30		

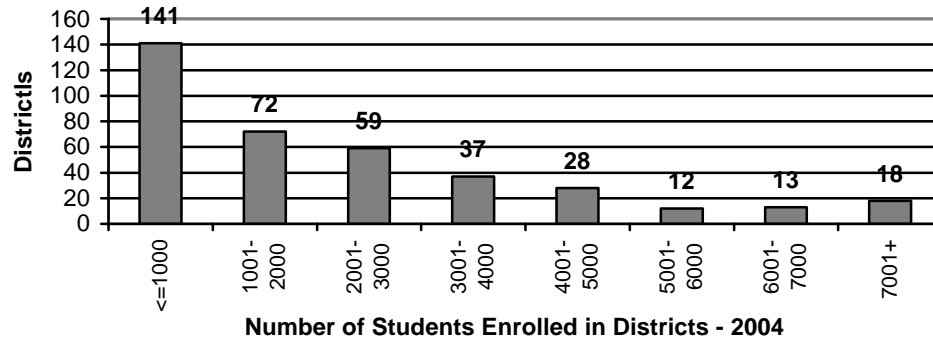
*City/Town Regular Districts include all districts other than charter, academic regional and/or regional vocational tech districts.

**Educational Collaboratives are not included in the count of Total Operational School Districts.

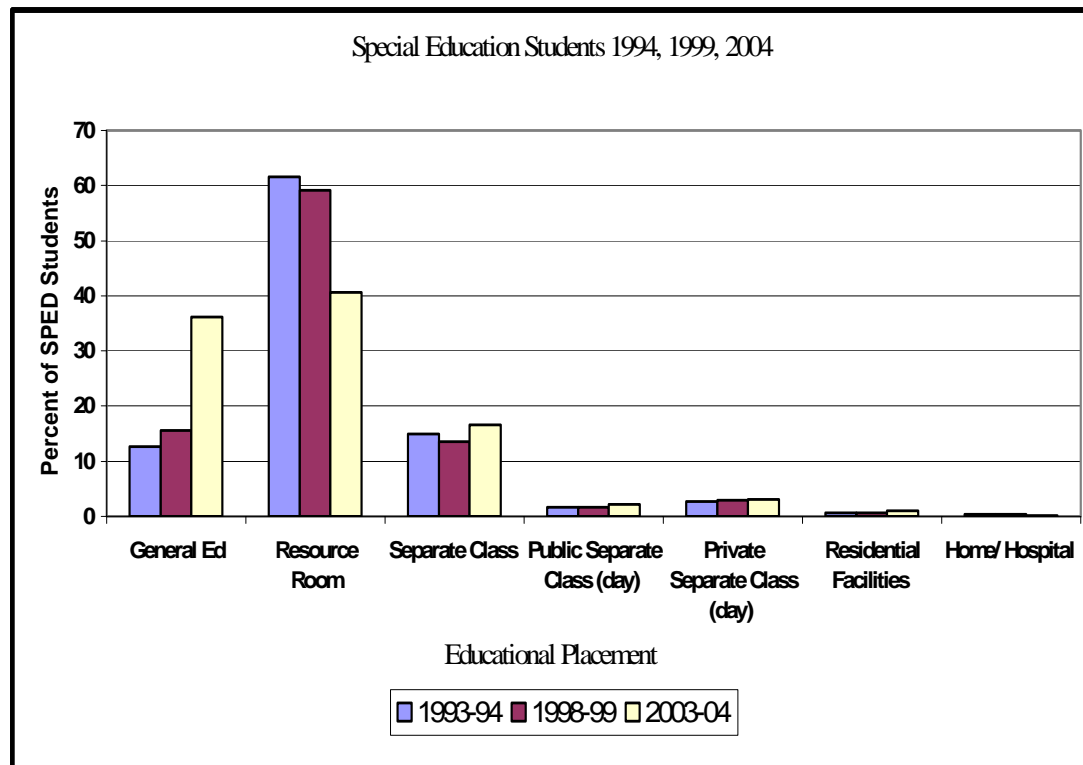
Massachusetts Schools by Size



Massachusetts School Districts by Size



Trends in Special Education Enrollment by Placement



Section 4: How are the Board and Department of Education working to improve teaching and learning in Massachusetts?

Board of Education Highlights

The Massachusetts Board of Education made some important, and indeed historic, decisions during 2004. To assist schools and teachers in improving teaching and learning, supplements to the English Language Arts and Mathematics Curriculum Frameworks were developed and approved, listing grade-by-grade learning standards. The Board took several actions under the Commonwealth's school and district accountability system, including declaring three districts under-performing and one school chronically under-performing. The Board and Department are working to support the school and districts as they develop and implement turnaround plans to improve student performance.

Following is a month-by-month summary of Board of Education votes and policy discussions.

January 2004

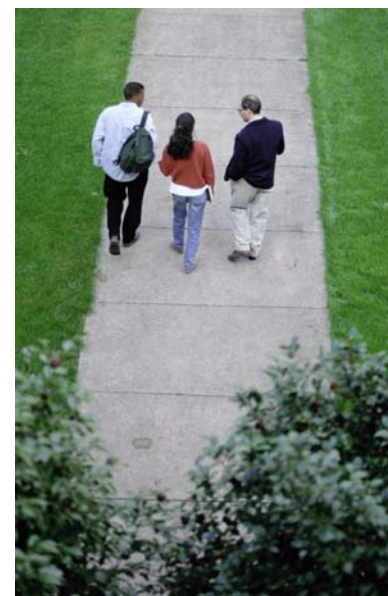
- Approved amendments to the MCAS performance appeals process for students with disabilities.
- Discussed the Tier II reports from the Office of Educational Quality and Accountability (EQA) on the Fitchburg and Webster Public Schools.
- Thanked Board member Charlie Baker, who resigned after five years of service on the Board.

February 2004

- Approved a regulatory amendment clarifying the meaning of the "competency determination" required for high school graduation.
- Approved a supplement to the English Language Arts Curriculum Framework, listing grade-by-grade standards.
- Renewed charters for Barnstable Horace Mann Charter School, Conservatory Lab Charter School, and Roxbury Preparatory Charter School.
- Renewed the charter of the Robert M. Hughes Academy Charter School in Springfield, with specific conditions.
- Granted a charter to the Marston Mills East Horace Mann Charter School, the Advanced Math and Science Academy Charter School, Community Charter School of Cambridge, and KIPP Academy Lynn Charter School.
- Heard presentations from Fitchburg and Webster district leaders in response to the EQA Tier II reports.

March 2004

- Introduced new Board member Harneen Chernow.
- Placed the Fitchburg and the Webster Public Schools on "watch" status for 12-18 months, to address performance problems.



- Approved a supplement to the Mathematics Curriculum Framework, listing grade-by-grade standards.
- Adopted amendments to the MCAS performance appeals regulations in final form.

April 2004

- Considered the recommendations of the Governor's Task Force on State Intervention in Under-Performing Districts.
- Discussed the results of the Winter 2004 school panel reviews.
- Discussed Value-Added Analysis for Massachusetts.

May 2004

- Declared Holyoke and Winchendon Public Schools as under-performing districts.
- Adopted amendments to the School Construction Regulations.
- Approved adjusted grant amounts for 41 school construction projects, based on final close-out audits.
- Renewed the charter for the Community Day Charter School in Lawrence.

June 2004

- Discussed a draft "rubric" for reviewing progress of under-performing schools, and to determine whether they should be deemed chronically under-performing.
- Adopted amendments to the educator licensure regulations and the regulations on licensure of teachers in vocational-technical and adult basic education programs, strengthening and clarifying the licensure revocation process.

August 2004

- Renewed the charter for Neighborhood House Charter School.
- Approved amendments to Regulations on Under-Performing Schools and School Districts, incorporating recommendations of the Task Force on State Intervention in Under-Performing Districts.
- Discussed the Tier II report on the Southbridge Public Schools prepared by the Office of Educational Quality and Accountability (EQA).

September 2004

- Elected J. Richard Crowley as Vice-Chairperson of the Board through September 2005.
- Discussed four schools declared to be under-performing in 2000: Arlington School in Lawrence, the Kuss Middle School in Fall River, the Lynch Middle School in Holyoke, and the Roosevelt Middle School in New Bedford.
- Accepted the district improvement plan submitted by the Holyoke Public Schools.
- Declared the Southbridge Public Schools an under-performing school district.
- Renewed the charter for the Media and Technology Charter High School.

October 2004

- Declared the Kuss Middle School in Fall River to be chronically under-performing.
- Commended the Roosevelt School for meeting its improvement targets, and acknowledged the progress the Arlington and Lynch Schools have achieved but kept those two schools in under-performing school status.
- Accepted improvement plans for eight schools declared under-performing in March 2004.
- Adopted amendments to the charter school regulations, incorporating the new state funding formula.
- Approved the threshold for consolidating Tier II and Tier III district reviews by the Office of Educational Quality and Accountability (EQA), to expedite the process for districts with low performance.
- Renewed charters for Benjamin Franklin Classical Charter School, Francis W. Parker Charter School, and SABIS International Charter School.
- Approved appointments/reappointments to the Board of Education Advisory Councils.

November 2004

- Approved the Board's FY 06 state budget proposal for education.
- Held an initial discussion on the use of "formative assessment" of student performance by schools and districts to strengthen teaching and learning.

December 2004

- Revoked the charter of the Roxbury Charter High School as of June 30, 2005.
- Heard a report from EQA Executive Director Joe Rappa on two districts on "watch:" North Adams and South Middlesex Regional Vocational Technical School ("Keefe Tech").



Department of Education Initiatives

The following section is intended to summarize both new and significant initiatives of the Department of Education that support the goal of getting all students to proficient and beyond. For comprehensive information on the many programs and initiatives of the Department, please see www.doe.mass.edu

Charter School Tuition Formula.

On September 17, 2004, Governor Romney signed into law Chapter 352 of the Acts of 2004. Section 31 of this law amended the charter school statute and created a new method of calculating tuition for Commonwealth charter schools beginning FY 05. A separate provision (section 2A, item 7010-0030) ensured that no charter school will receive less tuition in FY 05 than it would have under the old law. The new tuition rate shares the same goal as the old one: the amount transferred to the charter school should be whatever would have been spent on a pupil if he or she were still at the home district. Whereas the old rate used an average for all of the pupils in the sending district, the new one relies upon the Chapter 70 foundation budget approach to determine individual pupils' costs. The new formula:

- is based on chapter 70 foundation budget rates and the charter school's own student enrollment distribution;
- includes an additional increment to match districts' above foundation spending; and
- includes a state-subsidized facilities aid component (because charter schools are not eligible for SBA funding.)



Sending districts continue to be reimbursed for increases in charter school tuition (100% in the first year, 60% in the second year, and 40% in the third year), and the Commonwealth also continues to pay for the first year of tuition for students previously in private or parochial schools or home schooled.

Commissioner as President of CCSSO.

Commissioner David Driscoll was named President of the Council of Chief State School Officers in August of 2004. Commissioner Driscoll is the first Massachusetts Commissioner to be named as President of CCSSO in the organization's 76-year history. He will serve a 15-month term.

Governor's Task Force on State Intervention in Under-Performing Districts.

In October 2003, the Governor created a Task Force on State Intervention in Under-Performing Districts. The 15-member task force released its report and recommendations in February 2004, entitled *Partners in Progress: A Framework for Raising Student Achievement in Under-Performing Schools and Districts*. The recommendations of the report informed the amendments to the Regulations on Under-Performing Schools and School Districts that the Board adopted in August 2004.

John and Abigail Adams Scholarship Program.

As part of the Legacy of Learning initiative, Governor Romney created the John and Abigail Adams Scholarship Program, which provides four years of free tuition at the University of Massachusetts or any of the nine state or 15 community colleges to top student achievers. In December of 2004, Governor Romney announced that 13,000 students were eligible for free college tuition through this program. Beginning with the class of 2005, the Adams scholarship is open to all public school students who score in the Advanced category in either the English or math section of the MCAS test and at least in the Proficient category on the other section by the end of their junior year. To qualify, the student's MCAS scores must also rank in the top 25 percent of their school district.

Massachusetts English Proficiency Assessment.

In the 2004-2005 school year, the Department administered the new Massachusetts English Proficiency Assessment (MEPA) in order to evaluate the English proficiency of all limited English proficient (LEP) students in the domains of listening, speaking, reading, and writing. The MEPA tests are based on *English Language Proficiency Benchmarks and Outcomes for English Language Learners*, which the Board adopted in May 2003.

The MEPA program is administered in order to comply with both state and federal assessment requirements, and to:

- provide data and resources to strengthen curriculum, instruction, and classroom assessment;
- measure the progress made by LEP students toward English proficiency; and
- identify LEP students who have achieved proficiency in English.

The MEPA consists of two assessments:

- the Massachusetts English Proficiency Assessment-Reading and Writing (MEPA-R/W), which replaces the Language Assessment Scales-Reading/Writing (LAS-R/W); and

- the Massachusetts English Language Assessment-Oral (MELA-O), which assesses proficiency in both Comprehension (Listening) and Production (Speaking).

Massachusetts State Report Card.

As part of the No Child Left Behind Act, Massachusetts is required to publish a state report card. In 2004, Massachusetts as a state made Adequate Yearly Progress in both English and math for students in the aggregate. Ninety-five percent of districts made AYP in the aggregate in both English and math. Statewide, Massachusetts did not made AYP for all of its subgroups: in English, students with disabilities and Hispanics did not make AYP; in math, African Americans, Hispanics, students with disabilities and low-income students did not make AYP.

Programmatic Changes within the Department.

Legislation enacted in 2004 created two new state agencies that will absorb certain functions of the Board and Department of Education. A newly created Department of Early Education and Care will merge the Office of Child Care Services and the Department's Early Learning Service Division to form a single agency that will coordinate all aspects of early education and child care. Approximately 30 Department positions will be transferred to the new agency, which is scheduled to open on July 1, 2005. Another significant change to the Department in 2004 was the transfer of the School Building Assistance Bureau. This program, which had been under the purview of the Department since its inception in the 1940s, was shifted to the State Treasurer's office in 2004 and renamed the Massachusetts School Building Authority.

Relicensure Online.

As part of the Education Reform Act, educators are required to recertify their teaching and administrative licenses once every five years. The Department renewed the licenses of 70,000 educators this year, and renewed approximately 95% of those licenses online. This system provides a tremendous time and cost savings for the Commonwealth, and has been received very positively by educators.

School Performance Rating Process

2003-2004 Cycle III AYP Determinations

In October 2004, the Department released the 2003-04 Mid-Cycle Adequate Yearly Progress (AYP) determinations for every public school and district. As required by the federal No Child Left Behind Act, the AYP calculations are done separately for English language arts (ELA) and mathematics. Each school received an AYP rating for its aggregate student performance (all students combined), and for each student subgroup of 20 or more students. Subgroups include students with disabilities; limited English proficiency (LEP); and economic disadvantages. There are five demographic groups as well: African American/Black, Asian, Hispanic, Native American, and White students. Subgroup performance reporting is an important element in the federal law, designed to make sure that satisfactory averaged achievement scores do not mask underachievement by any of these student subgroups.

AYP determinations are a tool for assessing progress toward the goal of having all students gain proficiency in both ELA and mathematics by the year 2014. These determinations will help schools in their efforts to pinpoint exactly where they need to focus extra support. AYP determinations will be issued every year to ensure that schools and districts “flag” those groups of students who are not making adequate progress. School and district leaders are expected to determine what is holding the group back and to provide guidance and support to get that group back on track.

AYP determinations measure a school’s progress in four areas: student participation in MCAS (the school’s participation rate as compared to the State target of 95%); aggregate student performance in ELA and mathematics as compared to the State targets (for Cycle III, the targets were 75.6 in ELA and 60.8 in mathematics); the amount of improvement in student achievement in ELA and mathematics as measured against the expected amount of improvement set for the school by the state; and the rate of student attendance in the school (at elementary and middle level schools, 92% or above or at least one percentage point of improvement over the prior year) or the school’s graduation rate (at the high school level , 70% or higher).

Schools can make AYP in a given subject by reaching the 95% participation rate and the state performance target set for that subject. A school can also make AYP by reaching the 95% participation rate and its improvement target in a given subject and the attendance rate.

Schools Referred for State Action

In 2004, the Department continued operation of the School Performance Evaluation component of the School and District Accountability System adopted by the Board in September of 1999. The School Performance Ratings for Cycle III (2003-2004) and AYP determinations were used to identify 16 schools for immediate state intervention. In November 2003, these schools were notified of their selection for panel review. Those reviews were conducted during the Department’s Winter 2004 review cycle.

Five-member review panels, comprised of three educational practitioners, a contracted school evaluation specialist, and a Department staff member, were assigned to each school. Review panel members studied the school's student assessment data, student participation and staff profile data, and program and school improvement planning documents, and then visited the school for a day of observation, interviews and meetings with faculty and school and district leaders. The panels are charged with the task of reporting back to the Commissioner on whether the school has a sound plan for improving student performance and whether the conditions are in place for successful implementation of such a plan.

Winter 2004 Panel Reviews

Of the 16 schools reviewed during January-February 2004, the panels found five of the schools to have a solid improvement plan and the capacity to carry out the plan without further state action. The following schools were declared not under-performing: John Marshall Elementary School, Trotter Elementary, and Chittick Elementary all in Boston, Keith Junior High School in New Bedford, and Leonard Middle School and Wetherbee Elementary in Lawrence.

At eight of the remaining schools, the panels found significant deficiencies in planning for improved student performance and also found the conditions for implementing improvement to be lacking. Those eight schools were determined to be under-performing: Perkins Elementary School, Greenwood Elementary and Cleveland Middle School in Boston, Homer Street Elementary, Kiley Middle School, White Street Elementary and Washington Elementary in Springfield, and Sullivan Middle School in Lowell.

At another two of the schools, panels reported that effective improvement strategies were in place and/or school leaders and faculty appeared to be successfully implementing those strategies. One school, the Dever Elementary School in Boston, did not have a clear, written plan to articulate their improvement actions, although the panel found solid evidence that staff was implementing sound strategies for improvement. This school was provided with a 60-day window to revise the improvement plan to reflect the work taking place in the school. Once submitted, the plan was re-reviewed and judged to provide adequate guidance for school staff.

At the Greene Elementary School in Fall River, the district was in the process of hiring an additional administrator to take primary responsibility for driving the school's improvement work. Within 60 days, the position was filled and the school appeared to have the appropriate conditions in place to move forward.

Fact-Finding Reviews Conducted at Eight Under-performing Schools

The eight under-performing schools were required to undergo in-depth Fact-Finding reviews in March-June 2004 to generate diagnostic reports. These reports were intended to help guide the schools and the Board in the development and review of plans to improve student achievement. The Fact-Finding Teams worked with school leaders to confirm the school's identification of priority student learning needs and helped determine the root causes of weaknesses in student performance.

Performance Improvement Mapping (PIM) Training

The Department of Education has continued intensive training around Performance Improvement Mapping (PIM) during 2004. Two types of training opportunities have been provided to school personnel: PIM retreats to develop effective school improvement plans and PIM facilitator training to provide districts and schools with on-site personnel who lead PIM planning teams. Performance Improvement Mapping is an intensive, data-driven, results-oriented school planning model. The PIM process was originally developed by the Department to serve the needs of low-performing schools. To this end, Department staff worked intensively with the eight schools identified as Underperforming in 2004 to facilitate the development of effective school improvement plans. A leadership team from each school participated in a series of 5 training sessions to guide and support the development and implementation of a sound plan that advances student achievement and guides implementation of reforms over subsequent years. Once the plan was developed, the school's leadership team guides and monitors the implementation of the plan over the school year. PIM retreats have more recently been made available to schools that express interest on a voluntary basis, such as is currently being offered to four Vocational Technical High Schools.

Department staff have also provided PIM facilitator training to school personnel so districts have on-site staff that can work with school leadership teams and are proficient in data analysis. Over the 2004 school year, the Department has trained over 60 school-based staff members from almost 25 districts on how to facilitate PIM. These facilitators are now working with their schools and districts to support data analysis and create data-based school improvement plans. Every six months these facilitators reconvene as a cohort to share their experiences and garner further support to make Performance Improvement Mapping an effective tool in school improvement efforts.

Plan Review and Approval

When the schools completed their PIM training and developed their plans to improve student achievement, they were able to compare their own planning work with the conclusions reached by the Fact-Finding Team. Schools were required to then submit their plans to the Department for review and feedback. The plan review process is a rigorous procedure involving teams of Department readers who individually review and rate the plan using a rubric designed for plan review. Individual readers then meet as a team to consult and consolidate their findings into a single, detailed review of the plan using the rubric as the standard. This in turn provides the school with specific feedback and recommendations for required revisions to the plan. Once the school has revised its plan, it is again rated by the review team leader and the final summary rubric is completed. Once the plan is deemed adequate by the Department review team, the school principal and district superintendent are invited to attend a Board meeting where they have the opportunity to present the school's plan to improve student achievement. All eight underperforming school leaders appeared before the Board at regular monthly meetings in October and November 2003 to discuss their plans and respond to questions posed by Board members. The Board accepted all eight plans.

Monitoring of Under-performing Schools

Once the eight under-performing school plans to improve student achievement were approved by the Board, meetings were scheduled in December 2003 and January 2004 to establish the process by which each school's progress would be monitored. The Department has developed a Monitoring Plan that begins with the assignment of a DOE staff member as the school's monitor. This role is supervisory; the monitor is responsible for periodically assessing the school's progress with regard to implementation of their approved plan. In addition, the monitor is expected to help the school team identify obstacles which might inhibit the successful implementation of the action plans and refer such issues for problem-solving to the Department or the district. The monitor attends 5-6 of the school's leadership team meetings annually to observe the school's on-going work and to develop and submit written reports of the school's progress. This monitoring process will continue at each school during the two-year implementation period and will provide the Department, the district and the school with periodic assessments of the schools' work.

Year Two Follow Up Reviews

As a result of panel reviews conducted in the 2000 review cycle, the Commissioner designated four schools as under-performing – Arlington School in Lawrence, Roosevelt Middle School in New Bedford, John J. Lynch Middle School in Holyoke and Matthew J. Kuss Middle School in Fall River. The schools, as required by statute, developed improvement plans that were accepted by the Board in winter/spring of 2001. During the 2001-02 and 2002-03 school years, the schools implemented the improvement initiatives set out in these plans. In May of 2003, the Department examined each school's Cycle II results (2001-2002) and studied AYP determinations as part of the Year Two Follow Up Reviews in these four schools. When reports were final, the Commissioner decided to delay his decision on the question of chronic under-performance at each school until results of the spring 2003 MCAS testing were available and mid-cycle 2003 AYP determinations had been developed. Those results were reviewed and in October 2003 the Commissioner directed all four schools to continue their improvement work until complete Cycle III results are reported in the summer of 2004. Upon review of each school's Cycle III results, the Board reviewed and approved the Commissioner's recommendations: the Matthew Kuss Middle School in Fall River was determined to be chronically underperforming, the Roosevelt Middle School in New Bedford was determined to have made adequate gains and was deemed not underperforming, the Arlington School in Lawrence and the Lynch Middle School in Holyoke remain in underperforming status and the respective districts have outlined a plan to restructure key weaknesses in the schools.

School Support Specialist Network

The School Support Specialist Network is a unique partnership between the Department of Education and the ten largest urban school districts in Massachusetts. School Support Specialists are highly qualified and trained staff members who are funded through Department grants but are employed by the district. In 2004 there were 17 School Support Specialists working in the ten districts to support schools that needed assistance to improve student achievement through development and implementation of school improvement plans. The School Support Specialist has direct access to the district leadership team to help align policies and resources toward improving low performing schools. The members of the

Network continued to meet regularly with Department staff, participate in training, share information and resources, and collaborate to solve problems faced in their work. All the Specialists have been through the facilitation training and have continued to update their knowledge and skills to enhance the effectiveness of this unique assistance model. The work of the School Support Specialist Network will continue to provide valuable assistance to urban districts and schools.

Commonwealth Compass Schools

Each year the Department of Education recognizes Commonwealth Compass Schools, those schools showing significant improvement in their students' performance in English language arts and mathematics. In 2004, seven schools from across the state were selected as Compass Schools. One technical high school, five elementary schools, and a kindergarten through grade eight school were selected:

- Donald McKay -- Boston
- Edgar Hooks Elementary -- Chelsea
- Barbieri Elementary -- Framingham
- Franklin County Technical -- Franklin County
- William H. Taylor -- New Bedford
- Merrymount Elementary -- Quincy
- Machon Elementary School -- Swampscott

The Donald McKay School in Boston and the Edgar Hooks Elementary School in Chelsea were also designated as Title I Distinguished Schools for 2004 by the US Department of Education. These seven schools received special recognition at a public event at the Great Hall of the State House in October. A \$10,000 grant was awarded to each school to support their participation in the program during the year of service and to support ongoing improvement efforts in the school. Leadership teams from each school participated in thematic panel discussions at the annual Pathways to Improved Student Performance Conference in November. This conference provided an opportunity for schools to share effective strategies in the thematic areas of leadership, mathematics curriculum and coaching, inclusion of special education students, and supporting second language learners. To further promote sharing and dissemination of effective practices, each of the 2004 Compass Schools has also hosted two on-site events where others from across the state could observe and discuss the practices implemented in the Compass Schools.

Plans for National Institute for School Leaders (NISL) Leadership Training

The Massachusetts Department of Education, in cooperation with the Urban Superintendents Network, is launching an urban leadership development initiative to train urban leaders. Through this effort, Massachusetts is the first state to launch a state-wide comprehensive implementation of the leadership training curriculum offered by the National Institute for School Leaders (NISL). This heavily researched and fully field-tested program is a part of a strategic plan to assist school districts across the state in leadership development efforts. The intent of this initiative is to build leadership capacity through distributed leadership, increase recruitment and retention of effective leaders, and, most importantly, improve student achievement through increased quality of instructional leaders. The NISL program includes collaborative study, inquiry, and hands-on activities with practical applications to meet the rigorous expectations for school leaders in the Commonwealth of

Massachusetts. The program aims to achieve improved student performance, high expectations, and success for all by training principals to be instructional leaders, be visionary and ethical leaders, practice effective collaboration, and understand, respond to, and be able to influence stakeholders. In addition, NISL leadership development emphasizes the critical role of data in turning around low-performing schools, as well as making good schools great. To ensure that the NISL training is tied to the specific needs of students in our urban districts, the Department is arranging for the NISL training to focus not only on instruction in literacy, English language arts, and mathematics, but also on instruction tailored to the needs of English Language Learners (ELL). This highlights the State's expectation that, through effective instructional, ethical, and distributed leadership, schools will improve their services to support all students, including high-need populations.

Urban Superintendent's Network

The Urban Superintendents Network, convened 5 years ago with 22 urban districts participating, continues today through monthly meetings held in collaboration with the Department of Education. Over the past year, the Network continued to provide opportunities for Superintendents to share experiences and effective strategies relevant to their district needs. The Network has been very active throughout 2004 to promote leadership training opportunities and pursue professional development. The Network has been an integral agent in creating leadership development opportunities through the design of the NISL training for urban leaders to be launched in early summer of 2005. The goal of this program is to promote instructional leadership, increase recruitment of aspiring leaders, increase retention of urban leaders, and promote distributed leadership within school districts. The Network wrote a U.S. Department of Education School Leadership Grant that, if awarded, aims to provide additional support to the NISL leadership initiative. The members of the Network have been persistent in pursuing their own professional development throughout the past year, facilitated in part by Richard Elmore of Harvard University. The Network has also been active in the State Action for Education Leadership Project (SAELP), participating in the ongoing training of Superintendents for adaptive leadership, based on the work of Ronald Heifetz. Over the course of the 2004 year, the constructive partnership between the Urban Superintendents Network and the Department has promoted and provided leadership development opportunities that will continue to show positive growth in instructional leadership across the Commonwealth.

Work with Turnaround Partners

The Department of Education has recently begun to identify prospective providers who are qualified to support underperforming schools and districts. These organizations and individuals can contribute to the improvement of student achievement by providing training and support for targeted needs or in a broader role as a turnaround partner.

When a school is identified as chronically underperforming, or a district is identified as underperforming, a needs assessment is conducted by the Department. The needs of a chronically underperforming school are identified through the Department's School Review process. To best address identified needs in each school, the Department chooses from the identified providers to best match their offerings to a school's needs. The initial component of the Department's approach to the district-level needs assessment is a leadership evaluation that determines the district's capacity to engage productively with a turnaround partner. These processes ensure that assistance is targeted at the unique needs of a school or district and is best positioned to improve the quality of education for students.

Turnaround partners will work intensively with schools or districts to ensure that appropriate changes are made that will improve student performance. The turnaround partners are chosen specifically to address the targeted needs of the school or district and as such are constituted differently at each location. One turnaround partner could, for example, approach their work with a school from a whole-school reform perspective, while another turnaround partner could be a team of individuals best equipped to support a particular need, such as instructional leadership. Currently the Department is in the process of settling contracts with turnaround partners for the underperforming districts of Holyoke and Winchendon, as well as the chronically underperforming Kuss Middle School in Fall River. The State's third underperforming district, Southbridge, is currently in the diagnostic stage and will soon be matched up with a turnaround partner.

Over the past year, the Department has continued to provide direct support to Underperforming schools and districts through a grant program. These grants allow schools and districts to design and implement initiatives targeted at particular needs to improve student performance that cannot otherwise be supported within the regular budget. The Department has also provided our own staff, where needed and appropriate, to support particular needs that assist in turning around underperforming schools and districts.

Three Major Cases in Litigation in 2004

I. *Student No. 9 v. Board of Education*, 440 Mass. 752 (2004)

In January 2004, the Massachusetts Supreme Judicial Court (SJC) issued its decision in *Student No. 9 v. Board of Education*, the high school graduation standards case. The SJC affirmed the April 2003 decision of the Superior Court (Judge Botsford) denying the plaintiffs' request for a preliminary injunction to stop the state graduation requirement. The plaintiffs had argued that the Board of Education acted beyond its authority in adopting the regulation on the competency determination, which requires students to show they meet the grade 10 standard on the English language arts and mathematics MCAS exam in order to be eligible for high school graduation. In its unanimous opinion (with one Justice concurring in a separate opinion), the SJC held that the Superior Court properly rejected the plaintiffs' legal claims. The SJC ruled as follows:

I. The Board of Education had discretion to phase in the competency determination, starting first with the bedrock subjects of English language arts and mathematics. "We agree with the [Superior Court] judge that...the statute reasonably should be interpreted to direct the board to create a competency determination including multiple subject areas while permitting the board, in its discretion, to phase in those subjects in a reasonable manner and on a reasonable timetable... There is no express prohibition in the statute concerning the phasing-in of core subjects over time and as curriculum frameworks become revised and finalized. Construing the statute to require the board to delay implementation of the competency determination until it made competence in every core subject a graduation requirement would only delay education reform and frustrate significantly the accomplishment of the Legislature's purpose... The board, therefore, could permissibly exercise its discretion by the form of pragmatic gradualism it undertook, particularly because the fundamental subjects of English language arts and mathematics can be considered the basic foundational requirements with which other core subjects can be studied and mastered. Put more colloquially, the board could properly conclude that a student should have competence in 'reading, writing, and arithmetic' before being tested on competence in science, history, and other areas."

2. The Board's competency determination regulation is consistent with the purposes of the Education Reform Act.

"We reject the plaintiffs' contention that our construction conflicts with the Act's purpose of holding educators accountable. Rather, the implementation of the regulation is a large stride in accomplishing that goal. Educators have established the required academic standards and curriculum frameworks, and have implemented the competency determination in the subjects of English language arts and mathematics. To be sure, the defendants have not been, and are in no way, excused from requiring a demonstration of competence in the other core subjects as a graduation requirement, and the defendants acknowledge as much. There is no record support for, and no substance to, the plaintiffs' argument that because the graduation requirement has not yet been based on the other core subjects, the students educated in this State with public funds are not being provided with a 'comprehensive education.' Nothing in the *McDuffy* decision requires a graduation requirement, let alone a graduation requirement based on an assessment of multiple subjects. Simply put, enjoining the regulation, and enjoining the defendants from requiring the plaintiffs to pass the tenth grade English language arts and mathematics sections of the MCAS exam as a prerequisite to receiving a high school diploma, would undermine educator accountability and hinder education reform."

3. The Legislature has approved the Board's use of the MCAS grade 10 standard for the competency determination. "The approvals primarily are manifested in budget line items passed by the Legislature over the years, most particularly in FY 2003 and FY 2004, appropriating substantial sums for intensive remediation programs for those who need them in order to pass the MCAS exam. As the judge correctly noted, it makes no sense for the Legislature to provide for targeted, remedial programs, if the Legislature did not both recognize and confirm the board's determination that passage of the English language arts and mathematics sections of the MCAS exam was to serve as the competency determination that under the Act is a prerequisite for

graduation from high school. In this manner the Legislature has expressed its acceptance of the board's phasing-in approach.”

The SJC held that the Superior Court correctly determined that the plaintiffs did not show a likelihood of success on the merits of their facial challenge to the competency determination regulation. Consequently, there was no need to consider the Superior Court’s determination that the plaintiffs also had failed to show irreparable harm as a result of the regulation.

While litigation over the high school graduation standard is not yet concluded, the SJC decision in the *Student No. 9* case is a milestone in that it affirms the validity of the Board’s competency determination regulation and acknowledges the reasonableness of the approach the Board and the Commissioner have taken in defining and implementing the high school graduation standard.

The full text of the SJC’s decision in the *Student No. 9* case is available at: <http://www.masslaw.com/signup/opinion.cfm?reclD=11043>.

II. *Hancock v. Commissioner of Education*, 443 Mass. 428 (2005)

The *Hancock* case was initiated in 1999 as the successor to the 1993 decision of the Massachusetts Supreme Judicial Court (SJC) in *McDuffy v. Secretary of Education*. The *McDuffy* decision established the state constitutional standards against which education reform in Massachusetts will be judged. The *Hancock* plaintiffs, representing students in nineteen school districts, alleged that the Commonwealth was failing to provide public school students the constitutionally-required education outlined in the *McDuffy* decision.

The case was tried in the Superior Court before Judge Botsford starting in June 2003 and continuing for about six months. The defendants (Commissioner and Board of Education) asserted that while the SJC in *McDuffy* identified the Commonwealth’s constitutional duty to educate its children, the court deferred to the legislative and executive branches to define the details; the standard is whether state officials have taken appropriate steps within a reasonable time, and they have done so. The defendants presented evidence that in the ten years since the *McDuffy*

decision, the Commonwealth has met its duty by enacting and implementing the comprehensive education reform law. The four major components of education reform – substantially increased resources for schools, especially through the foundation budget; state standards such as the curriculum frameworks; assessment (MCAS); and the accountability system for schools and districts – have led to improved performance and greater educational opportunity for students. The defendants also asserted that given the current levels of educational spending in Massachusetts, identified weaknesses in some districts have more to do with local leadership, management and educational decision-making than with funding. The state’s system for accountability and targeted assistance is designed to address those weaknesses.

Judge Botsford issued her report on April 26, 2004. She acknowledged the huge increase in funding and in state involvement in preK-12 education since the passage of the Education Reform Act in 1993. She found that the state’s actions in increasing financial resources, adopting curriculum frameworks which are universally recognized as being of high quality, implementing the MCAS tests, establishing rigorous standards for teacher certification and professional development, and designing new systems of school and district accountability have all led to positive educational results. She cited the equalization of spending between rich and poor school districts, increasingly successful performance of the Commonwealth’s students on MCAS tests and on national assessment tests as among the positive changes. Nevertheless, Judge Botsford recommended that the SJC grant remedial relief to the plaintiffs, by ordering the Commissioner and Board of Education to do a cost study to determine a new foundation budget and then implement the funding and administrative changes that result from it.

Judge Botsford’s report and recommendations were submitted to the SJC, which heard oral argument from the parties in October 2004. The SJC decided the case in February 2005 and declined to adopt Judge Botsford’s recommendations. Instead, the SJC “disposed of the case in its entirety,” finding that the Commonwealth is in fact meeting its duty under the education clause of the Massachusetts Constitution. Chief Justice Margaret Marshall, in the court’s majority opinion, wrote:

No one, including the defendants, disputes that serious inadequacies in public education remain. But the Commonwealth is moving systemically to

address those deficiencies and continues to make education reform a fiscal priority.

The Chief Justice further stated:

The legislative and executive branches have shown that they have embarked on a long-term, measurable, orderly, and comprehensive process of reform to provide a high quality public education to every child. . . . They have committed resources to carry out their plan, have done so in fiscally troubled times, and show every indication that they will continue to increase such resources as the Commonwealth's finances improve. . . . The evidence here is that the Commonwealth's comprehensive statewide plan for education reform is beginning to work in significant ways.

The full text of the Supreme Judicial Court's decision in the *Hancock* case is available at:

<http://www.masslaw.com/signup/opinion.cfm?reclD=113834>.

III. *City and School Committee of North Adams v. Board and Commissioner of Education*,

Berkshire Super. Ct. No. 03-81 (June 23, 2004)

In February 2003, on recommendation of the Commissioner, the Board of Education voted to grant a charter to the Berkshire Arts and Technology

Charter School in North Adams. In March 2003, the City and School Committee of North Adams filed suit in Superior Court against the Board and Commissioner, seeking to rescind the grant of the charter. Among other claims, the City alleged that the charter school statute and regulations are unconstitutional and that the Board's grant of the charter was invalid because of conflicts of interest of Board members, individually and collectively.

In October 2003, the Superior Court dismissed all of the plaintiffs' claims except for one alleging that the Chairman and members of the Board had violated the conflict of interest law when they voted to award the charter. In the final decision issued on June 23, 2004, the Superior Court (Judge Daniel Ford) rejected that remaining claim and granted the state defendants' motion for summary judgment. The judge said the undisputed facts in the case show that the charter school application was reviewed thoroughly by experts from both inside and outside the Department before the Commissioner made his recommendation to the Board, and that the Commissioner's recommendation was not influenced by the Chairman or any other Board member. The judge rejected all of the plaintiffs' claims under the conflict of interest law. The decision affirmed that the Berkshire Arts and Technology Charter School holds a valid charter granted by the Board. The school opened in September 2004.



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Boston, MA 02108

James A. Peyser is a Partner with New Schools Venture Fund, and is Chairman of the Massachusetts Board of Education. He also serves as chairman of the Educational Management Audit Council. Mr. Peyser was appointed to the Board of Education by Governor William Weld in 1996 and became its chairman in 1999. Prior to joining the Governor's staff under Jane Swift in 2001 and serving as education advisor to Governor Romney, Mr. Peyser worked for close to eight years as executive director of Pioneer Institute for Public Policy Research, a Boston-based think tank. He took a four-month leave of absence from Pioneer in 1995 to serve as Under Secretary of Education and Special Assistant to Governor Weld for Charter Schools. Prior to joining Pioneer in 1993, Mr. Peyser worked for over seven years at Teradyne Inc., a world leader in the manufacture of electronic test systems. Mr. Peyser also served for three years in Washington, D.C. as director of the Export Task Force, a bi-partisan congressional caucus on international trade.

Mr. Peyser holds a Master of Arts in Law and Diplomacy from The Fletcher School (Tufts University) and a Bachelor of Arts from Colgate University. He is a member of the board of overseers of WGBH and is a former member of the board of directors of Boston Partners in Education. He also serves on the policy board of the National Council on Teacher Quality.

J. Richard Crowley

Vice-Chairman
One Keystone Way
Andover, MA 01810



Mr. Crowley is the President of Keystone Consulting, which provides financial and operational management services to businesses. He founded Keystone Consulting in 1995 after 17 years of experience, including being Chief Operating Officer of LittlePoint Corporation in Wakefield, Senior Vice President of Trans Financial Services in Boston, and Chief Financial Officer of The Crosby Vandenberg Group in Boston. Mr. Crowley obtained his CPA while at Price Waterhouse in Boston. He received a Bachelor of Arts in economics from Providence College and attended the Cornell Graduate School of Business. Mr. Crowley is also a board member of the Andover Little League in addition to coaching soccer and Little League baseball. He teaches confirmation students at St. Augustine's in Andover.



Harneen Chernow

Director of Education & Training
Massachusetts AFL-CIO
389 Main Street
Malden, MA 02148

Harneen Chernow became the Massachusetts AFL-CIO Director of Education and Training in October 1998. In this position she directs a team that coordinates labor's role in all workforce development initiatives, works with local union leadership to develop their capacity to participate in adult education and skills training efforts, and pursues labor's involvement in economic and workforce development projects that create and retain good jobs.

Prior to this position Ms. Chernow was the director of a joint labor/management project of SEIU Local 285 and unionized healthcare employers throughout Massachusetts for eight years. In this role Ms. Chernow coordinated job-redesign and job training programs, workplace literacy classes and designed career ladders for union members throughout the Commonwealth of Massachusetts. She also served on the Education Committee of SEIU's International Executive Board and the Mass Jobs Council.

Ms. Chernow is the recipient of the Massachusetts AFL-CIO Outstanding Service Award, the UMass Dartmouth Labor Education Center Fontera Memorial Award and the UMass Boston Labor Resource Center Foster-Kenney Award. She received her B.A. from Wellesley College and M.A. from University of California, Berkeley.

Judith I. Gill

Chancellor
Board of Higher Education
One Ashburton Place Room 1401
Boston, MA 02108



Dr. Judith I. Gill has served as Chancellor and Chief Executive Officer of the Massachusetts Board of Higher Education. As Chancellor, she is responsible for setting the state's public higher education agenda and coordinating the development and implementation of public policy for the 15 community, 9 state, and 5 University campuses.

Among many accomplishments since her appointment in 2000, Chancellor Gill, working with the 11-member Board of Higher Education, has overseen the creation of a state-of-the art data warehouse to guide assessment and system improvement, shaped the first performance measurement system for state and community colleges, developed a higher education formula budget, adopted a Strategic Plan for Capital Improvements on public campuses, and strengthened the ties between secondary and post-secondary institutions, especially in the areas of teacher preparation. She is strongly committed to a system of public higher education where institutions work collaboratively to address the important mission of providing accessible, affordable, quality higher education programs to meet the needs of the students and the Commonwealth.

As Vice Chancellor of the Board of Higher Education from 1995 through 1999, Dr. Gill was a senior advisor to the Chancellor on system-wide policy development and the Board's liaison with the Legislature. From 1989 to 1994, she was the Director of Research and Policy Analysis for the Western Interstate Commission for Higher Education (WICHE), during which time she also served as an adjunct faculty member in Higher Education Studies at Denver

University. Dr. Gill's professional career began in 1972 as staff associate and legislative liaison for the University of Massachusetts

Dr. Gill is a native of Brookline, Massachusetts, and a graduate of the University of Massachusetts Amherst. She also holds a master's degree in public administration from the University of Washington and a Ph.D. from the University of Michigan.



Emily Levine

Chair, State Student Advisory Council
c/o Massachusetts Department of Education
350 Main Street
Malden, MA 02148

Ms. Levine is the 2004-2005 Chairperson of the State Student Advisory Council, elected by fellow students in June of 2004. Entering her senior year at Northampton High School in the fall of 2004, Ms. Levine serves as a member of the community service curriculum workgroup, the student member on the school council, the student member of selection committees to hire staff for Northampton High School, and is also a member of the National Honor Society. She also serves on the Youth Aids Advisory Panel for the Massachusetts Department of Public Health. Ms. Levine spent the summer of 2003 studying international law at the American University of Paris. She is a member of the teen philanthropist group, B'nai Tzedek, and donated over \$2,000 to local charities and organizations.

Roberta R. Schaefer

Worcester Regional Research Bureau
319 Main Street
Worcester, MA 01608



Roberta Schaefer is the founding executive director of the Worcester Regional Research Bureau. Since its inception in 1985, Dr. Schaefer has researched and written over 100 reports and organized numerous public forums on issues of significance to the greater Worcester community. Under her leadership, the Research Bureau, which was established in 1985, has researched and written more than 125 studies and organized more than 130 forums on important public policy issues in the greater Worcester region. She has taught Political Science at Assumption College, Clark University, Nichols College, and Rutgers University. She received her B.A. from Queens College of the City University of New York and earned her M.A. and Ph.D. in Political Science from the University of Chicago. Dr. Schaefer has been a member of the Massachusetts Board of Education since 1996 and served as Vice-Chairman for three of those years. She is also a director of the Worcester Regional Chamber of Commerce and the Greater Worcester Community Foundation, a corporator of Bay State Savings Bank and the Worcester Art Museum, and a Trustee of the Governmental Research Association. She has co-edited two books (Sir Henry Taylor's *The Statesman and The Future of Cities*) and has authored several articles in professional journals.



Abigail M. Thernstrom
1445 Massachusetts Avenue
Lexington, MA 02420

Dr. Thernstrom is currently a Senior Fellow at the Manhattan Institute in New York and the Vice-Chair of the U.S. Commission for Civil Rights. She received her Ph.D. from the Department of Government, Harvard University, in 1975. Her newest book, "No

Excuses: Closing the Racial Gap in Learning" was published by Simon & Schuster in 2003. It is co-authored with her husband, Harvard historian Stephan Thernstrom. Their 1997 work, *America in Black and White: One Nation Indivisible* (1997), was named one of the notable books of the year by the New York Times Book Review. She was a participant in President Clinton's first town meeting on race, and writes for a variety of journals and newspapers including *The New Republic* and the *Wall Street Journal*. Her frequent media appearances have included Fox News Sunday, Good Morning America, and ABC's Sunday morning "This Week with George Stephanopolous."



Henry M. Thomas, III
Urban League of Springfield
756 State Street
Springfield, MA 01109

Mr. Thomas is the President and Chief Executive Officer of the Urban League of Springfield, Inc. He has worked in the Urban League movement for twenty-nine years. He began as Youth and Education Director in

1971. In 1975, at twenty-five years of age, he became the youngest person appointed as President/CEO of any Urban League affiliate. He also serves as CEO of the Historic Camp Atwater, which is the

oldest African American summer youth residential camp in the country. Mr. Thomas serves on a number of local and national boards and commissions. He is founder and current Chairman of the Board of Directors of the New Leadership Charter School, member of the American Camping Association board of trustees, Chairman of the Board of Trustees of the Springfield Cable Endowment, and former Chairman of the Springfield Fire Commission and Police Commission respectively. In addition, Mr. Thomas is a Visiting Professor at the University of Massachusetts and also at Curry College. He received a Bachelor of Arts in psychology and a Master's degree in human resource development from American International College, and holds a Juris Doctor from Western New England College of School Law.



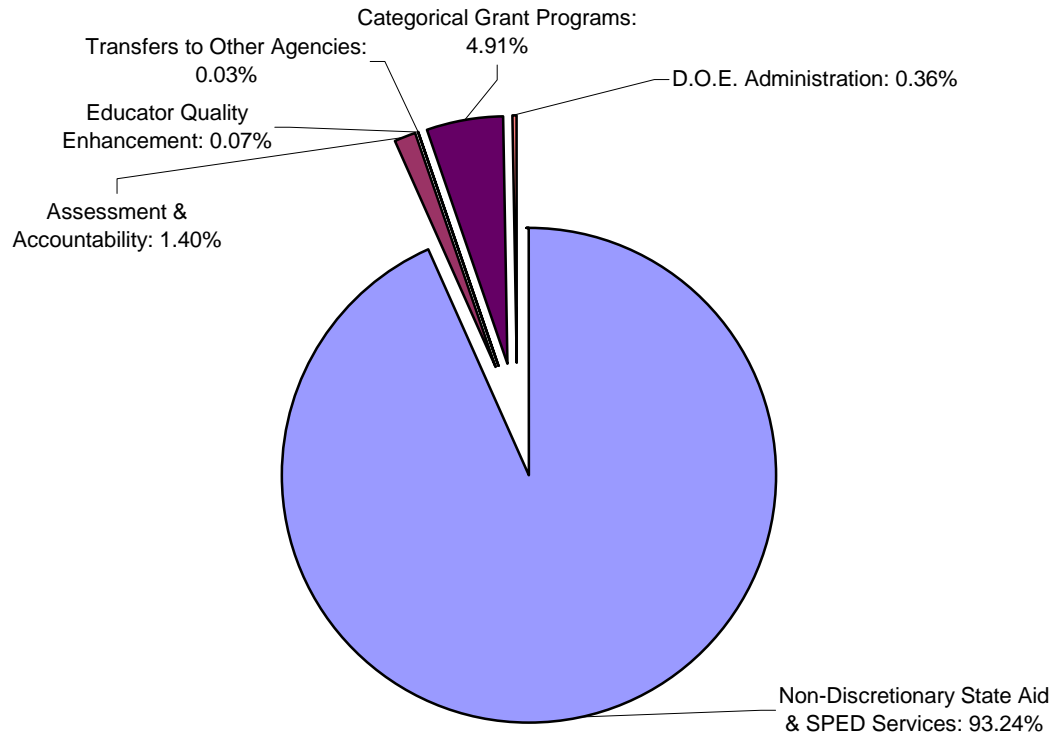
David P. Driscoll
Commissioner of Education
Massachusetts Department of Education
350 Main Street
Malden, MA 02148

Commissioner Driscoll has a thirty-five year career in public education and educational leadership. He received a Bachelor of Arts in mathematics from Boston College, a Master's

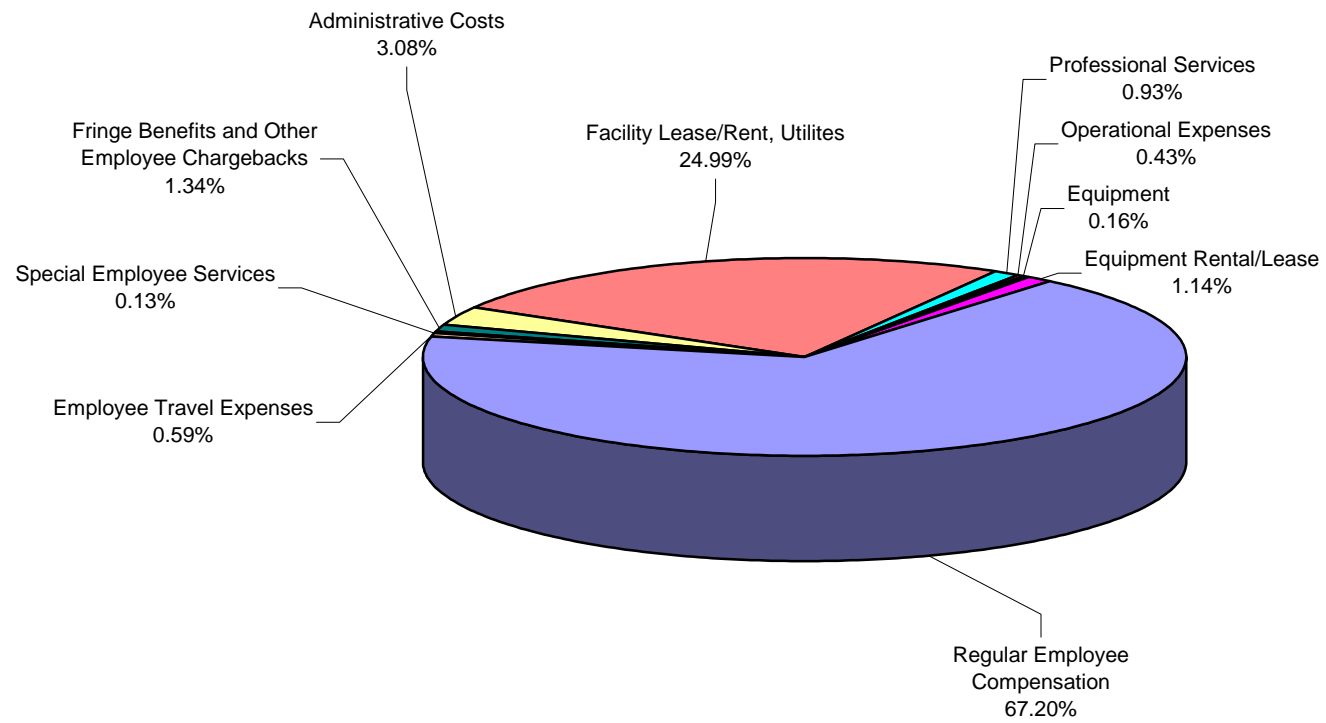
Degree in Educational Administration from Salem State College, and a Doctorate in Educational Administration from Boston College. A former Mathematics teacher at the junior high school level in Somerville and at the senior high school in Melrose, he became Assistant Superintendent in Melrose in 1972 and Superintendent of Schools in Melrose in 1984. He served as the Melrose Superintendent for nine years until his appointment in 1993 as Deputy Commissioner of Education in Massachusetts. In July 1998, he was named Interim Commissioner of Education, and on March 10, 1999, he was appointed by the Board as Massachusetts' 22nd Commissioner of Education. Commissioner Driscoll has four children, all graduates of Melrose High School

Appendix A: Department of Education Budget Information

DOE FY06 Budget Request by Categories



FY 2004 Administration Account Budget Summary



**Massachusetts Department of Education
FY03-FY04 Budget Analysis / FY05 Budget Request /FY05 House 1**

ACCOUNT NUMBER	PROGRAM - new programs are in bold type	FY2004		FY2003		FY2004		FY03-04 Change		DOE's FY2005		FY05 Governor's	
		State FTE Staff	Budget*	% Total	Budget	% Total	\$	%	Budget Request	% Total	"House 1"	% Total	
Non-Discretionary State Aid & SPED Services:													
7061-0008	Chapter # 70	4.00	3,258,969,179	79.48%	3,108,140,588	79.68%	-150,828,591	-4.63%	3,108,140,588	79.27%	3,180,748,022	88.06%	
7028-0031	Ed. Services in institutional Settings	46.00	7,613,345	0.19%	7,552,051	0.19%	-61,294	-0.81%	9,552,051	0.24%	7,552,051	0.21%	
7028-0302	Private Sped. Schools for Abandoned Children		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	
7035-0004	Pupil Transportation	0.50	51,840,000	1.26%	0	0.00%	-51,840,000	-100.00%	0	0.00%	0	0.00%	
7035-0006	Regional School Transportation	0.50	41,705,180	1.02%	26,395,683	0.68%	-15,309,497	-36.71%	26,395,683	0.67%	26,395,683	0.73%	
7052-0003	Construction - 1st. Pymt. (Deseg.)		7,303,260	0.18%	7,043,760	0.18%	-259,500	-3.55%	0	0.00%	0	0.00%	
7052-0004	Construction - 1st. Pymt. (Non-Deseg.)	1.00	12,948,960	0.32%	14,935,325	0.38%	1,986,365	15.34%	0	0.00%	0	0.00%	
7052-0005	Construction Annual Payments	3.00	361,596,898	8.82%	379,358,606	9.73%	17,761,708	4.91%	395,736,870	10.09%	0	0.00%	
7052-0006	Construction - Planning Grants		43,921	0.00%	19,076	0.00%	-24,845	-56.57%	19,076	0.00%	19,076	0.00%	
7053-1940	Payment to Northampton		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	
7061-0006	Enrollment Growth Aid		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	
7061-0010	Supplemental Chapter 70 Funding		0	0.00%	2,983,671	0.08%	2,983,671	100.00%	0	0.00%	0	0.00%	
7061-0011	Foundation Reserve		0	0.00%	7,000,000	0.18%	7,000,000	100.00%	0	0.00%	0	0.00%	
7061-0012	SPED Residential Schools - "Circuit Breaker"	3.00	70,575,000	0	121,600,262	3.12%	51,025,262	72.30%	121,600,262	3.10%	121,600,262	3.37%	
7061-0022	Class Size Reduction for Low Income Districts		18,000,000	0.44%	0	0.00%	-18,000,000	-100.00%	0	0.00%	0	0.00%	
7061-9000	School Choice Transportation		318,770	0.01%	0	0.00%	-318,770	-100.00%	0	0.00%	0	0.00%	
7061-9010	Charter School Reimbursements	1.00	0	0.00%	13,000,000	0.33%	13,000,000	100.00%	13,000,000	0.33%	13,000,000	0.36%	
	Subtotal State Aid	59.00	3,830,914,513	93.43%	3,688,029,022	94.55%	-142,885,491	-3.73%	3,674,444,530	93.72%	3,349,315,094	92.72%	
Assessment & Accountability:													
7061-0013	SPED Data Collection & Monitoring		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	
7010-0019	Department Auditing / Monitoring Initiative		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	
7010-0028	School & District Intervention		0	0.00%	0	0.00%	0	0.00%	2,000,000	0.05%	2,000,000	0.06%	
7061-0029	Office of Educational Quality and Accountab	9.00	2,480,958	0.06%	2,601,971	0.07%	121,013	4.88%	2,601,971	0.07%	2,601,971	0.07%	
7061-9400	Student Assessment	22.80	18,679,946	0.46%	18,888,000	0.48%	208,054	1.11%	27,000,000	0.69%	24,000,000	0.66%	
7061-9403	Fees from non-public MCAS Testing		0	0.00%	0	0.00%	0	0.00%	0	0.00%	750,000	0.02%	
7061-9404	MCAS Low-Scoring Support	2.00	50,000,000	1.22%	10,000,000	0.26%	-40,000,000	-80.00%	25,000,000	0.64%	10,000,000	0.28%	
7061-9405	Certificate of Occupational Proficiency		0	0.00%	0	0.00%	0	0.00%	1,100,000	0.03%	0	0.00%	
7061-9406	Intensive MCAS Support		0	0.00%	0	0.00%	0	0.00%	0	0.00%	20,000,000	0.55%	
	Subtotal Assessment & Accountability	33.80	68,679,946	1.67%	28,888,000	0.74%	-39,791,946	-57.94%	55,100,000	1.41%	56,750,000	1.57%	
Educator Quality Enhancement:													
7010-0016	Attracting Excellence to Teaching	3.00	816,725	0.02%	0	0.00%	-816,725	-100.00%	0	0.00%	0	0.00%	
7010-0020	Math Teacher Testing and Improvement		0	0.00%	0	0.00%	0	0.00%	1,000,000	0.03%	1,500,000	0.04%	
7010-0023	Teacher Recruitment and Retention		0	0.00%	0	0.00%	0	0.00%	1,487,187	0.04%	1,500,000	0.04%	
7027-1001	English Language Acquisition P.D.		0	0.00%	0	0.00%	0	0.00%	1,000,000	0.03%	0	0.00%	
7061-9604	Teacher Certification Programs	21.53	1,490,288	0.04%	1,331,271	0.03%	-159,017	-10.67%	1,757,197	0.04%	1,731,271	0.05%	
	Subtotal Educator Quality	24.53	2,307,013	0.06%	1,331,271	0.03%	-975,742	-42.29%	5,244,384	0.13%	4,731,271	0.13%	

**Massachusetts Department of Education
FY03-FY04 Budget Analysis / FY05 Budget Request /FY05 House 1**

ACCOUNT NUMBER	PROGRAM - new programs are in bold type	FY2004		FY2003		FY2004		FY03-04 Change		DOE's FY2005		FY05 Governor's		
		State FTE Staff	Budget*	% Total	Budget	% Total	\$	%	Budget Request	% Total	"House 1"	% Total		
Transfers to Other Agencies:														
7035-0003	Skill Training Center (Cambridge)		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7051-0015	Supplemental Food assistance		830,600	0.02%	747,000	0.02%	-83,600	-10.07%	747,000	0.02%	747,000	0.02%	747,000	0.02%
7061-9615	MassEd. Online		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7061-9619	Franklin Institute		1	0.00%	1	0.00%	0	0.00%	1	0.00%	1	0.00%	1	0.00%
7061-9626	Youthbuild Programs		0	0.00%	500,000	0.01%	500,000	100.00%	500,000	0.01%	500,000	0.01%	500,000	0.01%
7061-9632	Pioneer Valley Business Alliance		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7061-9634	Mass. Service Alliance Grants		500,000	0.01%	287,000	0.01%	-213,000	-42.60%	287,000	0.01%	287,000	0.01%	287,000	0.01%
Subtotal Transfers to Other Agencies		0.00	1,330,601	0.03%	1,534,001	0.04%	203,400	15.29%	1,534,001	0.04%	1,534,001	0.04%	1,534,001	0.04%
Categorical Grant Programs:														
7010-0012	Metco		15,128,126	0.37%	13,615,313	0.35%	-1,512,813	-10.00%	15,128,126	0.39%	13,615,313	0.38%	13,615,313	0.38%
7010-0017	Charter School Grants	2.50	2,301,790	0.06%	2,301,790	0.06%	0	0.00%	2,301,790	0.06%	2,301,790	0.06%	2,301,790	0.06%
7010-0042	Magnet Education		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7010-0043	Equal Education		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7027-0016	Work Based Learning	4.50	1,582,049	0.04%	1,582,049	0.04%	0	0.00%	1,582,049	0.04%	1,582,049	0.04%	1,582,049	0.04%
7027-0019	School-To-Work Connecting Activities		4,129,687	0.10%	4,129,687	0.11%	0	0.00%	4,129,687	0.11%	4,129,687	0.11%	4,129,687	0.11%
7027-1000	Math & Science Curriculum		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7030-1000	Early Childhood Grants	5.00	84,662,732	2.06%	74,604,130	1.91%	-10,058,602	-11.88%	79,699,004	2.03%	74,604,130	2.07%	74,604,130	2.07%
7030-1002	Kindergarten Development Grants	1.00	24,587,200	0.60%	23,000,000	0.59%	-1,587,200	-6.46%	24,608,908	0.63%	23,000,000	0.64%	23,000,000	0.64%
7030-1003	Early Literacy Programs		6,481,220	0.16%	3,892,994	0.10%	-2,588,226	-39.93%	0	0.00%	3,892,994	0.11%	3,892,994	0.11%
7030-1004	Parent/Child Home Program		0	0.00%	900,000	0.02%	900,000	100.00%	0	0.00%	900,000	0.02%	900,000	0.02%
7030-1005	Early Intervention Tutorial Literacy		2,123,097	0.05%	1,910,788	0.05%	-212,309	-10.00%	0	0.00%	1,910,788	0.05%	1,910,788	0.05%
7030-1007	Kindergarten English Immersion		0	0.00%	0	0.00%	0	0.00%	0	0.00%	9,900,000	0.27%	9,900,000	0.27%
7030-1500	Head Start Grants		6,146,143	0.15%	6,146,143	0.16%	0	0.00%	6,146,143	0.16%	6,146,143	0.17%	6,146,143	0.17%
7032-0500	Health Education		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7035-0002	Adult Learning Centers	12.00	28,107,237	0.69%	27,813,209	0.71%	-294,028	-1.05%	27,813,209	0.71%	27,813,209	0.77%	27,813,209	0.77%
7053-1909	School Lunch Match		5,426,986	0.13%	5,426,986	0.14%	0	0.00%	5,426,986	0.14%	5,426,986	0.15%	5,426,986	0.15%
7053-1925	School Breakfast (S.B.) Program	1.00	2,266,523	0.06%	2,266,575	0.06%	52	0.00%	2,266,575	0.06%	2,266,575	0.06%	2,266,575	0.06%
7053-1927	S.B. Pilot Program for Universal Feeding		2,261,260	0.06%	2,011,060	0.05%	-250,200	-11.06%	2,011,060	0.05%	2,011,060	0.06%	2,011,060	0.06%
7053-1928	S.B. Pilot Program to Increase Participation		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7053-1929	Summer Food Program		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7061-9600	Dual Enrollment		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7061-9608	Parent Orientation and School Preparation		0	0.00%	0	0.00%	0	0.00%	0	0.00%	4,000,000	0.11%	4,000,000	0.11%
7061-9611	After-School Programs		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7061-9612	W.P.I. School of Excellence		1,199,231	0.03%	1,199,231	0.03%	0	0.00%	1,199,231	0.03%	1,199,231	0.03%	1,199,231	0.03%
7061-9614	Alternative Education Programs		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7061-9620	Advanced Placement Courses		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7061-9621	Gifted & Talented Grants		0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
7061-9627	Alternative Schools		0	0.00%	0	0.00%	0	0.00%	0	0.00%	5,000,000	0.14%	5,000,000	0.14%
Subtotal Categorical Grant Programs		26.00	186,403,281	4.55%	170,799,955	4.38%	-15,603,326	-8.37%	172,312,768	4.39%	189,699,955	5.25%	189,699,955	5.25%

**Massachusetts Department of Education
FY03-FY04 Budget Analysis / FY05 Budget Request /FY05 House 1**

ACCOUNT NUMBER	PROGRAM - new programs are in bold type	FY2004		FY2003		FY2004		FY03-04 Change		DOE's FY2005		FY05 Governor's	
		State FTE Staff	Budget*	% Total	Budget	% Total	\$	%	Budget Request	% Total	"House 1"	% Total	
D.O.E. Administration													
7010-0005	Department of Education - Administration	79.77	9,957,672	0.24%	9,336,084	0.24%	-621,588	-6.24%	10,438,803	0.27%	9,336,084	0.26%	
7061-9200	DOE Information Technology - Administration	9.00	859,500	0.02%	770,712	0.02%	-88,788	-10.33%	1,651,135	0.04%	770,712	0.02%	
Subtotal Administration		88.77	10,817,172	0.26%	10,106,796	0.26%	-710,376	-6.57%	12,089,938	0.31%	10,106,796	0.28%	
Subtotal State Funding:		232.10	4,100,452,526	100.00%	3,900,689,045	100.00%	-199,763,481	-4.87%	3,920,725,621	100.00%	3,612,137,117	100.00%	
Subtotal State Funding:		232.10	4,100,452,526	81.36%	3,900,689,045	80.21%	-199,763,481	-4.87%					
Subtotal Federal Funding		267.32	860,307,318	17.07%	958,174,094	19.70%	97,866,776	11.38%					
Subtotal Trust Funds		7.00	76,259,725	1.51%	4,321,316	0.09%	-71,938,409	-94.33%					
Subtotal Capital Funding		0.00	3,057,765	0.06%	0	0.00%	-3,057,765	-100.00%					
Grand Total		506.42	5,040,077,335	100.00%	4,863,184,455	100.00%	-176,892,880	-3.51%					

* Totals reflect any reduction in funding per the Governor's 9C authority.

** Account 7061-0029 is a direct appropriation to the Office of Educational Quality and Accountability. Totals are not included as part of DOE Funding.