



RETHINKING SCHOOL ACCOUNTABILITY

*OPPORTUNITIES FOR MASSACHUSETTS UNDER THE EVERY
STUDENT SUCCEEDS ACT*

Senator Patricia D. Jehlen, Chair

Senate Sub-committee to the Joint Committee on Education

May 2018

The special Senate Subcommittee to the Joint Committee on Education was established per order of the Massachusetts State Senate in February, 2017:

Ms. Chang-Díaz presented the following order, to wit:

Ordered, That there shall be a special Senate sub-committee to the Joint Committee on Education, to consist of five members from the current Senate membership on the Joint Committee on Education, chaired by the Senate vice chair of the Joint Committee on Education, for the purpose of making an investigation and study of the Commonwealth's alignment with and opportunities presented by the Every Student Succeeds (ESSA) Act, Public Law 114-95. The subcommittee shall submit its report and related legislation, if any, to the joint committee on Education once its report is completed.

Senate Sub-committee chair and report author

Senator Patricia D. Jehlen, with gratitude to those who contributed ideas, data, and comments

Senate Sub-committee Members:

Senator Michael J. Barrett
Senator Jason M. Lewis
Senator Barbara A. L'Italien
Senator Patrick M. O'Connor

Staff:

Victoria Halal, Matthew Hartman, Emily Wilson, Kat Cline, Dennis Burke, Erin Riley, Sam Anderson, Daria Afshar

Sponsored Events:

(6/13/17) Panel Discussion: Life & Learning in MA Turnaround Schools

<https://www.youtube.com/watch?v=KbErK6rLQAY&t=2s>

(12/12/17) Mildred Avenue School Site Visit

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INTRODUCTION

Since Horace Mann, Massachusetts has led the nation in education. But concerns about inequality have led to major shifts in resources, power, and policy.

Massachusetts adopted a set of new education policies in 2010 as a result of federal requirements and incentives. The passage of the federal Every Student Succeeds Act (ESSA) in 2015 restored some state and local autonomy, giving Massachusetts an opportunity to re-examine those policies.

We can learn from our experience and determine the best ways to reduce inequality and give all students a chance to succeed. For example, we do not have to label schools negatively, we can judge school quality in more accurate ways, and we can use less disruptive, more productive ways to improve struggling schools.

In 1993, a court suit for fair school finance led the legislature to adopt the Massachusetts Education Reform Act (MERA), intended to provide a more equal education for children throughout the commonwealth. The commonwealth would provide significantly more money to districts that couldn't

raise enough funds themselves. This was part of a "grand bargain" that gave the state a greater role in their oversight.

At the time, Massachusetts was already among the top-scoring states on the widely respected National Assessment of Educational Progress (NAEP), but there was great inequality in spending between school districts.

A VERY SHORT HISTORY OF EDUCATION REFORM IN MASSACHUSETTS

Massachusetts Education Reform Act of 1993

- Major increase in state funding, with the most going to districts with the least ability to raise their own funds.
- "Comprehensive" student assessment system for three grades, "competency determination" for a high school diploma
- Up to 25 charter schools
- Less local control of education, more state control

Massachusetts Act Relative to the Achievement Gap, 2010

- No new state funding
- More draconian state action in schools with low scores
- More charter schools
- Even less local control of education, more state control

For the first seven years, the Commonwealth kept the financing part of the bargain. However, since 2002, state funding has not kept pace adequately or equitably. In fact, adjusted for inflation, it is less now than in 2002.¹ New aid has mostly been distributed in ways that do not

¹Education. (n.d.). Retrieved February 07, 2018, from <http://massbudget.org/browser/cat.php?id=Education&inflation=cpi>

increase equality and were not provided for in MERA. Massachusetts is again among the states with the most unequal funding for local schools.

In 2010, largely in order to gain temporary federal stimulus funding through Race to the Top (RTTT), the state adopted the 2010 Achievement Gap Act (AGA). As the name implies, the law was intended to be a way to reduce inequality. But, unlike the 1993 legislation, it did not reduce inequality in funding. Instead, it greatly increased the state's role in labeling schools and in intervening in "underperforming" and "chronically underperforming" schools and districts.

This strategy did not work. NAEP reports show inequality in Massachusetts test scores increased or remained largely unchanged. Interventions in "underperforming" schools have had mixed results at high cost in both money and disruption.

School quality has been judged almost entirely by test scores, which are highly correlated with students' family income. Public perception of schools based on test score-driven labels has led to increased class segregation, difficulty in recruiting and retaining qualified teachers, and a narrowed curriculum in schools that serve low-income students. The state's record in intervening directly in low-scoring schools has been spotty at best.

Nationwide anger over federal overreach in control of schools led to passage of ESSA. Under ESSA, Massachusetts has the opportunity to

- reduce over-emphasis on standardized tests and develop ways to better measure student learning and school quality
- restore the balance of state and local control and
- replace disruptive top-down interventions with locally-driven reforms that address real problems.

There is wide consensus that test scores are an inadequate way to measure school quality and the learning we expect, and that the focus on improving those scores has narrowed the curriculum, crowding out other subjects and skills, including those that would improve career readiness.

There is also growing consensus that rewards and punishments based on testing are ineffective in reducing inequality, and that schools alone cannot achieve equity in student learning opportunities and outcomes.

At the same time, Massachusetts may soon have an additional opportunity to once again reduce the funding gap between rich and poor districts through a ballot question that would raise hundreds of millions of dollars for school funding.

THE BACK STORY: MASSACHUSETTS EDUCATION REFORM ACT OF 1993

Since Horace Mann established public education in 1837, Massachusetts has led the nation in education.

On standardized tests, Massachusetts has had the highest, or very close to the highest, scores on the National Assessment of Education Progress (NAEP) since before the 1993 Massachusetts Education Reform Act (MERA).

NAEP Test	1992: before MERA	2005: before AGA	2017: after AGA
Grade 4 reading	3*	1	1
Grade 4 math	3*	1	1*
Grade 8 reading	1* in 1998 (first published comparison)	1	1*
Grade 8 math	8*	1	1*

*statistically tied with other states ²

During the 1980s, concern grew over deep educational inequality. The passage of Proposition 2 ½ in 1980 forced most communities to cut their local property taxes and reduce school spending. The reductions hit hardest in communities with low property values, which had been taxing their residents at high levels in order to come closer to the per pupil spending in higher-income communities.

The state's contribution to public education was among the lowest in the country, resulting in over-reliance on local property taxes,³ and large differences in spending between wealthy and low-income communities.

This crisis gave urgency to the *McDuffy v. Secretary of the Executive Office of Education* school finance lawsuit, in which students from Brockton and other low-income communities claimed that the Commonwealth was not meeting its constitutional obligation to “cherish” education for all students.

² (n.d.). Retrieved February 07, 2018, from The Nation's Report Card, Data Tools, https://www.nationsreportcard.gov/profiles/stateprofile/overview/MA?cti=PgTab_ScoreComparisons&chort=1&sub=MAT&sj=MA&fs=Grade&st=MN&year=1992R2&sg=Gender%3A%2BMale%2Bvs.%2BFemale&sgv=Difference&ts=Single%2BYear&tss=2015R3-1992R2&sfj=NP

³ U.S. Department of Education, Office of Educational Research and Improvement. (n.d.). *State Comparisons of Education Statistics: 1969-70 to 1996-97*. Retrieved April 11, 2018, from <https://nces.ed.gov/pubs98/98018.pdf>

Meanwhile, in 1991, businessman Jack Rennie and the Massachusetts Business Alliance for Education (MBAE) produced an influential report⁴ that proposed a foundation budget, as well as increased state authority in setting standards, incentives, and penalties. The report was the basis of the 1993 law's Foundation Budget provisions. It also recommended that "a broad array of performance indicators should be developed, not simply results of standardized tests."⁵ It anticipated broad turnaround powers for superintendents in underperforming schools, including replacing staff and potentially privatizing functions such as foreign language instruction. It recommended a graduation test requirement as well as improvements that have not been widely adopted, but are still recommended: pre-school for all 3 and 4-year olds; parent outreach and education; extended learning time; school-based authorities; teacher recruitment, especially of minority candidates; integration of social services; increased vocational education; and professional development.

The Massachusetts Education Reform Act (MERA) of 1993 was intended to provide a more equal education for children throughout the state. The MERA has been described as a "grand bargain," increasing state financial assistance to local schools dramatically in return for greater state control through state standards and measures, and for greater parent choice through charter schools and inter-district choice.⁶

In May 1993, the Supreme Judicial Court settled the McDuffy fair school finance case, ruling that all children in Massachusetts are constitutionally entitled to an adequate education, and that the Commonwealth was failing to provide that.

The same month, MERA committed the state to a 7-year phase-in of a foundation budget, which established standards for adequacy that included – for example – maximum student-teacher ratios, with extra funding for low-income students and English language learners. It required the state to ensure that all schools were funded at least at that minimal level.

Education reformers argued that, if the state were contributing more of the funds for local education, it should have more control over local school quality. MERA mandated the creation of state standards in English, science and technology, history and social science, math, foreign languages, the arts, and nutrition and exercise.

MERA also called for a "comprehensive diagnostic assessment," to help determine how students were learning and schools were performing. It required a system of assessments that would "as much as is practicable" include "consideration of work samples, projects, and portfolios."⁷ However, the system created in response to the law never included those measures

⁴Massachusetts Business Alliance for Education. (1991). *Every Child a Winner!* (pp. 1-66). Retrieved from <https://www.mbae.org/uploads/13102003114120EveryChildAWinner.pdf>

⁵ Massachusetts Business Alliance for Education. (1991). *Every Child a Winner!* (pp. 28). Retrieved from <https://www.mbae.org/uploads/13102003114120EveryChildAWinner.pdf>

⁶ The Education Reform Act of 1993, 1993 Mass Acts 71 (1993).

⁷ The Education Reform Act of 1993, 1993 Mass Acts 71 at §28 (1993).

but was limited to standardized tests. At first, those tests were limited to English/Language Arts (ELA) and Math in grades 4, 8 and 10. MCAS tests were first administered in 1998; passing the 10th grade test became a graduation requirement in 2003.

Some reformers advocated for more parent choice in education, both to benefit families that had strong preferences, and to create competitive pressure for improvement. MERA allowed the creation of up to 25 Commonwealth Charter Schools, which do not require local approval. It also established in statute an inter-district choice program.

Strict “accountability” was primarily centered on students: The MERA required students to pass a graduation test, beginning in 2003. It was left to local school committees to use the assessment system and their own judgement in how to meet the new standards. The law authorized the Board of Elementary and Secondary Education (BESE) to designate some schools or districts as “underperforming” or “chronically underperforming.”⁸

From 1993 to 2000 the state kept its commitment to the Foundation Budget. State aid to local education doubled, increasing by over a billion dollars in a mostly equalizing way. Students in low-income communities for the first time had a better chance for education that didn’t depend on their zip code. By 2002, all districts were at or above the foundation level.⁹ A MassINC report used six different spending inequality measures and found that “by every measure, spending was equalized throughout the 1990s.”¹⁰

Three other studies in Massachusetts found test scores went up, especially in previously low-spending communities.¹¹ This was despite a greatly increased concentration of students living in poverty and of English language learners in those districts.¹²

Another recent study examined the effects of court-ordered, equitable increases in school spending and concluded:

⁸ For more on the context and content of MERA and the Achievement Gap legislation, see Chester, M., Commissioner. (1991). *Building on 20 Years of Massachusetts Education Reform* (pp. 1-22) (Massachusetts Department of Elementary and Secondary Education, Massachusetts Board of Elementary and Secondary Education). Retrieved from <http://www.doe.mass.edu/commissioner/BuildingOnReform.pdf>

⁹ Driscoll, L., Berger, J., Hambleton, R., Keller, L., Maloy, R., Hart, D., . . . Churchill, A. (2005). Education Reform: Ten Years after the Massachusetts Education Reform Act of 1993. *Nonpartisan Education Review*, 1, 1-36. Retrieved February 13, 2018 from <http://nonpartisaneducation.org/Review/Resources/ed.connection.2003.pdf>

¹⁰ Downes, T., Zabel, J., & Ansel, D. (2009). *Incomplete Grade: Massachusetts Education Reform at 15(Rep.)*. Retrieved February 13, 2018, from MassINC website: <https://massinc.org/research/incomplete-grade/>

¹¹ Baker, B. D. (2016). *Does Money Matter in Education?*(2nd ed., Rep.). Retrieved from <http://www.shankerinstitute.org/resource/does-money-matter-second-edition>

¹² Downes, T., Zabel, J., & Ansel, D. (2009). *Incomplete Grade: Massachusetts Education Reform at 15(Rep.)*. Retrieved February 13, 2018, from MassINC website: <https://massinc.org/research/incomplete-grade/> pp.9-10, 14.

For children from low-income families, increasing per pupil spending yields large improvements in educational attainment, wages, family income, and reductions in the annual incidence of adult poverty. All of these effects are statistically significant and are robust to a rich set of controls for confounding policies and trends. For children from non-poor families, we find smaller effects of increased school spending.¹³

However, since 2002, state funding has not increased adequately or equitably. In fact, adjusted for inflation, it is less now than in 2002.¹⁴ New aid has mostly been distributed in ways that do not increase equality, and Massachusetts is again among the states with the most unequal funding for local schools.¹⁵

ACHIEVEMENT GAP ACT OF 2010

MERA increased the Commonwealth's control over local school departments. The federal government increased its control over both state and local education authorities through the No Child Left Behind Act (NCLB) in 2002, which required annual testing of every student in grades 3 - 8 and once in high school in reading and mathematics, and reporting of scores by school and subgroup. States were required to bring all students to the "proficient level" on state tests by 2014; schools that failed to make "adequate yearly progress" toward that goal were subject to increasing negative sanctions each year. Among other requirements, teachers had to be "highly qualified."¹⁶

Previously, Massachusetts had given MCAS only in English Language Arts (ELA) and Math in three grades: 4, 8 and 10. As a requirement of NCLB, Massachusetts expanded ELA and Math testing to six grades (3-8 and 10), with science tested in grades 5, 8, and high school.

In 2009, as states struggled with low tax revenues during the Great Recession, the Obama administration increased federal control again. As part of the American Recovery and Reinvestment Act, it offered millions of dollars in "Race to the Top" (RTTT) competitive grants to states that adopted its recommendations.

¹³ Jackson, C. K., Johnson, R., & Persico, C. (2015). The Effects of School Spending on Educational and Economic Outcomes: Evidence from School Finance Reforms. *Quarterly Journal of Economics*, 131(1), 157-218. doi:10.3386/w20847

¹⁴ Education. (n.d.). Retrieved February 13, 2018, from <http://massbudget.org/browser/cat.php?id=Education&inflation=cpi>

¹⁵ Massachusetts Earns a B on State Report Card, Ranks First in Nation. (2017, March 03). Retrieved April 11, 2018, from <https://www.edweek.org/ew/qc/2017/state-highlights/2017/01/04/massachusetts-state-highlights-report-page.html>

¹⁶ Klein, A. (2015, April 10). No Child Left Behind: An Overview. *Education Week*. Retrieved February 13, 2018, from <https://www.edweek.org/ew/section/multimedia/no-child-left-behind-overview-definition-summary.html?intc=main-mpsmvs>

In 2010, spurred by the RTTT incentives and requirements, Massachusetts passed the Achievement Gap Act (AGA). The federal government ultimately awarded Massachusetts \$250 million over four years in RTTT funds. Half of the \$250 million, approximately \$31 million per year, went to local districts (this is less than the average annual increase of \$88 million in Chapter 70 appropriations from FY2010 to FY2017). The other half of RTTT funds went to the DESE. The median district grant was \$104,305; this was not added to the base and didn't continue when RTTT funding ended.¹⁷

The AGA raised the cap on charter school tuition payments in districts scoring in the "lowest 10%" of the Massachusetts Comprehensive Assessment System (MCAS). In those districts, up to 18% of Net School Spending (NSS) could be diverted to charter school tuition, while other districts continued to have a 9% cap.¹⁸

The law gave the Commissioner of Elementary and Secondary Education (ESE) increased authority to intervene in "underperforming" schools, which he could designate from among the schools in the "lowest 20%." The "lowest 20%" was based on a metric derived largely from MCAS scores, but the commissioner had the discretion to consider other criteria such as graduation rates. The AGA allowed districts and DESE to change collective bargaining contracts and displace or terminate teachers and principals more easily as part of the implementation of turnaround plans at those schools.

The legislature gave the Commissioner of ESE the power to designate "chronically underperforming" schools, if they had not improved after three years. And it gave the Commissioner the power to appoint a receiver for those schools; the receiver may suspend or change provisions of the teachers' contract or district policies.

Following the receipt of RTTT grant money, the Board of Elementary and Secondary Education (BESE) established five levels of school performance:

- Levels 1 and 2 are schools in the top 80%, based largely on MCAS scores (with a complex formula determining Level 1 vs. Level 2),
- Level 3 consists of the "lowest 20%," based largely on MCAS scores (for high schools, graduation rates are a factor)
- Level 4 is those schools chosen by the commissioner as "underperforming," and
- Level 5 is a school determined by the commissioner to be "chronically underperforming" after at least 3 years in level 4.¹⁹

¹⁷ *Year 1 Race to the Top in Massachusetts An Education Progress Report*(Rep.). (n.d.). Retrieved April 11, 2018, from Massachusetts Business Alliance for Education website: <https://www.mbae.org/wp-content/uploads/2011/11/MBAE-Race-to-the-Top-11-16-11-FINAL.pdf> p. 7; K-12: Chapter 70 Aid. (n.d.). Retrieved February 13, 2018, from <http://massbudget.org/browser/subcat.php?c1=8&c2=18&id=K-12%3A%2Bchapter%2B>

¹⁸ The Achievement Gap Act of 2010, Mass Gen Law ch 71 § 89.

¹⁹ Districts are also placed in levels; until 2018, districts have been given the same level as their lowest school. Three districts have been declared Level 5.

School districts were assigned to the level of the lowest rated school in the district.

DESE required Level 4 schools to adopt one of the four federal models to qualify for federal School Improvement Grant assistance:

- Transformation: replace the principal and adopt other policies to evaluate, support and reward educators
- Turnaround: Replace the principal, require all faculty to re-apply and rehire no more than half
- Restart: Turn the school over to a charter school operator or education management organization
- School Closure²⁰

Districts in the lowest 10% can be declared "chronically underperforming," or Level 5, by the BESE, which then appoints a receiver, either a non-profit entity or an individual. Lawrence, Holyoke, and Southbridge are Level 5 districts, currently operating under receiverships, with full managerial and operational control.²¹

RESULTS OF ACHIEVEMENT GAP ACT

No Improvement in Achievement Gaps

Since 2009, before the passage of the Achievement Gap law, Massachusetts NAEP scores have remained at the very top in the country, but have not changed significantly. Charts in Appendix A compare the changes in scores for black and white students, and students who did and did not qualify for school lunch since 2010. The changes are small, but the gap increased in eight out of twelve comparisons, decreased in three, and remained unchanged in one.

WBUR reported that "In 2015, Massachusetts received the highest ranking on national fourth- and eighth-grade reading and math tests, but the achievement gap there between low-income students and peers was the third highest in the nation."²²

²⁰ Massachusetts Department of Elementary and Secondary Education. (n.d.). *Required Federal Intervention Models for SRG Funds Summary of Federal Models*. Retrieved February 13, 2018, from <http://www.doe.mass.edu/grants/2017/511/FedInterventionModels.pdf#search=%22federal%20models%22>

²¹ Mass. Gen. Laws ch. 69, § 1K

²² Massachusetts Education Again Ranks No. 1 Nationally. (2016, January 7). Retrieved February 13, 2018, from <http://learninglab.legacy.wbur.org/2016/01/07/massachusetts-education-again-ranks-no-1-nationally/>

One of the main reasons NCLB and MERA required standardized testing was to reveal and remedy the achievement gap. Testing has affirmed that there are real achievement gaps between rich and poor, Black/Latino and White.

Testing and accountability, however, have not reduced those gaps. As former Massachusetts Secretary of Education Paul Reville has noted, “There is still an iron-law correlation in the commonwealth between socioeconomic status and academic achievement. Despite our great successes, we’ve failed.”²³

Inadequate Funding

The Achievement Gap law did not commit the Commonwealth to increased or more equitable funding. Major tax cuts in the late 1990s and early 2000s and two major downturns have reduced state revenues. Since FY 2002, Chapter 70 has actually been reduced in real terms, when adjusted for inflation in government purchases.²⁴

There has been a 1% increase, adjusted for inflation in government purchases, in Chapter 70 funding since 2010.²⁵ Dollar amount increases have mostly been distributed through per-pupil “minimum aid” and “effort reduction”²⁶ aid rather than aid targeted to under-resourced schools.²⁷

²³ Reville, P. (2013, June 5). Seize the Moment to Design Schools That Close Gaps. *Education Week*, 32(33), 36-36. Retrieved February 13, 2018 from https://www.edweek.org/ew/articles/2013/06/05/33reville_ep.h32.html

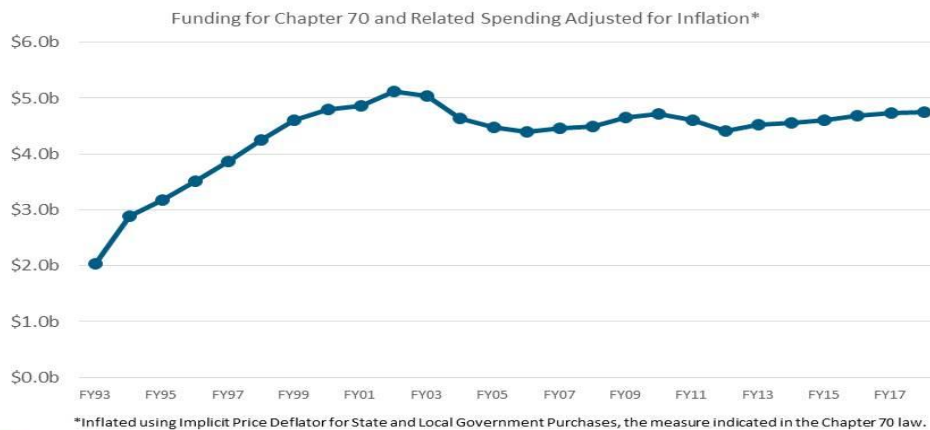
²⁴ K-12: Chapter 70 Aid. (n.d.). Retrieved February 13, 2018, from <http://massbudget.org/browser/subcat.php?c1=10&c2=18&id=K-12%3A+Chapter+70+Aid&inflation=ipd&budgets=18b17b16b15b14b13b12b11b10b9b8b7b6b5b4b3b2b1#comparisons>

²⁵ K-12: Chapter 70 Aid. (n.d.). Retrieved February 13, 2018, from <http://massbudget.org/browser/subcat.php?c1=10&c2=18&id=K-12%3A+Chapter+70+Aid&inflation=ipd&budgets=18b17b16b15b14b13b12b11b10b9b8b7b6b5b4b3b2b1#comparisons>

²⁶ Minimum Aid: A guaranteed per pupil aid increase over the prior year (e.g. \$30/pupil in H2 for FY18). Effort Reduction: State funding to ensure that a district’s target local share of a district’s foundation budget does not exceed 82.5%.

²⁷ Moscovitch, E. (2010, December). *School Funding Reality: A Bargain Not Kept How is the Foundation Budget Working?* (Rep.). Retrieved February 13, 2018, from Massachusetts Business Alliance for Education website: <https://www.mbae.org/wp-content/uploads/2010/02/School-Funding-Reality-A-Bargain-Not-Kept.pdf>. p. 12 shows increase in aid by type of community from 2007-2010.

Funding for Chapter 70 Rose in the First Decade of Education Reform, Then It Declined and Levelled Off



As early as 2004, Justice Margaret Botsford concluded in *Hancock v. Driscoll* that the foundation budget does not presently provide sufficient funds to the focus districts to permit them to implement the curriculum frameworks or generally to meet the standards of McDuffy, and no other source of State funding fills the gap.²⁸

The Supreme Judicial Court accepted those findings, but did not order a remedy, arguing that the state government was making a concerted effort to relieve inequities.²⁹

However, in 2010, a Massachusetts Business Alliance for Education (MBAE) report concluded that

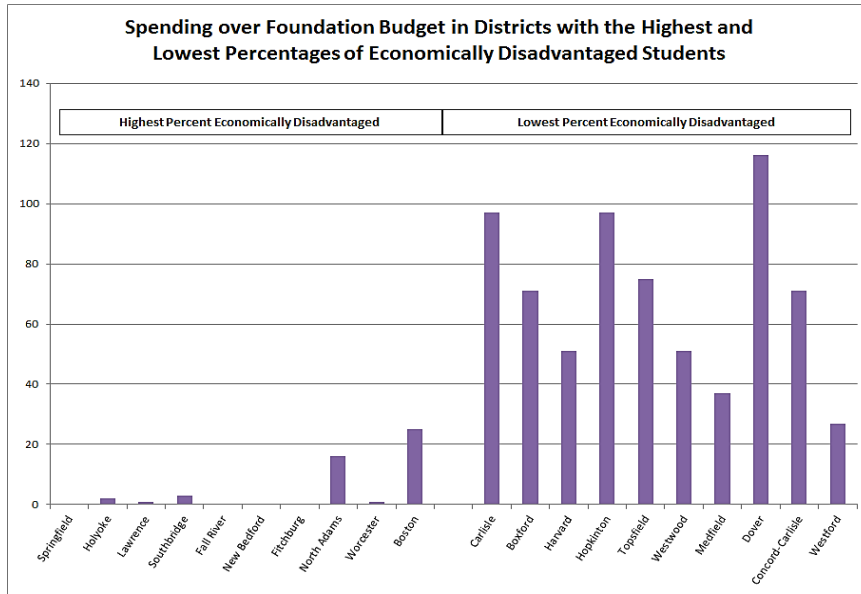
over the 17 years since the Education Reform Act passed, there has been virtually no equalization in spending or state aid between rich districts and poor. The gains made by the neediest districts in the years before 2000 have been all but nullified by losses in the years since...Poor districts were 21 percent below [the “true cost” foundation] in 1993, rose to within 3 percent of the goal in 2000, and were back down to 16 percent below in 2010.³⁰

²⁸ Botsford, M. (2004, April 1). *Hancock v Driscoll* report of Judge Margot Botsford. Retrieved February 13, 2018, from <http://www.doe.mass.edu/finance/chapter70/McDuffy.html>

²⁹ Massachusetts Department of Revenue. (n.d.). *City and Town*(Vol. 18, Ser. 5, pp. 1-10). Retrieved from <http://www.mass.gov/dor/docs/dls/publ/ct/2005/may.pdf>

³⁰ Moscovitch, E. (2010, December). *School Funding Reality: A Bargain Not Kept How is the Foundation Budget Working?*(Rep.). Retrieved February 13, 2018, from Massachusetts Business Alliance for

MBAE also concluded that there was a gap of \$1.7 billion between the “true cost” foundation budget and the outdated foundation formula, due particularly to increases in health care costs and the use of an unrealistic inflation factor.



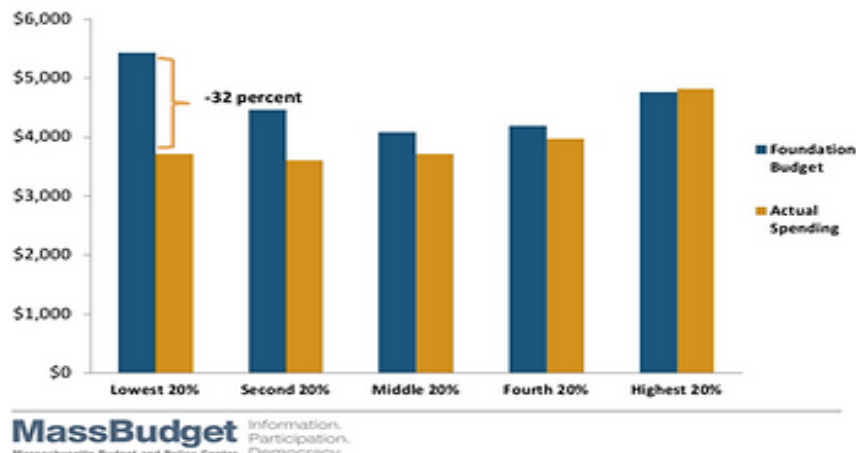
Lack of adequate funding has had different effects in wealthy and poor communities. Communities with high property values are able to raise enough from property taxes to offer a good education. Schools educating children with greatest need have the least adequate funding.

In the chart to the left, the districts on the left side are those with the highest

number of low-income students; they spend at just the level required by the current, outdated, and inadequate foundation budget. In the chart to the right, wealthier districts spend far more than required. The average district in the state spends 23.8%³¹ above the current, outdated and inadequate

Only Highest-Wealth Districts Spend at Foundation on Regular Ed. Teachers

Districts clustered by community property wealth and income
Per pupil spending on Regular Education Teachers, FY 2010



Education website: <https://www.mbae.org/wp-content/uploads/2010/02/School-Funding-Reality-A-Bargain-Not-Kept.pdf>. p. 4

³¹ School Finance Chapter 70 Program. (2018, January 24). Retrieved February 13, 2018, from [http://www.doe.mass.edu/finance/chapter70/_List of districts' Net School Spending compared to the Foundation Budget: Chapter 70 Foundation Budget and Net School Spending \(NSS\). \(2017, June 8\). Retrieved February 13, 2018, from http://profiles.doe.mass.edu/statereport/netschoolspendingtrend.aspx](http://www.doe.mass.edu/finance/chapter70/_List of districts' Net School Spending compared to the Foundation Budget: Chapter 70 Foundation Budget and Net School Spending (NSS). (2017, June 8). Retrieved February 13, 2018, from http://profiles.doe.mass.edu/statereport/netschoolspendingtrend.aspx)

“foundation” budget; communities recognize that their students need more than the current foundation budget requires, and many have enough property tax capacity to add to the foundation.

One dramatic example: in 2011, MassBudget found that low-wealth districts had far fewer regular-education teachers than high-wealth districts. So, low-income districts tend to have bigger classes. And yet, well-designed studies of class size conclude smaller classes are particularly effective in helping low-income and young children learn.³²

Students living in poverty need small classes more than wealthy children. Students with the most challenges have the greatest gap between their needs and available resources. This was recognized by the foundation formula at its inception by increasing resources for students most in need. Failure to update the formula, however, has again left those children the farthest behind.

Funding at the local level still suffers from the pressures that created the need for the foundation budget in 1993. Proposition 2 ½, which limits both overall local property tax levies and annual increases, has so limited the ability of communities to raise revenue locally that some low income communities and even moderate income communities have little or no additional tax revenue they can levy. Low property valuation per capita means that they can raise less money for school budgets. For example, Holyoke and Springfield have 0 dollars of additional tax they can levy from properties and Holyoke has been unable to levy further taxes since FY2014. This is in spite of extraordinary tax rates in those communities that are 2 and 3 times the rate of communities like Boston and Cambridge.³³ Put simply, low income communities cannot add a single additional dollar toward education funding.

Students across the state have very different access to resources and very different educational experiences. In 2015, Lawrence spent approximately \$15,000 per student, and was right at its foundation budget level. Waltham, on the other hand, spent approximately \$19,940 per student, and exceeded its minimum-spending requirement by one and half times, something not feasible for Lawrence. Lawrence also has a large population of students who live in poverty as well as English Language Learners; Waltham does not.³⁴

-- Maggie Simeone, who has taught in Lawrence and Waltham

Amid such declining investment, the Massachusetts legislature established the Foundation Budget Review Commission (FBRC) to review the adequacy of the foundation formula and

³² Reports relating to Property Tax Data and Statistics. (n.d.). Retrieved February 13, 2018, from <https://www.mass.gov/lists/reports-relating-to-property-tax-data-and-statistics>. Compare Cambridge’s 6.49% residential tax rate for FY2019 to Holyoke’s 19.17% for the same year.

³³ DOR databank, Compare Cambridge’s 6.49 residential tax rate for FY2017 to Holyoke’s 19.17 for the same year: Reports relating to Property Tax Data and Statistics. (n.d.). Retrieved April 11, 2018, from <https://www.mass.gov/lists/reports-relating-to-property-tax-data-and-statistics>

³⁴ Outdated formula yields have and have-not schools. (2018, February 24). *CommonWealth*. Retrieved from <https://commonwealthmagazine.org/opinion/outdated-formula-yields-not-schools/#.WpLSCTQiCVE.facebook>

recommend revisions. Its October 2015 report provided recommendations for updating the formula to reflect the realities of the costs associated with employee health care, special education, English language learning, and students living in poverty. Not unlike the MBAE and Mass Budget & Policy estimates, the FBRC concluded that over \$1 billion was required to fund employee health care and special education adequately. Even more would be required for English language learners and students living in poverty.³⁵ Without such changes, “the good work begun by the education reform act of 1993, and the educational progress made since, will be at risk so long as our school systems are fiscally strained by the ongoing failure to substantively reconsider the adequacy of the foundation budget.”³⁶

Ed Moscovitch, one of the architects of the foundation budget formula in 1993, wrote in the 2010 MBAE report, “School Funding Reality: A Bargain Not Kept,” “If we cannot bring resources in the classroom to the foundation goal...we cannot in good faith continue to hold teachers and principals accountable for reaching the reform law’s performance goals.”³⁷

More State Control

Since the Achievement Gap law of 2010, the DESE has used its powers to dramatically increase its interventions in local schools, both by granting expansions of Commonwealth charter schools and by exercising far more authority in “underperforming” schools and districts.

Since 2010, Massachusetts has granted 15 new Commonwealth charters; 8 have gone to existing charter operators. All are in urban districts; all but one are in the 29 districts that serve the highest percentage of low-income students, that have the lowest test scores, and where the charter cap has been doubled. Charter enrollment has increased by 60%, from 26,384 to 42,181.³⁸

While the state declared many schools underperforming following MERA, its interventions were modest, consisting mostly of technical assistance.³⁹ Since 2010, 65 schools have been

³⁵ See Appendix C

³⁶ *Foundation Budget Review Commission Final Report* (Rep.). (2015). Retrieved February 13, 2018, from <http://www.doe.mass.edu/finance/chapter70/FBRC-Report.pdf>

³⁷ Moscovitch, E. (2010, December). *School Funding Reality: A Bargain Not Kept How is the Foundation Budget Working?*(Rep.). Retrieved February 13, 2018, from Massachusetts Business Alliance for Education website: <https://www.mbae.org/wp-content/uploads/2010/02/School-Funding-Reality-A-Bargain-Not-Kept.pdf>

³⁸ Massachusetts Charter Schools. (n.d.). Retrieved April 11, 2018, from <http://www.doe.mass.edu/charter/enrollment/FY2018/>

³⁹ How Level 4 schools were identified: Process for Identifying Level 4 Candidate schools. (2009, December 4). Retrieved February 13, 2018, from http://www.doe.mass.edu/bese/docs/fy2010/1209/item3_attachB.pdf#search=%22level%204%202009%22

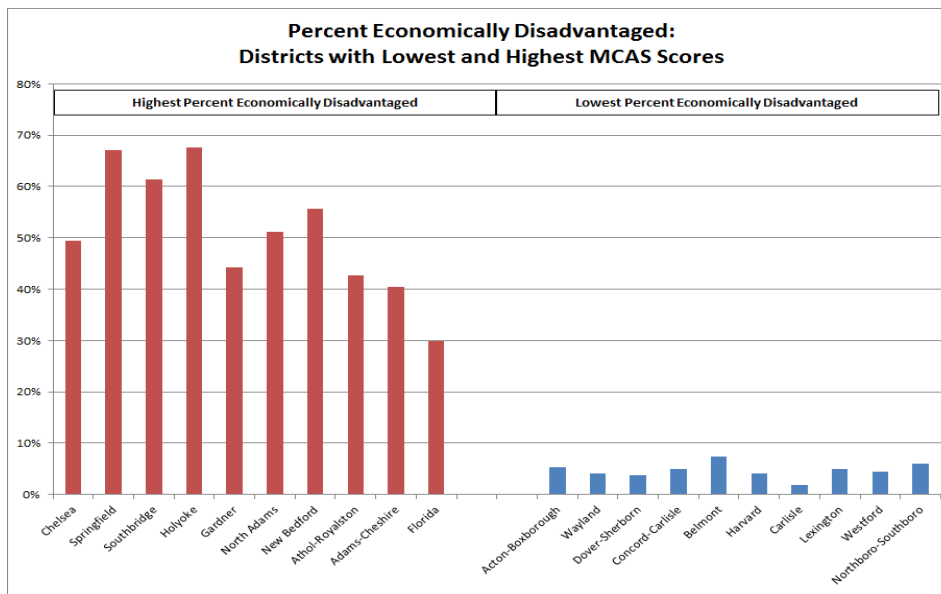
Examples of turnaround plans: District Plans for Underperforming Schools. (n.d.). Retrieved February 13, 2018, from <http://www.doe.mass.edu/bese/docs/2007-01.pdf>

declared underperforming under the AGA; 25 have successfully exited and 5 have closed.⁴⁰ Four schools became Level 5 in 2013 and were placed in receivership; all are still in Level 5.

Though there are entire school districts (Lawrence, Holyoke, and Southbridge) that have also been designated as chronically underperforming and are undergoing a turnaround process under receivership, this paper is focused only on school-level analysis.

Misleading Labels

Testing did not increase as a result of the Achievement Gap law, but the consequences -- the



high stakes -- attached to testing for schools, districts, and teachers increased dramatically. The Massachusetts system of sorting schools into levels, in place from 2012 to 2017, has been based primarily on multiple uses of MCAS scores. For example, Level 3 uses a total of 44 measures in an

extremely complex measure.⁴¹ It gives achievement a weight three times that of growth. Achievement scores -- and therefore percentiles and levels -- are highly correlated with family income, leading schools and districts that educate low-income children to be disproportionately labeled underperforming, regardless of whether the students are learning.

Student Growth Percentile is a better measure of the school's influence: the progress made by individual students is compared to that of their academic peers who started with similar test scores.⁴²

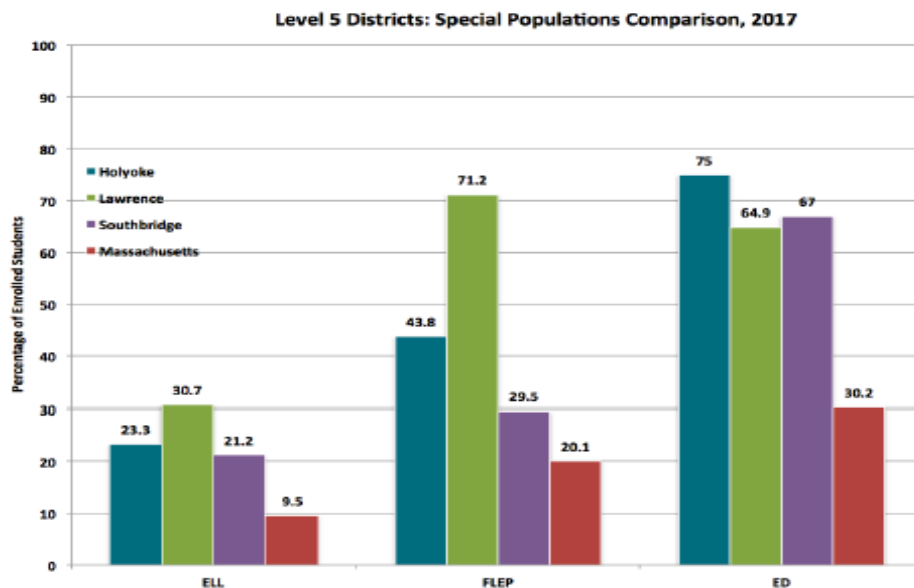
⁴⁰ Level 4 Schools. (n.d.). Retrieved February 13, 2018, from <http://www.doe.mass.edu/turnaround/level4/level-4-schools-list.pdf>

⁴¹ *School Leader's Guide to the 2017 Accountability Determinations* (Rep.). (n.d.). Retrieved April 11, 2018, from Massachusetts Department of Elementary and Secondary Education .website: <http://www.doe.mass.edu/accountability/school-leaders-guide.pdf>

⁴² Martin West, now a member of the Massachusetts Board of Elementary and Secondary Education testified at the federal ESSA hearings that

*the most important flaw of the No Child Left Behind accountability system is its reliance on the level of student achievement at a single point in time as a measure of school performance. **Achievement levels are a poor indicator of school quality, as they are heavily influenced by factors outside of a school's***

The media and the public perceive test scores and levels as measuring school quality. They do not. Test scores are so highly correlated with social class that Ludlow Superintendent Todd Gazda has said, “There are easier ways to measure poverty levels than by taking time away from instruction to give standardized state assessments.”⁴³



Every study comparing charter and district schools (CREDO, Harvard, MIT) used a form of growth score.

This chart shows that the districts with the lowest MCAS scores have many times more low-income students than those with the highest scores.⁴⁴

The average percentage of economically disadvantaged students in Level 4 schools (72.3%) is more than twice the state average (30.2%). All level 4 schools are in the 10% of districts with the highest percent of students in poverty. All level 5 schools are in the 5% of districts with the highest percent of poor students. Level 5 districts (Holyoke, Lawrence, and Southbridge) have at least twice the percentage of ELLs as the state average, and more than twice the percentage

control. This approach...judges schools based on the students they serve, not on how well they serve them. Performance measures based on the growth in student achievement over time...provide a fairer, more accurate picture of schools' contribution to student learning.

Last year, the conservative [Fordham Institute ranked Massachusetts' accountability system](#) “weak” on fairness to low-income schools

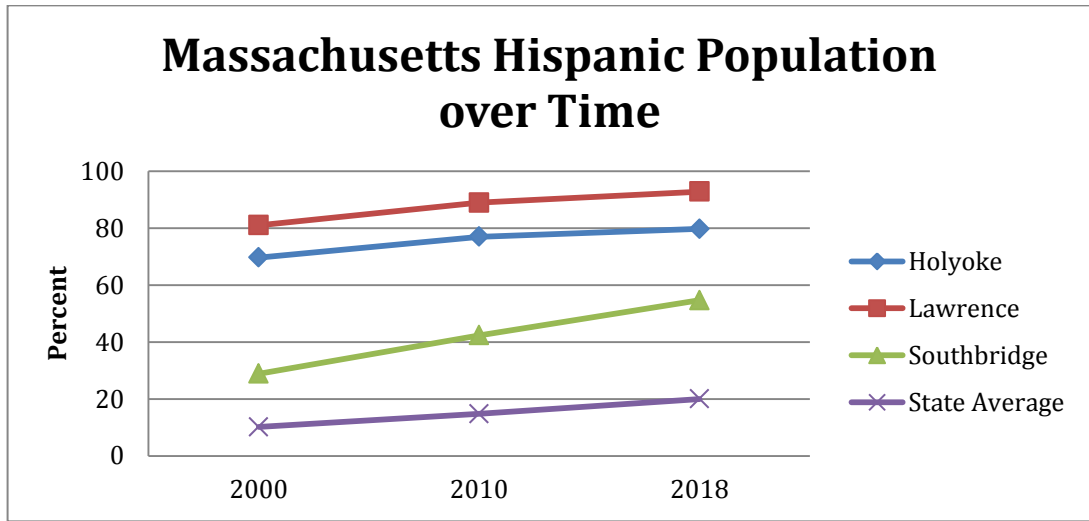
because academic growth will constitute just 25 percent of schools' annual ratings... Growth measures gauge changes in pupil achievement over time, independent of prior achievement, and are therefore less correlated with poverty, thus according high-poverty schools the opportunity to earn positive ratings...Growth measures should therefore constitute the majority of summative ratings.

West, M. (2015, January 21). Fixing No Child Left Behind: Oral testimony of Martin West. *Thomas B. Fordham Institute*. Retrieved February 13, 2018, from <https://edexcellence.net/articles/fixing-no-child-left-behind-oral-testimony-of-martin-west>

⁴³ Testimony at Joint Committee on Education Hearing, June, 2015

⁴⁴ Accountability Report. (n.d.). Retrieved February 21, 2018, from <http://profiles.doe.mass.edu/statereport/accountability.aspx> 2017-18 Selected Populations Report (District). (n.d.). Retrieved February 21, 2018, from http://profiles.doe.mass.edu/state_report/selectedpopulations.aspx

of students living in poverty.⁴⁵ Significant changes in student demographics over time, compared to state averages, in the districts designated Level 5, can be seen in the graph below:



Even within districts with high numbers of low-income students and English language learners (ELL) Level 4 schools educate higher percentages of those students than the rest of the district.⁴⁷

“Labeling urban schools as failing largely on the basis of student status measures can penalize communities for being inclusive, weaken fragile real estate markets, and further concentrate poverty.”

--Ben Forman, Research Director, MassINC⁴⁸

Turnaround Results Are Mixed

Sixty-five schools have been identified since 2010 as Level 4. 25 have raised their scores enough to “exit” Level 4.

In 2010, the state identified 37 schools as the first cohort of Level 4 schools. After six years:

- 21 had improved (“exited”),
- 9 were still Level 4,
- 4 had been identified as Level 5, and
- 3 had been closed or merged.⁴⁹

⁴⁵ Chart from Skinner, K.J. (2017b) Challenges to Opportunities: Applying lessons learned about School Accountability, Boston; Massachusetts Association of School Committees (MASC).

⁴⁶ Enrollment Data. (n.d.) Retrieved March 21, 2018, from <http://profiles.doe.mass.edu/profiles/student.aspx?orgcode=01370000&orgtypecode=5&>

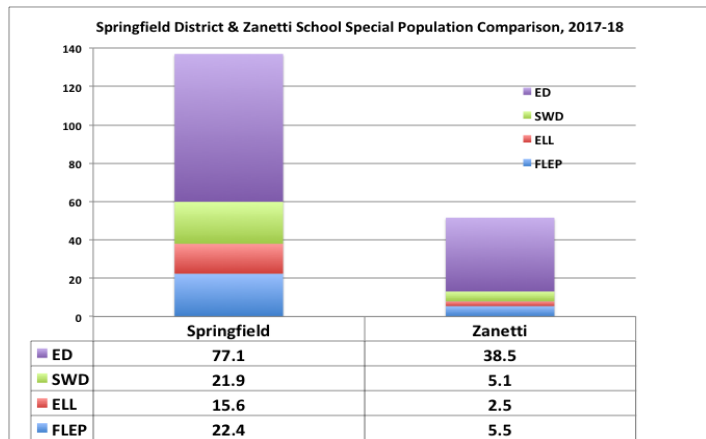
⁴⁷ MASC (2017b) p.19

⁴⁸ Comment letter on draft Massachusetts ESSA plan, March 8, 2017

⁴⁹ Level 4 Schools. (n.d.). Retrieved February 13, 2018, from <http://www.doe.mass.edu/turnaround/level4/level-4-schools-list.pdf>

Progress does not seem to be easily achieved or maintained. Fourteen schools exited in 2013, the earliest year possible to exit. By 2016, three of those were among the lowest performing 8% in the state; and the majority was in the lowest 20%.⁵⁰

The one previous Level 4 school above the 50th percentile (i.e. scores above the state average),



the Alfred Zanetti in Springfield, is a Montessori school. As the chart illustrates, when compared with the Springfield public schools, the Zanetti has half the percentage of economically disadvantaged (ED) students, 25 percent of the students with disabilities (SWD) and students whose first language is not English (FLEP), and 16 percent of the English language learners, with about 11 percent.⁵¹ With no criticism of the

hard-working students and committed educators at the Zanetti, it must be acknowledged that this school is not confronting the challenges of many other schools in the same district.

Students in Turnaround Schools Have Less Experienced Teachers

In Level 4 schools, the superintendent may require all the staff to reapply for their positions. School leaders and teachers are replaced.

A 2017 report by the Massachusetts Association of School Committees noted that the turnaround process means a great deal of turnover:

This often creates a “revolving door” of school leadership. Additionally, most teachers in Level 4 or Level 5 schools opt to leave the district or transfer to other, non-low performing schools. They are replaced with less experienced teachers, often resulting in the neediest students being taught by the least experienced educators... Students in high-poverty, low-performing schools are more likely to be taught by teachers ...who

⁵⁰ 2016 Accountability Data (n.d.). Retrieved February 13, 2018, from <http://profiles.doe.mass.edu/search/search.aspx?leftNavId=11238#M>

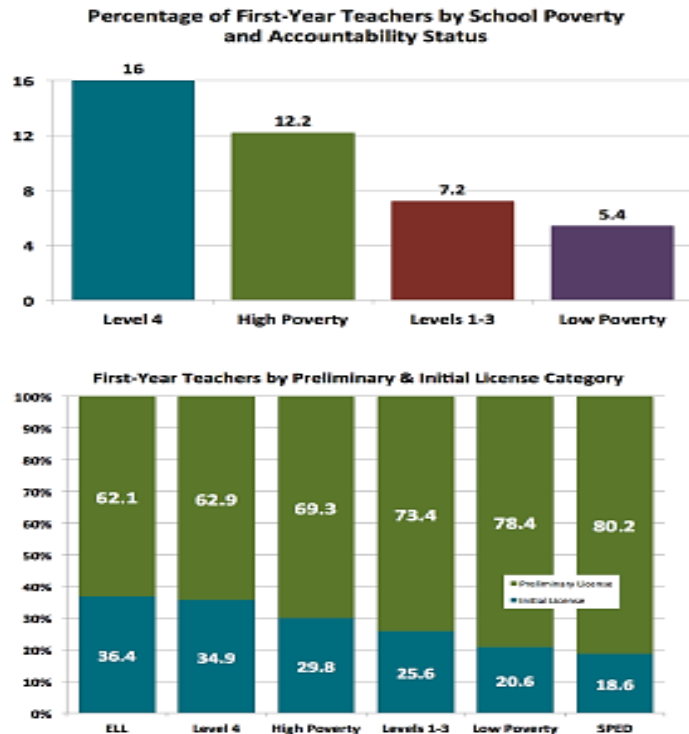
Boston’s Harbor School, listed as “exited,” was merged with the Henderson, which is now in the 15th percentile. The Henderson is among the 15% with the lowest scores in the state -- and was recognized as a model in the Rennie Center’s 2018 Condition of Education report, which shows how scores can be in conflict with careful professional judgement.

Resetting the Pace of Education Reform: Lessons of Continuous Improvement (Rep.). (2018). Retrieved February 13, 2018, from http://www.renniecenter.org/sites/default/files/2018-01/CoE18_ActionGuide_FINAL%20VERSION.pdf

⁵¹ Alfred G. Zanetti Montessori Magnet School . (n.d.). Retrieved February 13, 2018, from <http://profiles.doe.mass.edu/profiles/student.aspx?orgcode=02810095&orgtypecode=6&leftNavId=305&>

have had little or no teacher training. English language learners, who make up a sizeable portion of the student population in Level 4 and 5 schools, are more likely to be taught by under-qualified teachers.⁵²

Teacher Quality in Level 4 and 5 Schools



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The two preceding charts, from a report by the Massachusetts Association of School Committees, show that teachers in Level 4 and 5 schools generally have less experience and training. Teachers with a preliminary license have completed a bachelor's degree, passed the Massachusetts Tests for Educator Licensure (MTEL), and a test for the appropriate content area of the license, but do not have to have any training as a teacher. Teachers with an initial license have passed the MTEL and also completed a bachelor's degree and an approved teacher preparation program.

Many educators believe that a successful school needs a mix of experienced teachers, who can mentor new ones, who may bring new energy and ideas. A stable staff can build the

⁵² MASC, 2017b

⁵³ MASC, "Challenges to Opportunities: Applying Lessons Learned about School Accountability," 2017

learning community that most observers believe is necessary for long-term success. A study published by the National Bureau of Economic Research concluded that “teacher turnover has a significant and negative effect on student achievement in both math and ELA. Moreover, teacher turnover is particularly harmful to students in schools with large populations of low-performing and black students.”⁵⁴ The study cites several possible causes, in addition to replacement teachers being less effective: “One possibility is that turnover negatively affects collegiality or relational trust among faculty; or perhaps turnover results in loss of institutional knowledge among faculty that is critical for supporting all student learning.”

A 2017 report on teacher turnover in Texas concluded

...that schools that are in greatest need of improvement are more often those experiencing chronic instability; it is possible that, with constant staffing churn, teachers in these schools are likely to have difficulty forming the types of relationships, trust, and shared vision needed for sustained improvement...We also find sizeable differences in cumulative instability between high and low poverty and high and low minority schools, with the starkest differences remaining between schools with the highest and lowest accountability ratings.

This raises an important question about the extent to which low accountability ratings are a cause, or a result, of severe turnover problems. While low accountability ratings may drive teachers out of a school, constant churn can potentially make it more difficult for schools to engage in sustained improvement.⁵⁵

The report also found that the accountability system increases the “difficulty of retaining highly effective teachers in schools serving large concentrations of low-income students.”⁵⁶ This is consistent with DESE’s 2017 Equity Plan Update,⁵⁷ summarized in the following chart from the plan.

⁵⁴ Ronfeldt, M., Lankford, H., Loeb, S., & Wychoff, J. (2011). HOW TEACHER TURNOVER HARMS STUDENT ACHIEVEMENT. *NBER Working Paper Series*,4-36. Retrieved April 11, 2018, from <http://www.nber.org/papers/w17176>

⁵⁵ Holme, J. J., Jabbar, H., Germain, E., & Dinning, J. (2017). *POLICY BRIEF: Rethinking Teacher Turnover in Texas: Longitudinal Measures of Instability in Schools*(Issue brief). Retrieved April 11, 2018, from Educational Research Center, The University of Texas at Austin website: <https://texaserc.utexas.edu/wp-content/uploads/2017/12/31-Brief-Teacher-Turnover.pdf>

⁵⁶ Feng, L., Figlio, D., & Sass, T. (2010). *School Accountability and Teacher Mobility*. Manuscript, National Bureau for Economic Research, Cambridge. Retrieved February 14, 2018, from <http://www.nber.org/papers/w16070.pdf>

⁵⁷ Massachusetts Plan for Equitable Access to Excellent Educators, 2015-2019. (n.d.). Retrieved April 11, 2018, from <http://www.doe.mass.edu/educators/equitableaccess/plan.html>

Examples of state gaps in access to educators		
Experienced educators	In-field educators	Educators rated Exemplary/Proficient (E/P)
Hispanic/Latino and African American/Black students are 50% more likely than white students to be assigned to a teacher with fewer than three years of experience.	Classes in high-poverty schools are more than eight times as likely to be taught by out-of-field teachers, compared to classes in more affluent schools.	In schools with the largest populations of economically disadvantaged students and students of color, the turnover rate of teachers rated E/P is about twice that of schools with the lowest populations of these student groups.

In addition, according to the DESE report, schools with minority, low-income and ELL students are more likely to have first-year school leaders.

Increased class segregation, a narrower curriculum, fewer resources, and less experienced teachers are all harmful to students in those communities.

Meanwhile, low-income and Limited English Proficient students are increasingly concentrated in the Gateway Cities. “The 44 New England districts that we identify as small-to-midsized urban enroll 22 percent of all students, but roughly twice as many low-income students and more than half of all LEP students.”⁵⁸

Some “Vetted” Partners Fail To Help

The Department may require Level 5 schools to work with approved external partners, and can encourage Level 4 schools to do so.

The commissioner appointed receivers, with broad powers, for the four Level 5 schools. Three receivers were external partners (UP for Boston’s Holland School, Blueprint for Boston’s Dever School, and Project GRAD at Holyoke’s Morgan School), and the New Bedford superintendent for the John Avery Parker School.

Yet the track record of external partners is decidedly mixed.

⁵⁸ Quote and charts from *We’ve got a prime opportunity to advance the Gateway Cities Vision*(Rep.). (n.d.). Retrieved February 14, 2018, from MassInc Gateway Cities Institute website: <https://massinc.org/wp-content/uploads/2016/12/Advancing-the-Gateway-Cities-Vision.pdf>

The *Boston Globe* reported in 2014 that “Outside Partners Fail to Lift Many Schools.”⁵⁹ After the expenditure of millions of dollars, the state ended contracts with EdLabs, Blueprint, and ProjectGRAD because of lack of success.

Holyoke schools have had a series of external “partners.” In 2012 the Collaborative for Educational Services (CES) was hired to run Dean Technical High School. After two years and \$606,520, the state ended the contract due to “lack of effective leadership, lack of comprehensive aligned curriculum and classroom instruction lacked high expectations.” The state replaced CES with Project GRAD. In 2014, the state gave Project GRAD another contract to manage the Morgan School, with the power to hire and fire staff and to set policies. The next year, both contracts were terminated.⁶⁰

Most Level 4 turnaround schools received federal School Improvement Grant (SIG) funding of about \$300,000 to \$500,000 per year. They usually used this money for extended learning time, professional development and occasionally wraparound services.

Springfield Superintendent Dan Warwick told the Foundation Budget Review Commission that wraparound services really helped the turnaround schools, but, when the money ended, usually after three years, the city had to take funds from other schools to continue. He asked that schools be able to receive funding without the Level 4 label.⁶¹

The interventions in Level 4 and 5 schools have been described as “assistance” and “support.” But schools and districts do not necessarily want what is provided; they work hard to avoid receiving that designation and that support, although the funding is often significant -- in the short term. The *Globe* reported in 2013 that “The designations [as Level 4], although bad for a school’s publicity, came with big money. Dever received \$2.3 million in federal school-improvement funds during the past three years; Holland got \$2.9 million.”⁶²

⁵⁹ Vaznis, J. (2014, December 15). Partners Fail So Far to Raise Test Scores at Key Schools ; Seven Threatened with Takeovers Still Underperforming. *The Boston Globe (Boston, MA)*. Retrieved February 13, 2018, from <http://www.bostonglobe.com/metro/2014/12/15/outside-partners-fail-lift-many-schools/EjcnrJOSRGQZgaubAKmzmL/story.html>

⁶⁰ Information on the Holyoke experience from MASC, pp. 22-23. Details on the Morgan turnaround plan, including that only 7 teachers re-applied here:

Schoenberg, S. S. (2014, June 09). Massachusetts education board rejects most of teachers' changes to Morgan School turnaround plan. Retrieved February 13, 2018, from http://www.masslive.com/politics/index.ssf/2014/06/massachusetts_education_board.html

⁶¹ Letter submitted to Foundation Budget Review Commission, January 13, 2015 following verbal testimony at Commission hearing.

⁶² Vaznis, J. (2013, September 20). Schools Facing Takeover Reflect on Obstacles That Were Faced. *The Boston Globe (Boston, MA)*. Retrieved April 11, 2018, from <https://www.bostonglobe.com/metro/2013/09/19/for-boston-schools-poised-for-state-takeovers-challenges-proved-insurmountable/eahffnuGpgt1cRffoo6yTL/story.html#comments>

Though School Improvement Grant (SIG) money used for these schools is no longer available, ESSA requires 7% of Title I funds must be targeted to schools designated in need of support.⁶³

Suzanne Federspiel, former principal of a successful school serving primarily immigrant students said at the time, "I'd love to be declared Level 4 and get that funding. But then my wonderful staff and I would lose our jobs."⁶⁴

Examples of Turnaround Schools

Given the mixed results for schools that were designated for turnaround since 2010, we've taken a closer look at three schools formerly designated as Level 4 and one in Level 3 to reveal some strengths and weaknesses in the turnaround process.

The Morgan School in Holyoke and Dever School in Boston were Level 4 schools that could not raise their scores enough to "exit;" instead they were both declared Level 5. In contrast, the Murkland School in Lowell and Mildred Avenue School in Mattapan illustrate how school improvement can be achieved and sustained, in the Mildred Avenue case, without state intervention.

Morgan Full Service Community School, Holyoke

Morgan was named one of the first Level 4 schools in 2010. It is among the highest-poverty schools in the state, with 94% of its students are economically disadvantaged. By 2013, the commissioner designated Morgan a Level 5 school and assigned Project GRAD, a Texas company which had never run an elementary school, as its receiver, with power to hire and fire teachers and set policies. All the teachers had to re-apply; only seven out of 45 did. The next year, there were nine fewer teachers -- the staff had been cut by seven in the previous three years -- and 85% of the staff was new. Following the stakeholders' recommendation, a pre-K program began, but other recommendations were ignored. Project GRAD was paid \$470,000 for the first year, and then was terminated the next year when all of Holyoke was declared a Level 5 district. After seven years of state intervention, the Morgan remains at the 14th percentile and the district has been designated Level 5.⁶⁵

⁶³ Title 1 - SEC. 1003. SCHOOL IMPROVEMENT. (n.d.). Retrieved from <http://www.everystudentsucceedsact.org/title-1--1-1/>

⁶⁴ Personal communication to Senator Jehlen

⁶⁵ Plaisance, M. P. (2014, August 27). There's the Holyoke public schools, and then there's Holyoke's Morgan School, beginning its first year under state receivership. Retrieved February 13, 2018, from http://www.masslive.com/news/index.ssf/2014/08/theres_holyoke_public_schools.html

Plaisance, M. (2014, January 29). Holyoke Morgan School placed under control of receiver, Project GRAD USA, because most students have trouble reading, writing, doing math. Retrieved February 13, 2018, from

http://www.masslive.com/news/index.ssf/2014/01/holyoke_morgan_school_placed_u.html

Schoenberg, S. (2014, June 09). Massachusetts education board rejects most of teachers' changes to Morgan School turnaround plan. Retrieved February 13, 2018, from

http://www.masslive.com/politics/index.ssf/2014/06/massachusetts_education_board.html

Dever Elementary School, Boston

85% of the Dever School's students are economically disadvantaged. At the same time it was declared Level 4 in 2010, it was merged with the McCormack Middle School, under a principal who had led a previous turnaround effort.⁶⁶ Three years later, like the Morgan, the Dever was one of the first schools to be declared Level 5.⁶⁷ The commissioner appointed Blueprint Schools, which had never run a school, as its receiver in 2014. The local stakeholders' top recommendation was to retain the two-way bilingual program, which had a waiting list. Instead, the program was ended. As a result, many middle-class families and English Language Learners (ELL students) left the school; the enrollment has dropped from 524 to 414.⁶⁸ All the teachers had to reapply, and only two out of 47 stayed; turnover in following years was also high. In the first two years, the school "cycled through five principals"⁶⁹. In 2017, after three years of little improvement despite more than a million dollars⁷⁰ spent on Blueprint, plus over half a million dollars in state and federal grants, the state replaced Blueprint and appointed Superintendent Tommy Chang as receiver.⁷¹ It is in the 4th percentile on test scores.

Murkland School, Lowell

The Murkland School was one of the 29 schools designated as Level 4 in 2010. The school district decided to use the federal "transformation" model, which did not require wholesale staff replacement. The school received a \$1.5M federal grant and replaced the principal and assistant principal. Teachers stayed, and they were not asked to reapply for their jobs. In fact, according to the newly installed principal: "With the money we got, we invested in teacher time.... The teacher is key. You want to do everything you can to support them."⁷² This "teacher time" included collaborative planning and professional development hours as well as content

⁶⁶ Vaznis, J. (2013, September 20). Schools Facing Takeover Reflect on Obstacles That Were Faced. *The Boston Globe (Boston, MA)*. Retrieved April 11, 2018, from <https://www.bostonglobe.com/metro/2013/09/19/for-boston-schools-poised-for-state-takeovers-challenges-proved-insurmountable/eahffnuGpgt1cRffoo6yTL/story.html#comments>

⁶⁷ Vaznis, J. (2013, October 30). State to take over 4 struggling schools, including 2 in Boston. *Boston Globe*. Retrieved April 11, 2018, from <https://www.bostonglobe.com/metro/2013/10/30/state-take-over-struggling-schools-including-boston/Mn97R3evZzkPstuWjOJPnl/story.html>

⁶⁸ Vaznis, J. (2017, February 9). Nonprofit Will No Longer Run Troubled Dever Elementary. *The Boston Globe (Boston, MA)*. Retrieved February 13, 2018, from http://www.highbeam.com/doc/1P2-40447232.html?refid=easy_hf

⁶⁹ Vaznis, J. (2016, June 20). Can Receivership Save a Failing Boston School? *The Boston Globe (Boston, MA)*. Retrieved February 13, 2018, from <https://www.bostonglobe.com/metro/2016/06/20/can-state-receivership-save-failing-boston-school/kTrOSrEsvoDiTBDECRP76M/story.html>

⁷⁰ For a detailed and instructive detailed school budget, see <http://www.mass.gov/edu/docs/ese/accountability/turnaround/level-5-schools/dever-updated-financial-info.pdf>.

⁷¹ The Massachusetts Board of Elementary and Secondary Education. (n.d.). Retrieved April 11, 2018, from <http://www.doe.mass.edu/bese/docs/fy2017/2017-03/item2.html>

⁷² McCabe, K. (2014, August 24). At Lowell's Murkland School, it's all about higher expectations. *Boston Globe*. Retrieved February 13, 2018, from <https://www.bostonglobe.com/metro/regionals/north/2014/08/23/turnaround-murkland-school-lowell-leads-academic-success/GlyuLuNsEWKLjxzKNC5aaK/story.html>

coaching, resulting in a “strong school culture that respected and supported teachers; collective responsibility for every child fostered.”⁷³ Students showed substantial gains year by year with the school “exiting” Level 4 to Level 1 by 2013. The Murkland has continued to maintain its “strong school culture,” and is in the 28th percentile, well above the “lowest 20%.”

Mildred Avenue School, Boston⁷⁴

Though the Mildred Avenue School was never formally designated a Level 4 school, it also suffered from a churn in leadership, low student growth percentiles, and challenging student demographics for a number of years. With the prospect of a level 4 designation and potential state intervention, the teachers at Mildred Avenue utilized a clause in the Boston Teachers Union contract with Boston Public Schools to create a “School Intervention Team” composed of seven members appointed by the union (which chose three teachers from outside the school), the superintendent (who chose three teachers from inside the school), and jointly by the superintendent and president of the Union (in this case, an assistant superintendent was chosen). The team hired a new principal in January, 2014 and began to collaborate on plans for instructional and student climate improvement. These strategies included more student-centered instruction, adding arts and sports programs, establishing restorative justice practices, stronger family outreach, and additional teacher planning and professional development time. In 2017, the Mildred Avenue was designated as the first level 1 school in Mattapan with the second highest ELA growth percentile and fourth highest in Math among K-8 schools in Massachusetts for school year 2016. For these and a number of other reasons, EdVestors recognized Mildred Avenue with its 2017 “School on the Move” Prize.⁷⁵

Though these four schools represent a small sample, there is evidence that a high rate of disruption in staffing and programming, along with a lack of collaboration with community stakeholders leads to negative outcomes as seen in the Morgan and Dever Schools. In contrast, significant improvement was seen and sustained at the Murkland and Mildred Avenue schools where most faculty was retained and led, along with community stakeholders, the turnaround process.

Stability Sustains Growth

EdVestors and the Rennie Center studied how schools can sustain growth in the long run. Like other reports on turnaround schools, *Staying the Course: Sustaining Improvement in Urban*

⁷³ From Sen. Eileen Donoghue’s staff report “The Murkland School: Success in Public Education Reform,” 2015

⁷⁴ For another example of a school making remarkable progress without outside intervention, see the account of Salem’s Carlton School in the Rennie Center’s 2016 *Condition of Education* report: *Putting Students at the Center of Reform*(Rep.). (2007). Retrieved February 13, 2018, from <http://www.renniecenter.org/sites/default/files/2017-1/ConditionOfEducation%202017%20ActionGuide.pdf>

⁷⁵ Vaznis, J. (2017, November 1). Mattapan school lauded for academic turnaround. *Boston Globe*. Retrieved February 13, 2018, from <http://www.bostonglobe.com/metro/2017/11/01/mattapan-school-lauded-for-academic-turnaround/A8NqrlcTd0cXkCAbYYaYeP/story.html>

Schools emphasizes the need for data analysis, collaboration, high expectations, and common vision. But it also points out the need for stability in policy and staff.

In response to external accountability systems, or in an effort to close existing achievement gaps, new policies and interventions are often introduced in rapid succession. Schools are frequently called on to implement the next round of reforms before putting into practice any lessons learned from previous efforts...

In the six schools that experienced a decline in performance in at least one content area (e.g., ELA or Math), or both subjects, school staff reported turnover as a major change. At five of these schools, there was at least one change in leadership; at three of these schools there were multiple levels of turnover (i.e., teacher, leader, and partner turnover). Nearly all of these schools also simultaneously grappled with operational changes (e.g., changes to the school's schedule, enrollment)—which survey data identify as district-initiated. To be clear, schools experiencing performance declines did also adopt many of the instructional changes common to most study schools. But the high frequency and types of changes—including leadership turnover—combined to be important factors limiting higher levels of performance.⁷⁶

Almost all evaluations of turnaround schools mention the importance of developing a school culture of high expectations for academic performance, behavior, and collaboration.⁷⁷

Developing a culture is difficult when there is high turnover among leaders, staff, and students.

The idea of “autonomies” is very current in education reform. The autonomy some of these schools had was limited: EdVestors found that district-mandated changes in grade structure, enrollment, and other policies caused serious challenges. Many of those changes disrupted potential stability.

⁷⁶ *Staying the Course: Sustaining Improvement in Urban Schools*(Rep.). (2015). Retrieved February 13, 2018, from <http://www.edvestors.org/wp-content/uploads/2016/05/Staying-the-Course-Full-Report-Web-Version.pdf>

⁷⁷ *How to Succeed in School Turnaround: Strategies That Characterize Successful Turnaround Schools in Massachusetts*(Rep.). (2016, September). Retrieved February 13, 2018, from American Institutes for Research website: <http://www.doe.mass.edu/turnaround/howitworks/research-brief.pdf>

A student view of instability in a turnaround

We were named a Level Four this year, and you could immediately tell that the environment had completely changed.

Growing up in that school these past two years, my school was like a second home for me. I got to know my teachers very well; I was close with everybody.

Something that really inspired me and kept me going to school and made me really love being there was my debate team. Our debate team was one of the top debate teams in the Boston Debate League. We won a lot of awards, and everybody at the school was very proud of us.

That debate team now doesn't exist.

When my school got deemed a Level Four, the meetings that we used to have for the debate team ... and the staff huddles ...to talk about the Level Four process ended up falling on the same days so the debate team eventually became nonexistent.

That debate team now doesn't exist.

For me, that was a big change. That was really my space to speak about just everything I believed in. It really gave me a voice, and that was now destroyed.

I remember the day when my teachers got fired. They fired my teachers in the middle of a school day because they said they wanted to save shipping money. So they gave teachers a pink slip and then asked them to go back and teach.

It leaves me as a senior next year feeling like I don't know anyone at my school anymore. Only one-third of the staff is returning, so next year I have to go into a completely new school. It has me worried about who I'm going to go to for college recommendations if none of the teachers there know me.

-- **Trinity Kelly**, Excel High School student, speaking at a June 13, 2017 forum sponsored by this subcommittee ⁷⁶

⁷⁸ "I remember the day my teachers got fired." (2017, July 26). Retrieved February 13, 2018, from Boston Parents Schoolyard News, July 26, 2017 <https://schoolyardnews.com/i-remember-the-day-my-teachers-got-fired-bdc10c76f570>

GROWING CONSENSUS

Public Ranking of Schools and Districts Based Primarily on Test Scores Has Harmed Students, Teachers, Schools, and Districts.

Students and teachers whose schools are labeled low-performing believe they are failures. When parents hear that a school is “low-performing,” many choose to leave for charters, inter- or intra-district choice, or private schools, or another community. Appendix B shows that African American students are more likely to leave a district to go to a charter school. White students are far more likely to use the school choice program to go to another district. Hispanic, ELL, and low income students, and those with disabilities are far more likely to stay in schools in the community they live in.⁷⁹ This can exacerbate racial and class segregation. Even being labeled Level 3 -- which includes one out of five schools in a state with the highest rated schools in the country -- causes pressure to improve test scores, to get out of Level 3, and to avoid “falling into Level 4” -- although Levels 4 and 5 are at the commissioner’s discretion, not changes in test scores alone. The pressure to improve scores leads many schools to increase time on Math and ELA, reducing or eliminating other subjects and skills. A 2016 MassINC report on Gateway Cities found that:

NCLB-era accountability systems have been criticized for ‘producing a list of zip codes.’ In other words, they tended to identify all of the low-income communities in a state as struggling, reinforcing the notion that inclusive urban schools are low-performing and to be avoided. A school’s performance on standardized tests can [even] influence home values in the surrounding community...⁸⁰

that can, in turn, reduce the property tax base and municipal funds available for schools.

How schools are labeled by statewide accountability systems can affect home property values, lead to an exodus of students, and, for those schools deemed failing, mean firing staff members and handing over control to charter operators.

-- Darrell Burnett II in *Education Week*⁸¹

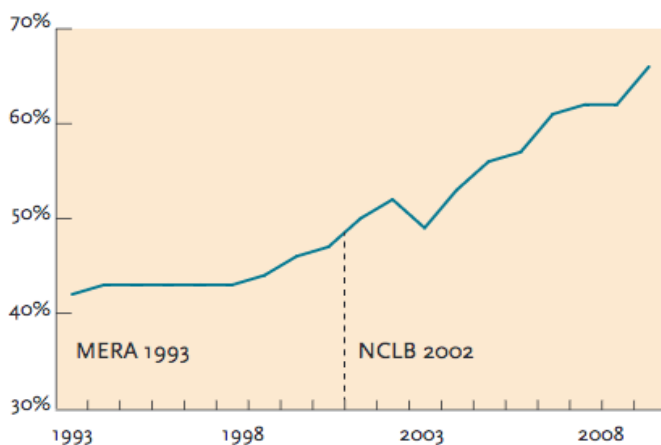
⁷⁹ See Appendix C.

⁸⁰ *Next Generation Education Accountability: Design Ideas from New England’s Small-to-Midsize Urban School Districts*(Rep.). (n.d.). Retrieved February 13, 2018, from Gateway Cities Innovation Institute website: <http://massinc.org/wp-content/uploads/2016/11/NGALC.pdf>

Bogin, A., & Nguyen-Hoang, P. (2014). Property Left Behind: An Unintended Consequence Of A No Child Left Behind “Failing” School Designation. *Journal of Regional Science*,54(5), 788-805. <https://ideas.repec.org/a/bla/jregsc/v54y2014i5p788-805.html>

⁸¹ Burnette, D., II. (2016, May 17). States Eye Data Dashboard for Nuanced Accountability. *Education Week*. Retrieved April 11, 2018, from <https://www.edweek.org/ew/articles/2016/05/18/states-eye-data-dashboard-for-nuanced-accountability.html>

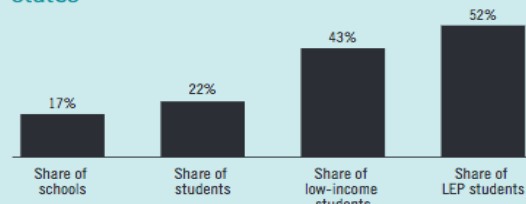
Share of students who are low-income in Massachusetts Gateway Cities



Source: MA Department of Elementary & Secondary Education

Share of all schools, students, low-income students, and LEP students in small-to-midsize urban New England Districts

44 districts total, across six New England states



Note: For purposes of this graph, urban districts have more than 40 percent low-income students. To capture the differences between the northern and southern parts of the region, this analysis treats small-to-midsize districts in southern New England as having enrollments of between 5,000 and 25,000 students. Districts in northern New England with more than 3,000 students get this designation.

Source: State DOEs

Another MassINC report attributes that segregation and concentration of poverty partially to increased publicity about test scores.”⁸²

As a growing body of [research](#) suggests..., test scores don't truly measure school quality. And, if that is the case, chances are the greatest threat to urban schools isn't a flaw in the design or execution of urban education. Instead, it is a self-fulfilling prophecy—one in which privileged families presume city schools to be failing and, in taking flight from them, bring about a real decline. ...Believing that they are fleeing bad schools, or securing spots in good ones, middle-class parents have inadvertently exacerbated segregation. And that has had a very real impact on urban schools.

--Jack Schneider, "The Urban School Stigma," *The Atlantic*, August 25, 2017⁸³

Test Focus Is Narrowing Curriculum

At a 2015 hearing before the Education Committee, Jonathan Rappaport, executive director of Arts/Learning, testified that

[a] national 2007 study by the Center on Education Policy reported that since 2001 (the year of NCLB implementation), 44% of school districts nationally had reduced the time spent on science, social studies and the arts by an average of 145 minutes per week in order to focus on reading and math.

⁸² *We've got a prime opportunity to advance the Gateway Cities Vision*(Rep.). (n.d.). Retrieved February 14, 2018, from MassInc Gateway Cities Institute website: <https://massinc.org/wp-content/uploads/2016/12/Advancing-the-Gateway-Cities-Vision.pdf>

⁸³ Schneider, J. (2017, August 25). *The Urban-School Stigma*. *The Atlantic*. Retrieved April 11, 2018, from <https://www.theatlantic.com/education/archive/2017/08/the-urban-school-stigma/537966/>

I observed this first hand as the arts coordinator in the Worcester Public Schools; one middle school eliminated all music and art for children with low academic achievement. These students had double math and/or ELA periods daily. School became a joyless place, with nothing to look forward to, day in and day out. Ironically, on the other side of the city, students at the Worcester Arts Magnet School had less reading and math and 50 minutes of arts daily, and their academic achievement was soaring. To this day, WAMS is rated as a Level One school.⁸⁴

A 2016 MassINC report states:

We narrowed the curriculum to tested subjects. The focus on improving standardized test scores took time and resources away from non-tested subjects (like art and history). Urban districts struggling to increase test scores faced particularly heavy pressure to allocate limited resources to math and English. Even after-school partners in these communities were asked to change their curriculum, focusing less attention on healthy youth-development and more on tested academic subjects. This short-sighted tendency has had real implications for disadvantaged urban youth, who often need non-academic outlets and caring adult relationships to help them cope and respond positively to stressors in their lives.⁸⁵

MASC reports that “the Dever School in Boston was identified as a Level 5 school in 2013. According to the Turnaround Plan sent to the school community on March 7, 2014, students attend school from 7:30 to 3:30 (480 minutes) as part of an extended day. Approximately *two-thirds of the instructional time is focused on reading, writing and math.*”⁸⁶ (emphasis added)

Tests are Inadequate for College and Career Readiness

Across the state and nation there is increased concern over the opportunity costs of a focus on test scores in only two or three disciplines. Many people call for a return to attention to social studies/history, arts, vocational education, and other topics. Many leaders value concern for social-emotional learning and “21st century skills” such as collaboration, creativity, and critical thinking.

A MBAE poll found that “Business leaders want less teaching to standardized tests, more focus on STEM and applied skills...the amount of time spent preparing for standardized tests is

⁸⁴ *Massachusetts Joint Committee on Education*(2015) (testimony of John Rappaport). <http://www.citizensforpublicschools.org/wp-content/uploads/2015/06/Rappaport-High-Stakes-Testing-Testimony-June-2015.pdf>

⁸⁵ *We've got a prime opportunity to advance the Gateway Cities Vision*(Rep.). (n.d.). Retrieved February 14, 2018, from MassInc Gateway Cities Institute website: <https://massinc.org/wp-content/uploads/2016/12/Advancing-the-Gateway-Cities-Vision.pdf>

⁸⁶ MASC (2017b)

crowding out other important educational activities. A majority (63 percent) of survey respondents said that too much emphasis is being placed on standardized tests.”⁸⁷

According to the 2017 PDK “Poll of the Public’s Attitudes Toward the Public Schools”:

Americans overwhelmingly want schools to do more than educate students in academic subjects... They also want schools to help position students for their working lives after school. That means both direct career preparation and efforts to develop students’ interpersonal skills. When judging school quality, the public gives much more weight to students’ job preparation and interpersonal development than to their standardized test scores, the poll shows. That said, though, Americans do still value traditional academic preparation, especially opportunities for advanced academic studies.⁸⁸

Chris Gabrieli, co-founder of TransformEd, is a strong advocate for non-academic learning. “The skills students need to become successful not just in school, but in their careers and their lives, include, very significantly, a set of skills that are not the focus of schools when [schools] only look at test scores,”⁸⁹

The Council of Chief State School Officers (CCSSO) emphasizes that accountability systems need to change to recognize both college AND career readiness, and propose many possibilities, such as measuring demonstrations of technical skills and industry certifications. They note that more work needs to be done to develop some of the measures. It is easy to understand how such measures would be used in a dashboard; including them in a single ranking system is very complex.⁹⁰

Dr. Hardin Coleman, former dean of the Boston University School of Education and vice-chair of the Boston School Committee says, “there’s going to be a change away from a significant primary focus on academic-skill acquisition to those other aspects of what children need in terms of their social-emotional learning ... being engaged in school, learning more about themselves, having access.”⁹¹

⁸⁷ *Let’s get together: Massachusetts Business Leaders seek collaboration, alignment with state’s education system*(Rep.). (2014, March 24). Retrieved February 14, 2018, from MassInc Polling Group website: <http://www.mbae.org/wp-content/uploads/2014/03/Employer-Poll-MassINC-Polling-Group.pdf>

⁸⁸ Academic achievement isn’t the only mission. (n.d.). Retrieved February 14, 2018, from <http://pdkpoll.org/results>

⁸⁹ Balonon-Rosen, P. (2015, December 08). Report: Non-Academic Skills Are Key Ingredient To Student Success. Retrieved February 14, 2018, from <http://learninglab.legacy.wbur.org/2015/12/08/report-non-academic-skills-are-key-ingredient-to-student-success/>

⁹⁰ *Destination Known*(Rep.). (n.d.). Retrieved February 14, 2018, from Council of Chief State School Officers & Education Strategy Group website: <https://www.ccsso.org/sites/default/files/2017-11/DestinationKnown.pdf>

⁹¹ Wong, A. (2016, May 23). What Are Massachusetts Public Schools Doing Right? *The Atlantic*. Retrieved February 14, 2018, from <https://www.theatlantic.com/education/archive/2016/05/what-are-massachusetts-public-schools-doing-right/483935/>

The Rennie Center's 2016 *Condition of Education* report focused on the importance of Social Emotional Learning.

Over the past few years, Massachusetts has introduced several efforts intended to address social-emotional needs in the public schools, including legislation that guides schools in their response to crises and bullying, a new social-emotional learning standard for K-12 teachers, and expanded partnerships with mental health and other agencies. ...Moving forward, the Commonwealth needs a more cohesive, integrated approach to addressing social-emotional learning, one that embeds these critical skills and support into the core of the student experience. This report outlines four priorities for action....

- Priority One: Set a social-emotional foundation in early childhood
- Priority Two: Build comprehensive K-12 systems of social-emotional support
- Priority Three: Promote skills for college and career success
- Priority Four: Equip educators to foster social-emotional wellbeing⁹²

Why does this report use test scores to measure student learning and school quality, and simultaneously say that scores are inadequate and misleading?

The state and federal government policies are designed to raise test scores and to reduce gaps. Interventions and incentives focused on those goals. It is important to see if those policies succeeded according to their own measures. If the policies have failed according to the measures they emphasized, it seems unlikely that those policies improved schools in other ways.

Schools are Only Part of the Solution to Increase Equality and Opportunity

Former Massachusetts Secretary of Education Paul Reville helped spark a conversation on the limits of what schools can be expected to accomplish with academic instruction in a 2011 *EdWeek* article, "Why Attention will Return to Non School Factors," arguing that schools alone can't overcome differences in students' "good health, good food, emotional well-being, safety, stability, enrichment activities, positive peer influences, parental encouragement, and guidance"⁹³ More recently, Reville wrote:

If disadvantaged children are to compete with their more affluent peers, then our system of education has to compensate with health, mental health and other supports, coupled with preschool, after school and summer learning opportunities. Instructional improvement is a must for improving the quality of our schools, but until we attend to

⁹² 2016 *Condition of Education in the Commonwealth* (Rep.). (n.d.). Retrieved February 14, 2018, from Rennie Center website: <http://www.renniecenter.org/research/reports/2016-condition-education-commonwealth>

⁹³ Henig, J., & Reville, S. P. (2011, May 23). Why Attention Will Return to Nonschool Factors. *Education Week*. Retrieved February 14, 2018, from https://www.edweek.org/ew/articles/2011/05/25/32henig_ep.h30.html

children’s whole lives by providing quality supports and enrichment, then we have no hope of succeeding in our aspiration to educate all of our students so that they may succeed in college and career.⁹⁴

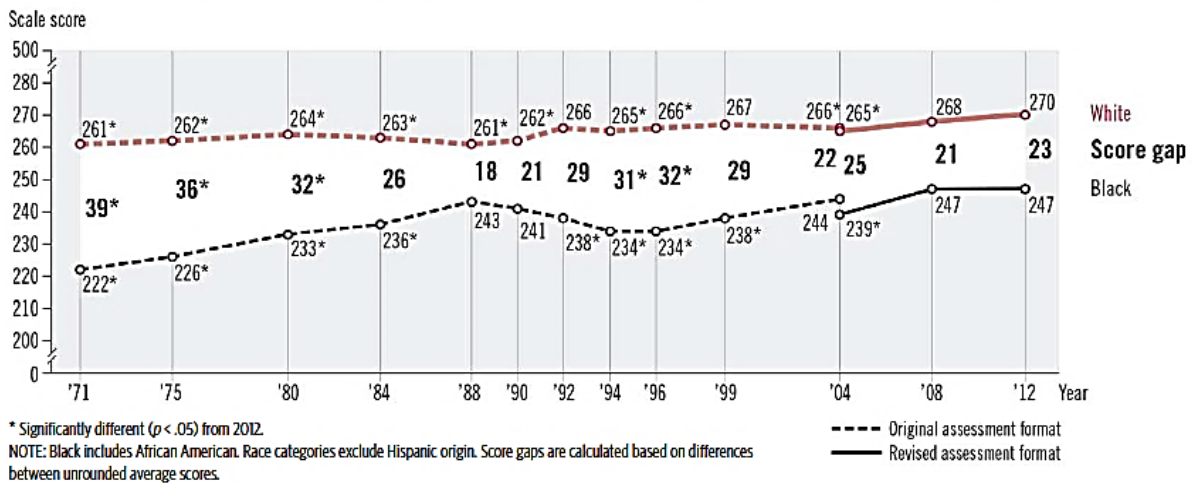
In 2016, Reville launched “By All Means,” a six-city consortium that intends to create student-centered learning experiences; integrate social, emotional, and health services with education; provide expanded learning and enrichment experiences; and create governance structures that will support this integrated model of services.⁹⁵

Reville’s earlier statement that “There is still an iron-law correlation in the commonwealth between socioeconomic status and academic achievement” certainly suggests the need to remediate the effects of poverty.

But it also suggests that reducing economic inequality could help close achievement gaps.

Indeed, black/white achievement gaps in the United States narrowed most from 1971 to 1988. Students in that period had experienced the effects of the War on Poverty in both education and the economy.

Figure 9. Trend in NAEP reading average scores and score gaps for White and Black 13-year-old students



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⁹⁴ Instruction alone is not enough to help all students succeed. (n.d.). Retrieved February 14, 2018, from <http://edublog.scholastic.com/post/instruction-alone-not-enough-help-all-students-succeed#>
 Reville, P. (2014, April 21). How to Create a New K-12 Engine. *Education Week*.
https://www.edweek.org/ew/articles/2014/04/23/29reville_ep.h33.html

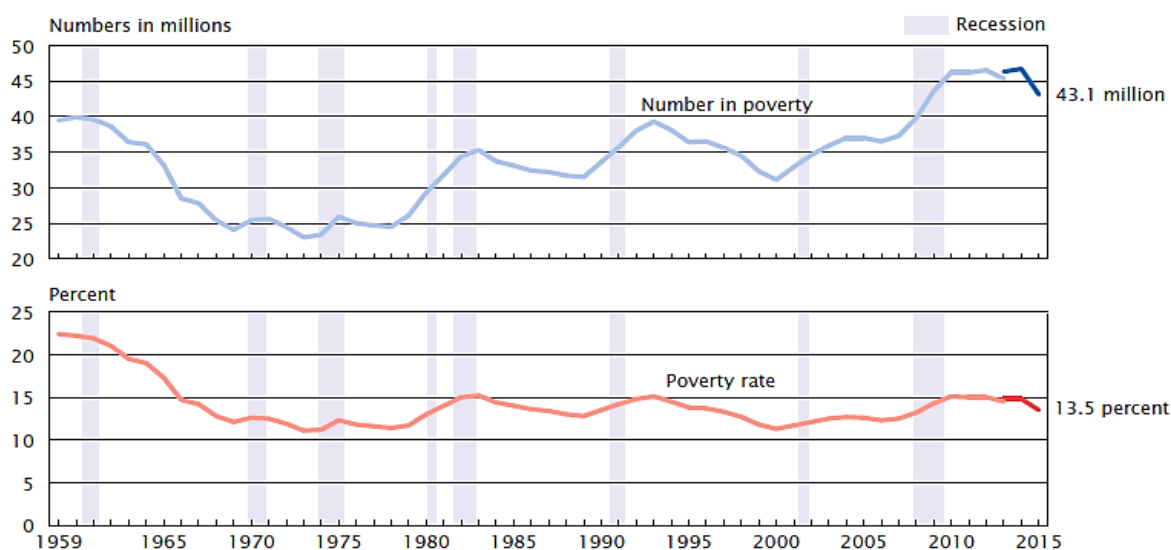
⁹⁵ Redesigning Education to Restore Opportunity. (n.d.). Retrieved February 14, 2018, from <http://edredesign.org/by-all-means>

⁹⁶ National Center for Education Statistics (2013). *The Nation’s Report Card: Trends in Academic Progress 2012* (NCES 2013 456). Institute of Education Sciences, U.S. Department of Education, Washington, D.C

As part of the War on Poverty, the federal government started education programs targeted to low-income children to remedy the effects of poverty. In 1965, Title 1 was the first federal aid to elementary and secondary education⁹⁷ and Headstart⁹⁸ was launched. In 1968, Congress first gave grants for bilingual education.⁹⁹

President Lyndon Johnson said "Our aim is not only to relieve the symptom of poverty, but to cure it and, above all, to prevent it". The War on Poverty included programs to directly lift people out of poverty by getting them more money in a variety of ways. The minimum wage was raised and expanded to include most workers for the first time.¹⁰⁰ Medicaid and Medicare gave families access to health care and more financial security. Food stamps also gave people financial resources. Other programs included the Job Corps, VISTA and the federal work-study program¹⁰¹. Poverty rates dropped to the lowest level since records began in 1958.

Number in Poverty and Poverty Rate: 1959 to 2015



Note: The data for 2013 and beyond reflect the implementation of the redesigned income questions. The data points are placed at the midpoints of the respective years. For information on recessions, see Appendix A. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see <www2.census.gov/programs-surveys/cps/techdocs/cpsmar16.pdf>.
 Source: U.S. Census Bureau, Current Population Survey, 1960 to 2016 Annual Social and Economic Supplements.

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⁹⁷ Elementary And Secondary Education Act, Pub. L. No. 89-10, 79 Stat. 27 (1965).

⁹⁸ Economic Opportunity Act of 1964, Pub. L. 88-452, 78 Stat. 508 (1964)

⁹⁹ Bilingual Education Act of 1968, Pub.L. 90-247, 81 Stat. 816 (1968).

¹⁰⁰ Lyndon B. Johnson: "Remarks at the Signing of the Fair Labor Standards Amendments of 1966.," September 23, 1966. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/index.php?pid=27880>.

¹⁰¹ Dylan Matthews, Everything you need to know about the war on poverty, Washington Post, January 8, 2014.

¹⁰² Proctor, Bernadette D., Jessica L. Semega, and Melissa A. Kollar, U.S. Census Bureau, Current Population Reports, P60-256(RV), *Income and Poverty in the United States: 2015*, U.S. Government Printing Office, Washington, DC, 2016

School desegregation, which began with the Brown decision in 1954 and continued with the Supreme Court's 1971 approval of busing to counter residential segregation, gave black students more opportunity.

Which of these policies helped narrow the achievement gap? Which of them was most effective in reducing poverty? We can't know. But we know that it's possible to reduce poverty and to reduce the achievement gap.

There are many examples of programs which, on a relatively small scale, have proven to help children learn, and to improve their life chances, overcoming obstacles like poverty. Some of them are featured in the Rennie Center's Condition of Education reports.¹⁰³

If, as former Secretary Reville says, schools alone cannot solve the problem of achievement gaps, we should also consider policies that reduce poverty directly as an important strategy for solving the problem.

New Metrics Needed

Surveys of parents, business leaders and the general public show that all think that standardized testing does not measure all the things they want children to learn or the things they value about schools.

The annual PDK poll in 2017 reported that:

Americans overwhelmingly want schools to do more than educate students in academic subjects... They also want schools to help position students for their working lives after school. That means both direct career preparation and efforts to develop students' interpersonal skills. When judging school quality, the public gives much more weight to students' job preparation and interpersonal development than to their standardized test scores, the poll shows. That said, though, Americans do still value traditional academic preparation, especially opportunities for advanced academic studies.¹⁰⁴

In a popular 2015 *Boston Globe* magazine article, Susan Engel, the Director of Program in Teaching at Williams College, asked, "Why not test the things we value, and test them in a way that provides us with an accurate picture of what children really do, not what they can do under the most constrained circumstances after the most constrained test preparation?"¹⁰⁵ In that

¹⁰³ All *Condition of Education* reports archived at <http://www.renniecenter.org/condition-education..>

¹⁰⁴ Academic achievement isn't the only mission. (n.d.). Retrieved February 14, 2018, from <http://pdkpoll.org/results>.

¹⁰⁵ Engel, S. (2015, February 26). 7 things every kid should master. *The Boston Globe*. Retrieved April 11, 2018, from http://www.bostonglobe.com/magazine/2015/02/26/things-every-kid-should-master/uM72LGr63zeaStOp9zGyrJ/story.html?p1=Article_Trending_Most_Viewe

article, “Seven Things Every Kid Should Master,” she argued for including collaboration, engagement, and well-being.

For the past generation we have been evaluating schools in a manner that is misleading at best—ranking schools according to incomplete criteria and fostering the misconception that schools are either “good” or “bad.” These ratings impact community morale, foster teacher turnover, shape district priorities, and trigger accountability systems. Perhaps most importantly, ratings shape the decisions parents make about where to live and where to send their children to school. Roughly half of the schools in Boston are Level 3 schools, which ostensibly represent the bottom 20 percent of performers. But given the strong link between family income and test score performance, these ratings almost certainly indicate more about student demography than about school programming. And they communicate little about what else is happening inside those schools, many of which are excellent places to get an education.

-- Jack Schneider, Professor, College of the Holy Cross ¹⁰⁶

Interestingly, there are online ratings of schools that return far different results than the state’s because they use different measures and weights. They all use test scores. But Niche, an online ranking of schools and neighborhoods, also includes student and parent reviews.¹⁰⁷ *Boston Magazine* uses similar measures to the state, but adds varsity sports teams and AP scores.¹⁰⁸ *US News* adjusts for demography, and adds AP participation and scores.¹⁰⁹ Each of these publications thinks that parents care about those other measures.

Jack Schneider, Assistant Professor at College of the Holy Cross, designed a tool for the *Boston Globe* in 2013, which the *Globe* dubbed the “Dream School Finder.” It offered parents a way to weight several factors including standardized test scores and growth, diversity, resources, school climate, and college readiness.¹¹⁰ Depending on which factors a person most valued, different schools would be ranked as “best.” Interestingly, several of these measures are ones that DESE considered for inclusion in the overall school rating or the “dashboard” which. Schneider argues that the data we have are not necessarily the data we need. We need, for example, “measures of teacher job satisfaction, student happiness, parental engagement, richness of art and music programming, and employee retention rates.”¹¹¹

¹⁰⁶ Schneider, J. (n.d.). State school rankings 'virtually worthless'. *CommonWealth*. Retrieved from <https://commonwealthmagazine.org/opinion/state-school-rankings-virtually-worthless/>

¹⁰⁷ Newman, A. (2017, February 24). 100 Best Public High Schools In Massachusetts For 2017. Retrieved February 14, 2018, from https://patch.com/massachusetts/winchester/s/g1jgc/100-best-public-high-schools-in-massachusetts-for-2017?utm_source=alert-breakingnews&utm_medium=email&utm_term=schools&utm_campaign=alert

¹⁰⁸ Best Public High Schools in Boston 2016. (n.d.). *Boston Magazine*. Retrieved February 14, 2018, from <http://www.bostonmagazine.com/best-schools-boston-2016-chart-public-high-schools/>

¹⁰⁹ Morse, R. (2017, April 24). How U.S. News Calculated the 2017 Best High Schools Rankings. Retrieved February 14, 2018, from <https://www.usnews.com/education/best-high-schools/articles/how-us-news-calculated-the-rankings>

¹¹⁰ Dreamschool Finder: Massachusetts school search calculator. (n.d.). Retrieved February 14, 2018, from <http://archive.boston.com/yourtown/dreamschool/>

¹¹¹ Prof. Schneider makes the link between the mis-measures of schools and the results

In the Winter 2018 *Condition of Education* report, the Rennie Center recommends “Participatory assessment: “Learners help decide how they will demonstrate mastery and have opportunities to reflect on their strengths, weaknesses, interests, and plans for the future. Participatory assessment becomes a part of the school’s culture, is shared across classrooms, and is a factor in making decisions about students’ learning pathways.”¹¹²

Developing New Metrics

Other states have been developing metrics of these other skills and values. Performance assessment includes open-ended response exercises, extended real-world tasks, capstone projects, and portfolios of student work. Over 1,000 colleges¹¹³ have made SAT/ACT scores optional and many are looking to include portfolios and other performance assessments.¹¹⁴

The New York Performance Standards Consortium of 28 high schools throughout the state of New York has developed a performance assessment system. Students in the consortium are exempt from all tests besides the English Regents exam. Consortium students fare better than their peers in non-consortium schools on measures such as graduation, college-going, college completion, dropout, and other measures.¹¹⁵

New Hampshire received a federal waiver from NCLB to pilot Performance Assessment for Competency Education (PACE) in a growing number of districts with the intent of eventually expanding to the entire state.¹¹⁶

Ten large districts in California also received a United States Department of Education (USDOE) waiver to create a holistic accountability system that focuses on academic

Strauss, V. (2013, November 5). The school data problem: what we have vs. what we need. *The Washington Post*. Retrieved February 14, 2018, from https://www.washingtonpost.com/news/answer-sheet/wp/2013/11/05/the-school-data-problem-what-we-have-vs-what-we-need/?utm_term=.66877bcf885e

¹¹² Pg. 7 from *Putting Students at the Center of Reform*(Rep.). (2007). Retrieved February 13, 2018, from <http://www.renniecenter.org/sites/default/files/201701/ConditionOfEducation%202017%20ActionGuide.pdf>

¹¹³ More Than 1000 Accredited Colleges and Universities That Do Not Use ACT/SAT Scores to Admit Substantial Numbers of Students Into Bachelor-Degree Programs. (n.d.). Retrieved February 14, 2018, from <https://www.fairtest.org/university/optional>

¹¹⁴ Guha, R., Wagner, T., Darling-Hammond, L., Tayler, T., & Curtis, D. (n.d.). The Promise of Performance Assessments: Innovations in High School Learning and Higher Education Admissions. Retrieved February 14, 2018, from https://learningpolicyinstitute.org/product/promise-performance-assessments-report?utm_source=LPI%2BMaster%2BList&utm_campaign=2aa37ea024-EMAIL_CAMPAIGN_2018_01_17&utm_medium=email&utm_term=0_7e60dfa1d8-2aa37ea024-42301259

¹¹⁵ Performance Assessment | The Alternative to High Stakes Testing. (n.d.). Retrieved February 14, 2018, from <http://performanceassessment.org/>

¹¹⁶ Performance Assessment of Competency Education (PACE). (n.d.). Retrieved February 14, 2018, from <https://www.education.nh.gov/assessment-systems/pace.htm>

preparedness, social-emotional skills, the culture and climate of a school, collaborative learning from each other, and supporting effective instruction.¹¹⁷

Meanwhile in Massachusetts, with the support of the legislature and other funders, educators in six districts in the Massachusetts Consortium for Innovative Education Assessment (MCIEA) are developing performance assessments of student learning and multiple measures of school quality. These measures will reflect “what the community wants to know about the quality of our schools and learning experiences,”¹¹⁸ and will give very useful information to teachers and school leaders who want to improve their instruction and their schools.

Professor Schneider of Holy Cross has been working with Somerville Public Schools for several years to develop a set of measures of school characteristics that parents, educators, and community members value, including academic learning, teacher skills, school culture, character and well-being, and resources.¹¹⁹ He is now working with the Consortium to develop those measures further across districts.

Dan French and the Center for Collaborative Education are helping educators develop performance assessment tasks that are aligned to academic and 21st century learning targets, open-ended and relevant to the real world, and fair and culturally responsive. They must require application and transfer using higher-order thinking, have clear criteria for success, and result in original products, performances, or solutions.¹²⁰

Using school measures and performance tasks, the Consortium is building a more inclusive and accurate model of innovative assessment.

In addition, two UMass Boston professors received a \$1.1 million National Science Foundation grant to study STEM teachers’ assessment practices. Lisa Goncalves, one of the professors, told the *Globe*, ““Assessment practices are teaching while learning, in a sense...So the teacher’s teaching and the kids might have to do something, and the teacher, by looking at what the kids did, by hearing what they’re saying, can assess for her or himself, ‘Have they learned what I taught them, and what do they actually know?’”¹²¹

¹¹⁷ Our Work. (n.d.). Retrieved February 14, 2018, from <http://coredistricts.org/our-work/>

¹¹⁸ About MCIEA. (n.d.). Retrieved February 14, 2018, from <http://mciea.org/index.php/about-mciea>
MCIEA Fact Sheet(Rep.). (n.d.). Retrieved February 14, 2018, from MA Consortium for Innovative Education Assessment website: http://mciea.org/images/PDF/MCIEA_Fact_Sheet.pdf

¹¹⁹ Schneider, J., Jacobsen, R., White, R., & Gehlbach, H. (2017). Building a better measure of school quality. *Phi Delta Kappan*, 98(7), 43-48. Retrieved from https://www.holycross.edu/sites/default/files/educ/building_a_better_measure.pdf.

¹²⁰ Performance Assessment. (n.d.). Retrieved April 11, 2018, from <http://mciea.org/index.php/performance-assessment>

¹²¹ Locke, C. (2018, March 1). UMass Boston News. Retrieved April 11, 2018, from https://www.umb.edu/news/detail/faculty_receive_1.1_million_nsf_grant_study_effectiveness_of_stem_practices

Our public higher education institutions are also using other measures than standardized tests to decide on student readiness for college courses. They are moving to deemphasize the "Accuplacer" test that's been used to place students in remedial classes because it turns out, Accuplacer doesn't place people very accurately.¹²² Some campuses are using high school GPA of at least 2.7 to allow students to place out of remedial math. The Department of Higher Education has found that, on campuses using the GPA instead of Accuplacer, more students enrolled in and completed credit-bearing math classes, and fewer took remedial math. In addition, some academic "pathways" no longer require Algebra 2, and therefore no longer require the skills measured by Accuplacer.¹²³ The Rennie Center's *Condition of Education* reports show that from 2012 to 2016, the number of public higher education students taking developmental courses fell from 36% to 28%.¹²⁴

New Metrics and Local Accountability

One result of using a broader set of metrics of student learning and school quality is that communities and school committees would receive better information they could use to hold school leaders accountable for more of the values they want in their schools. Currently, the feedback from the accountability system is almost exclusively about performance on standardized tests. While this is helpful, especially in pointing out any disparities between sub-groups of students, many people would like more in-depth information about equal sharing of resources among schools, student engagement and safety, teacher preparation and turnover, etc.

MassINC's Gateway Cities report urges the state to commit to developing the accountability system further along three fronts:

Creating new assessments that can track and support the acquisition of a variety of skills. Standardized tests ... indicate how well students are gaining academic knowledge, but they aren't great at telling us whether students have learned to design and conduct research, solve complex problems working collaboratively, or communicate in a variety of ways. These critical-thinking and communication skills are essential to success in today's economy. Schools need to develop performance tasks, portfolios, and extended learning tasks in order to measure whether students are gaining these skills...These assessments will be embedded into instruction, so students spend less

¹²² Krantz, L. (n.d.). College placement exam comes under new scrutiny. *The Boston Globe*. Retrieved February 14, 2018, from <https://www.bostonglobe.com/metro/2015/08/07/college-placement-test-comes-under-scrutiny/300EdpY54TFNSBkxhIF2EM/story.html>

¹²³ Marshall, P. (2016). *Request for Committee and Board Action*(Massachusetts, Massachusetts Department of Higher Education, Board of Higher Education). Retrieved February 14, 2018, from http://www.mass.edu/bhe/lib/documents/AAC/10_AAC%2016-19%20Developmental%20Math%20Pilots%20and%20Qualitative%20Study.pdf

¹²⁴ *Condition of Education in the Commonwealth 2013 DATA REPORT*(Rep.). (n.d.). Retrieved February 14, 2018, from Rennie Center website: http://www.renniecenter.org/sites/default/files/2017-01/COE_2013DataReport.pdf

Data Dashboard. (n.d.). Retrieved February 14, 2018, from <http://www.renniecenter.org/condition/data>

time test-taking and educators will have actionable information they can use to individualize instruction....

Measuring school climate and putting the data to productive use....School-climate surveys

will provide valuable insight into how comfortable and supported different types of students feel in their learning environments....

Supporting student-centered learning through competency-based progression....

Students should be able to demonstrate that they have mastered the standards so they can move on whenever they're ready.¹²⁵

ESSA and NEW OPPORTUNITIES: RECOMMENDATIONS

Until President Lyndon Johnson's "War on Poverty," the federal government had little influence on K-12 education. Intended to ensure all children had access to fair and equal opportunities to obtain an excellent education, the Johnson administration established the Elementary and Secondary Education Act which has been reauthorized every five years (or after a longer period) since 1965. The re-authorization in 2001 was called "No Child Left Behind" (NCLB). The 2015 re-authorization was named the "Every Student Succeeds Act" (ESSA)¹²⁶.

The US Department of Education website says that "over time, NCLB's prescriptive requirements became increasingly unworkable for schools and educators."¹²⁷ Across the country, false labeling of schools as "failing," disruptive intervention, and massive expansion of federal mandates over state and local education were seen as federal overreach. After more than a decade, momentum built in Congress to stop requiring schools to do things that were not working. The passage of the "Every Student Succeeds Act"¹²⁸ sharply reduced the power of the federal education secretary. ESSA offers Massachusetts opportunities to restore the balance of state and local control and replace disruptive top-down interventions with locally-driven improvement strategies.

EdWeek summarized: "The new Every Student Succeeds Act... rolls back much of the federal government's big footprint in education policy, on everything from testing and teacher quality to low-performing schools. And it gives new leeway to states in calling the shots."¹²⁹

¹²⁵ *We've got a prime opportunity to advance the Gateway Cities Vision*(Rep.). (n.d.). Retrieved February 14, 2018, from MassInc Gateway Cities Institute website: <https://massinc.org/wp-content/uploads/2016/12/Advancing-the-Gateway-Cities-Vision.pdf>

¹²⁶ Every Student Succeeds Act of 2015, Pub.L. 114–95 (2015).

¹²⁷ Elementary and Secondary Education Act of 1965, Pub. L. No. 89-10, 79 Stat. 27 <https://www2.ed.gov/policy/elsec/leg/essa/index.html>

¹²⁸ Every Student Succeeds Act of 2015, Pub.L. 114–95 (2015).

¹²⁹ Klein, A. (2016, March 31). The Every Student Succeeds Act: An ESSA Overview. *Education Week*. Retrieved February 14, 2018, from <https://www.edweek.org/ew/issues/every-student-succeeds-act/index.html>

“ESSA offers a chance to reset the conversation and cultivate next generation accountability practices that can both hold schools accountable and foster and reinforce improvement... Measurement is best used for learning rather than for selection, reward, or punishment. The new law explicitly calls for the development of new measures of learning, innovation in assessment, and greater state and local flexibility.”¹³⁰

--MassINC, “Establishing Principles for Accountability,” 2016

ESSA makes some changes in the ways states are required to measure school success or failure. It continues to require standardized testing, although it now requires multiple measures of school quality. The major change is in the new leeway that ESSA gives states in what to do to help schools that don't measure up.

We Can Use Better Metrics

ESSA continues to require standardized testing in grades 3 - 8 and high school, although states can use a nationally recognized test such as the SAT or ACT for the high school test. There is also an opportunity for up to seven states to develop new measures of student learning and school quality.

The state must identify the 5% of Title I schools “in need of support and improvement,” using a “system of meaningful differentiation” based largely on test scores.¹³¹ The plan has to include academic measures, but “states are required to add at least one additional indicator ... [such as] student engagement, educator engagement, access to and completion of advanced coursework, postsecondary readiness, school climate/safety.”¹³²

ESSA also requires districts to develop “dashboards” or “report cards” that include many more indicators than the “system of meaningful differentiation,” such as spending, suspensions and arrests, preschool and accelerated coursework, and teacher qualifications.¹³³

DESE’s role:

DESE’s most recent plan¹³⁴ proposes to evaluate schools on MCAS achievement and growth, high school completion, English language proficiency, chronic absenteeism, and the percentage

¹³⁰ *Establishing Principles for Accountability: Perspectives from small-to-midsize urban districts and their allies*(Rep.). (n.d.). Retrieved February 14, 2018, from Next Generation Accountability Learning Community website: <https://massinc.org/wp-content/uploads/2016/09/dispatches.9.12.16.7.pdf>

¹³¹ Every Student Succeeds Act (ESSA). (n.d.). Retrieved February 14, 2018, from <https://www.ed.gov/esea> p. 32

¹³² Klein, A. (2016, March 31). The Every Student Succeeds Act: An ESSA Overview. *Education Week*. Retrieved February 14, 2018, from <https://www.edweek.org/ew/issues/every-student-succeeds-act/index.html>

¹³³ Elementary and Secondary Education Act of 1965, Pub. L. No. 89-10, 79 Stat. 27 Pg. 46 <https://legcounsel.house.gov/Comps/Elementary%20And%20Secondary%20Education%20Act%20Of%201965.pdf>

¹³⁴ ESSA State plan. (n.d.). Retrieved February 14, 2018, from <http://www.doe.mass.edu/titlei/essa/state-plan.html>

of students completing advanced coursework. The weight of these measures will be determined by the BESE and commissioner through regulation and DESE policy. In addition to meeting targets for the school as a whole, schools will be responsible for the performance of the lowest performing 25% of students who have been enrolled for more than one year.

DESE is developing a “dashboard,” separate from the accountability system, which will allow parents and community members to see information about topics including school climate, student engagement, access to the arts, and other characteristics. Members of the public responded to DESE surveys and identified such topics as important in determining school quality.¹³⁵ This will have to be an ongoing process as some of the measures are still not available.

DESE should begin to prepare to apply for participation in ESSA’s Section 1204 Innovative Assessment Pilot Program.¹³⁶ ESSA allows up to seven states to develop innovative assessment programs, either in a group of districts or across the state, for one or more subjects or grades. These innovative assessments, including possibly performance assessments or mastery demonstrations, could eventually be substituted for the annual standardized tests. The work of the MCIEA, the UMass Boston professors and others can build models that will provide valid and reliable measures of both student learning and school quality. This would allow the state to pursue application for participation in the pilot program.

Innovative assessment is, in fact, emphasized in a June, 2017 webinar sponsored by the National Conference of State Legislatures; refer to Appendix D for an excerpted slide.¹³⁷

The Legislature’s role:

The legislature should support and fund the development of performance assessments and school quality measures that will allow communities to decide where to focus their improvement efforts. Continued funding for MCIEA and other locally-driven innovations is an efficient way to involve educators and local leaders in developing tools that fit their needs. These innovations could form the basis for an application for the Section 1204 Innovative Assessment Pilot Program.

¹³³ Every Student Succeeds Act (ESSA) State Plan, presentation by Department of Elementary and Secondary Education (DESE) to the Board of Elementary and Secondary Education, March 28, 2017. <http://www.doe.mass.edu/bese/docs/fy2017/2017-03/item4-presentation.pptx>

¹³⁶ Frequently Asked Questions The Every Student Succeeds Act (ESSA). (n.d.). Retrieved April 11, 2018, from <https://knowledgeworks.org/wp-content/uploads/2018/01/essa-faqs-section-1204.pdf>

¹³⁷ ESSA AND PERSONALIZED LEARNING: A NATIONWIDE LOOK AT STATE STRATEGIES TO ADVANCE PERSONALIZED LEARNING. (2016, June 6). Retrieved from <http://www.ncsl.org/research/education/essa-and-personalized-learning-a-nationwide-look-at-state-strategies-to-advance-personalized-learning.aspx>

We Don't Have to Label All Schools

The Achievement Gap legislation, adopted partly to comply with federal requirements, allowed the commissioner to identify, using discretion, *up to* 4% of schools (about 75) from among the “lowest performing” 20% of schools as “underperforming.” The BESE, by regulation, as part of the NCLB waiver application, expanded this and established five levels.

ESSA requires identifying by quantitative measures the 5% of Title I schools that are in need of “comprehensive support and improvement.” High schools where more than one third of students fail to graduate must also be included in this group. The Act also requires identification of schools as in need of “targeted support and improvement” when a school has sub-groups of students that “are consistently underperforming.” If schools fail to make improvements among these identified subgroups, the schools would also be identified as in need of “comprehensive support and improvement.” ESSA does not require the state to label or differentiate among the vast majority of schools; it only requires identification of the schools mandated for “support and improvement.”

DESE's role:

The Department is proposing that schools will no longer be placed in Levels 1-5, but will be placed in other categories. The lowest 10% based on school percentile--not, as now, the lowest 20%--will be automatically designated as in need of intervention, regardless of whether they hit their targets. Approximately 15% of schools will be classified as in need of assistance or intervention: those with school percentiles under 10%, persistently low graduation rates, low performing subgroups, and low testing participation.¹³⁸ This is many more than currently are in Levels 4 and 5, and it is not clear what assistance or intervention will be available with the department's limited resources.

The Department is also proposing to change how it labels districts. They will no longer be labeled according to the classification of their lowest scoring school.

The Legislature's role:

The legislature should repeal the sections of the Achievement Gap legislation that provided for designation of “underperforming” and “chronically underperforming” schools. No legislation is necessary to allow the department to follow ESSA and identify schools in need of assistance.

However, the legislature should recognize that “schools in need of assistance and improvement” almost all lack adequate resources. It should formulate a plan for providing those resources, as

¹³⁸ Wulfson, J. (2017, December 8). The Massachusetts Board of Elementary and Secondary Education. Retrieved April 11, 2018, from <http://www.doe.mass.edu/bese/docs/FY2018/2017-12/item4.html>
Wulfson, J. (2018, January 23). The Massachusetts Board of Elementary and Secondary Education. Retrieved April 11, 2018, from <http://www.doe.mass.edu/bese/docs/FY2018/2018-01/item3.htm>

defined in the revised Foundation Budget, as part of the assistance necessary for improvement. Schools cannot be held accountable if the state does not meet its obligations.

We Don't Have To Use Disruptive Interventions

The Achievement Gap law set out punitive methods for school improvement that included reducing teacher protections and collective bargaining rights in “underperforming” schools. In addition, the federal government required each “underperforming” school to use one of four disruptive models to qualify for federal grant money: closure, takeover by an outsider operator, replacing the principal, or replacing at least half the staff. The recommendations of local stakeholder groups for improvement have too often been ignored. Turnaround plans do not always incorporate the social services required by the Achievement Gap law. We have learned from both positive and negative experiences that collaboration is more productive than imposition. We have also learned that stability of staff can allow building teamwork and a common vision, and so is very important in building a school culture of improvement.

ESSA requires each district that has a school or schools identified as in need of either targeted or comprehensive support to locally develop and implement a plan for supporting the identified school(s). The plans must be “informed by all indicators” in the assessment system, include evidence-based interventions, include a school-level needs assessment, identify resource inequities and be approved by the school, local education agency, and the state. This means that the local stakeholders and the school committee have veto power. There is no requirement to use the disruptive federal models of NCLB.

ESSA requires a more robust stakeholder process in “schools in need of support and improvement.” It does not require disruptive interventions, such as requiring all faculty to reapply for jobs. The Commonwealth can return control over those schools to the community. Too often now the recommendations of stakeholder groups in level 4 schools have been ignored. MERA’s requirement of wraparound services in turnaround schools has also been implemented minimally.

DESE’s role

DESE has not yet specified what kinds of intervention would be used in “schools in need of support.” Acting Education Commissioner Jeff Wulfson has “said he was hesitant about declaring any additional high schools under-performing this year because most of those already on the list still struggle, and there are no clear strategies yet on how to help them.”¹³⁹ It is too early to tell whether Jeff Riley, the new commissioner, will agree.

¹³⁹ Vaznis, J. (2017, October 18). New Tests Bring Worse Scores for Mass. Students. *The Boston Globe* (Boston, MA). Retrieved April 11, 2018, from <https://www.bostonglobe.com/metro/2017/10/18/new-tests-bring-worse-scores-for-mass-students/YYiJaH6OCmVcOsolkYRN7M/story.html>

Unfortunately, in 2016, after the passage of ESSA removed the requirement of using disruptive turnaround models, in at least two of the new Level 4 schools -- Boston's Excel and Brighton High School, the district still required all the teachers to re-apply and many left.

The Legislature's role

Sections 1J and 1K of Chapter 69, spurred by federal requirements, make it much easier to change teacher protections and union contracts. The sections suggest that those protections and contracts are a major barrier to school improvement. In particular, under the Achievement Gap law, the superintendent is allowed to require all the staff at an "underperforming" school to reapply for their jobs, and to change the contract, compensation, and policies.¹⁴⁰ The commissioner has even greater authorities over staffing and contracts when he designates a school as "chronically underperforming." To prevent unnecessary and destabilizing interventions, the legislature should repeal those sections. It can ensure that "schools in need of comprehensive support and improvement" receive funding that is adequate according to updated Foundation Budget calculations..

The legislature should also encourage improvement plans that respect teachers and return more control of these schools to the community. ESSA requires a more robust stakeholder process, including local -- as well as state -- approval of improvement plans. Too often now the recommendations of stakeholder groups in level 4 schools are ignored, and instead, plans include damaging interventions.

The legislature should give local stakeholders a real role in designing and implementing the plan. They can provide real insight into local conditions and student needs, and restore some balance instead of the top-down, one-size-fits-all prescriptions that have too often been used.

The legislature should maintain the Achievement Gap Act requirement that improvement plans incorporate social services and involve non-education agencies in helping meet student needs. Moreover, it should find a way to ensure that this occurs, perhaps by oversight hearings.

In addition, the department and the legislature should consider what measures are most appropriate for those schools which have received adequate funding and implemented stakeholder recommendations, but not made significant progress after three years.

Recognizing Resource Needs

The 1993 MERA incorporated the understanding that, if schools were to be held to higher standards, they needed to have the necessary funding. It is cynical, cruel, and ineffective to continue to raise standards and increase sanctions without ensuring that all schools have the resources the legislature itself found were required for an equal and adequate education.

¹⁴⁰ Mass. Gen. Laws ch. 69, § 1J

Funding an updated Foundation Budget will require hundreds of millions of dollars. One possible source is the Fair Share Amendment, on the ballot in 2018. This amendment would raise taxes on incomes over a million dollars, bringing in \$2 billion a year to be spent on education and transportation. This would give us an opportunity to provide new resources, reduce the funding gap, and give more children the chance at an equal education. If the amendment does not pass, other funding sources must be found.

The Commonwealth has a constitutional and moral responsibility to provide equitable and adequate funding of all public schools, as represented by the updated Foundation Budget.

There are also many statutorily obligated funding commitments that the Commonwealth regularly fails to meet. Charter school tuition reimbursement, regional school transportation, out-of-district school transportation, and SPED circuit breaker are just a few of the funding obligations that, in recent years, the Commonwealth has left underfunded and foundering. At the same time, the demand for many effective, though not legally obligated, educational services outstrips the funding supply. There are now waitlists for vocational-technical schools, highly-rated schools in urban districts, charter schools, and METCO. Early childhood education is probably the most effective program to reduce the achievement gap, and there are about 25,000 income-eligible children on waitlists for early education.¹⁴¹ Our funding levels no longer match our educational needs, commitments, or ambitions.

CONCLUSION: AN OPPORTUNITY FOR MUTUAL ACCOUNTABILITY

Over the past 25 years, Massachusetts has embarked on two major reforms of public education. The 1993 reform increased state funding dramatically and equitably, while increasing testing. The 2010 reform, spurred by federal requirements for RTTT, greatly increased state control over schools, with a limited and temporary infusion of funding. Those policies have failed to reduce the achievement gap or to improve schools. They have had high costs in both money and in opportunities for students to learn other skills. Labeling schools, districts, teachers, and children as “underperforming” or even “failing,” has been disruptive, and has been followed by interventions that sometimes damage children and schools.

ESSA gives us an opportunity to change those policies and to restore a balance between state and local government. We can restore the mutual accountability between local schools and state government that was the basis of the 1993 reform. We can learn from our experience about broader measures of student learning and school quality. We can expand our understanding of the resources young people need.

¹⁴¹ Income Eligible Child Care (Child Care Access). (n.d.). Retrieved April 11, 2018, from <http://children.massbudget.org/income-eligible-child-care-child-care-access>

In 1993, Massachusetts recognized the needs that all schools have for funding adequate and equitable education. The Foundation Budget Review Commission and numerous other reports remind us of that unfulfilled bargain. Without renewed commitment to adequate and equitable funding, many communities and schools will continue to struggle to meet increased demands.

In 2018, ESSA and the potential for revenue from the Fair Share Amendment offer us two opportunities to return to the principles of the 1993 Education Reform Act, while learning from the experiences of the past 25 years. We can continue to develop frameworks and standards, and expand the information available to all stakeholders about student learning and school quality. At the same time, we can eliminate negative and inaccurate labels and disruptive and counterproductive interventions. And we can give schools the resources they need to achieve their goals.

ABBREVIATIONS

AGA: Achievement Gap Act

BESE: Massachusetts Board of Elementary and Secondary Education

DESE: Massachusetts Department of Elementary and Secondary Education

ESSA: Every Student Succeeds Act of 2015

FBRC: Foundation Budget Review Commission

MASC: Massachusetts Association of School Committees

MCAS: Massachusetts Comprehensive Assessment System

MERA: Massachusetts Education Reform Act of 1993

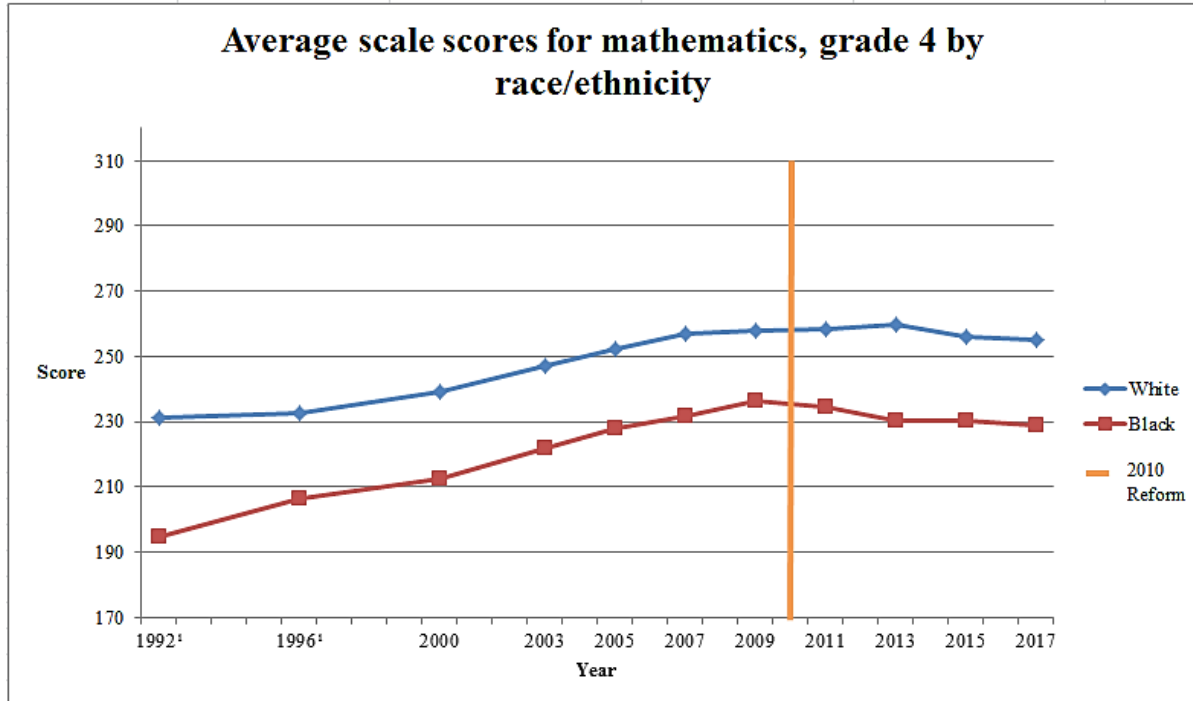
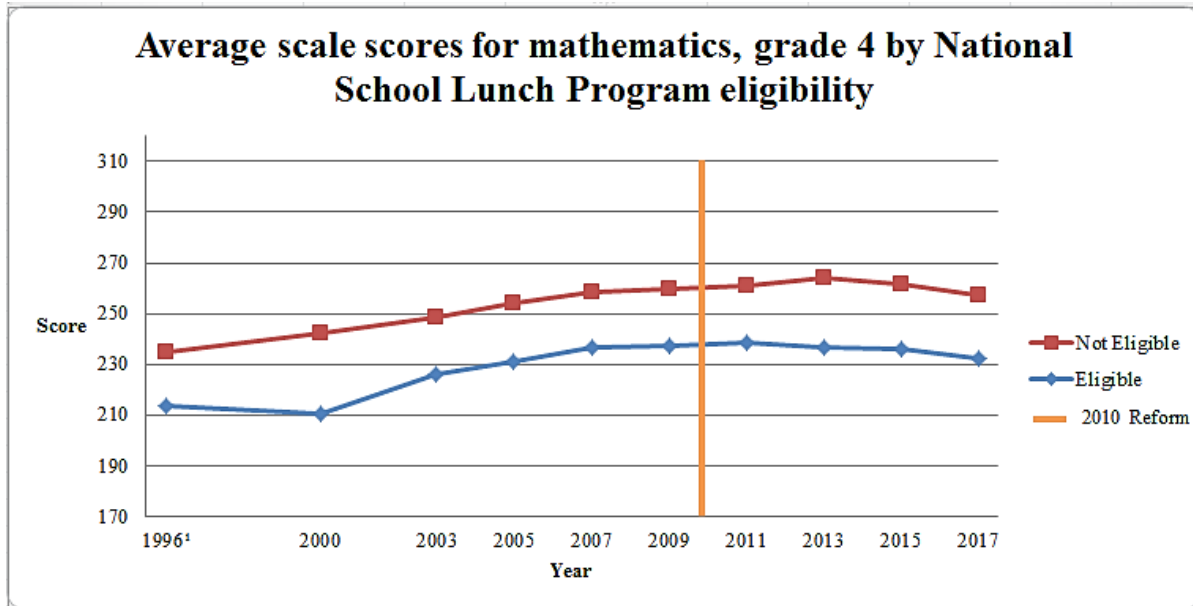
NAEP: National Assessment of Educational Progress

NCLB: No Child Left Behind

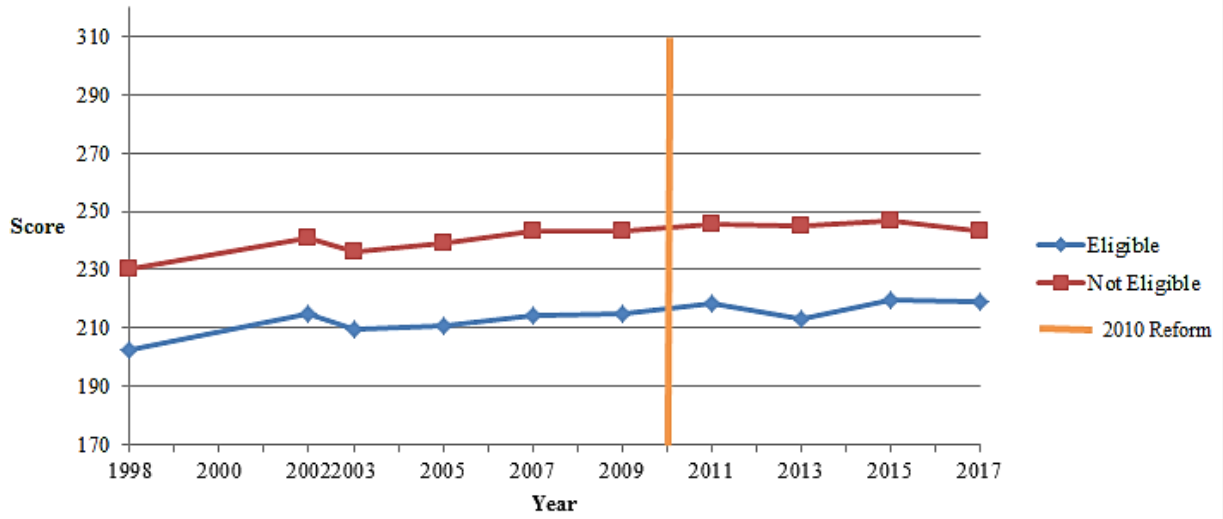
RTTT: Race to the Top

APPENDIX A

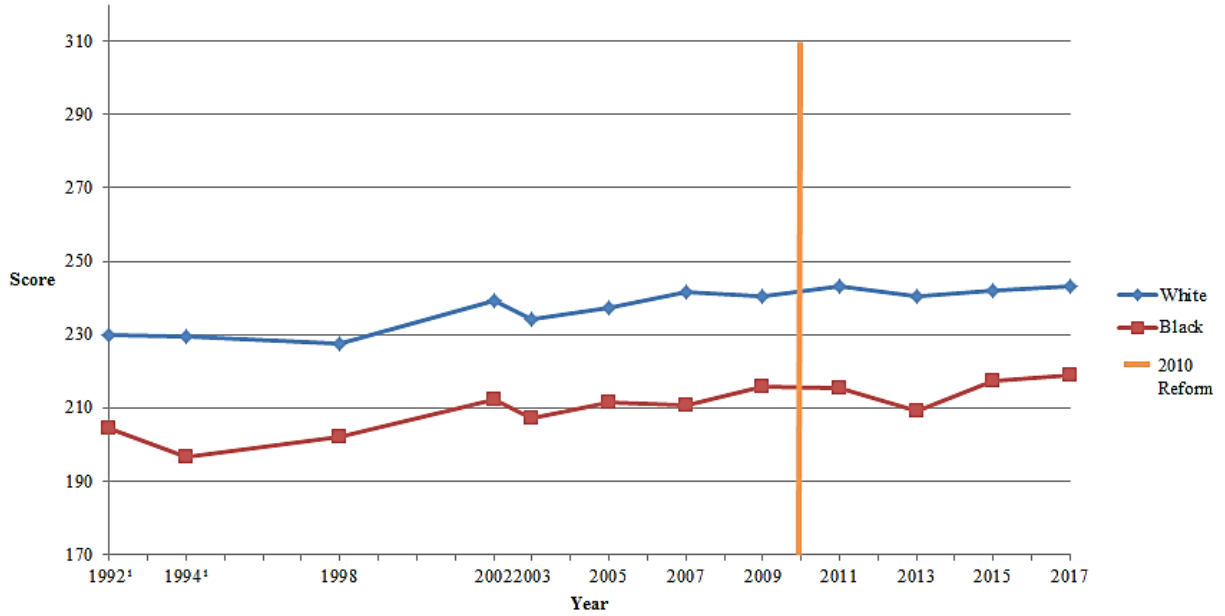
The following charts illustrate changes in Massachusetts NAEP scores for black and white students and for students who did and did not qualify for school lunch; the vertical line at 2010 marks the enactment of the Achievement Gap Act in Massachusetts.*



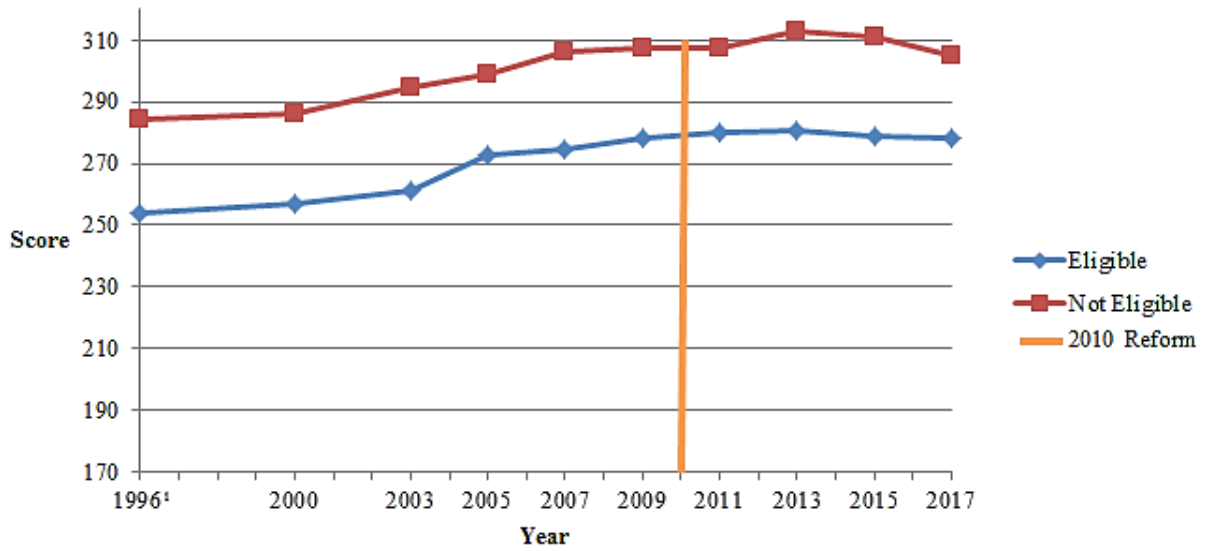
Average scale scores for reading, grade 4 by National School Lunch Program eligibility



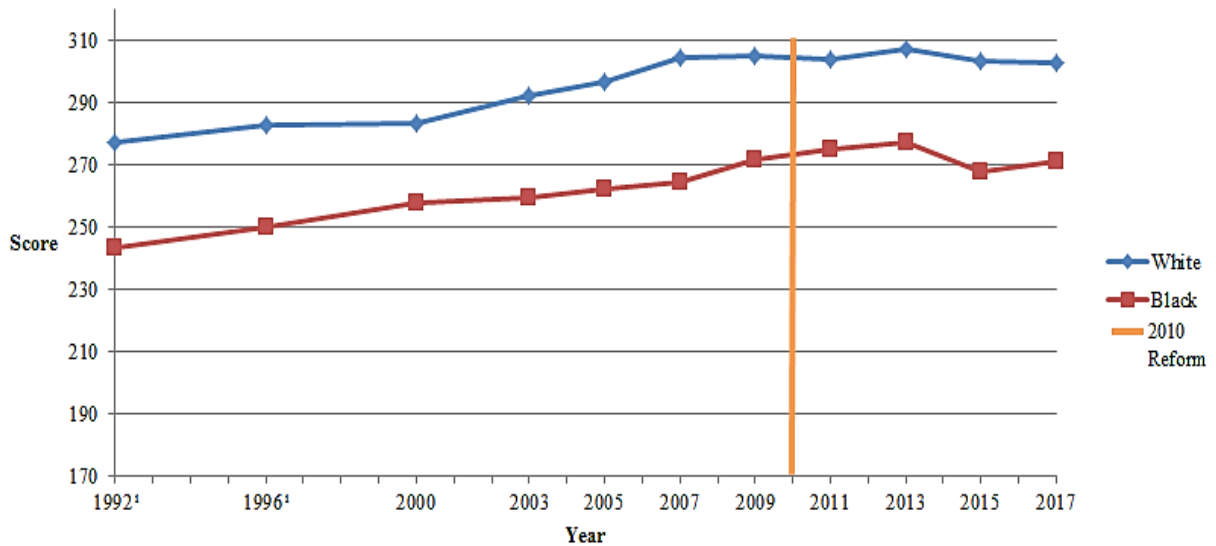
Average scale scores for reading, grade 4 by race/ethnicity

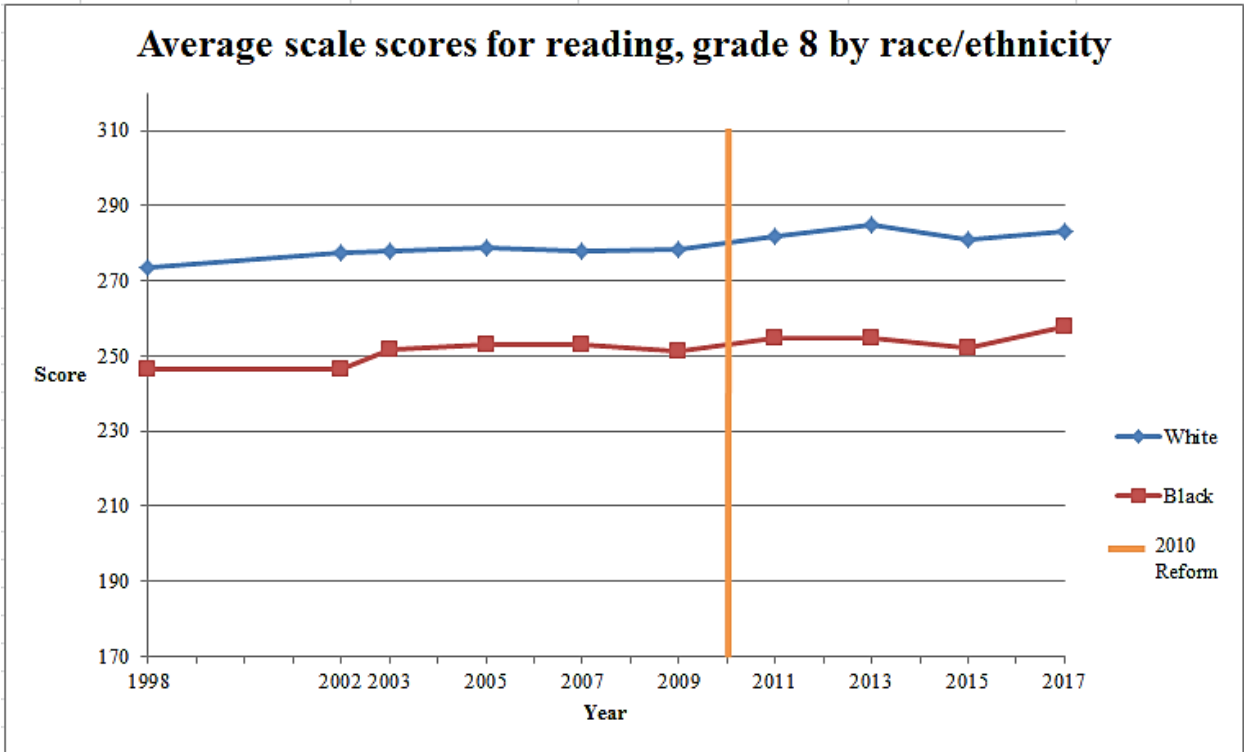
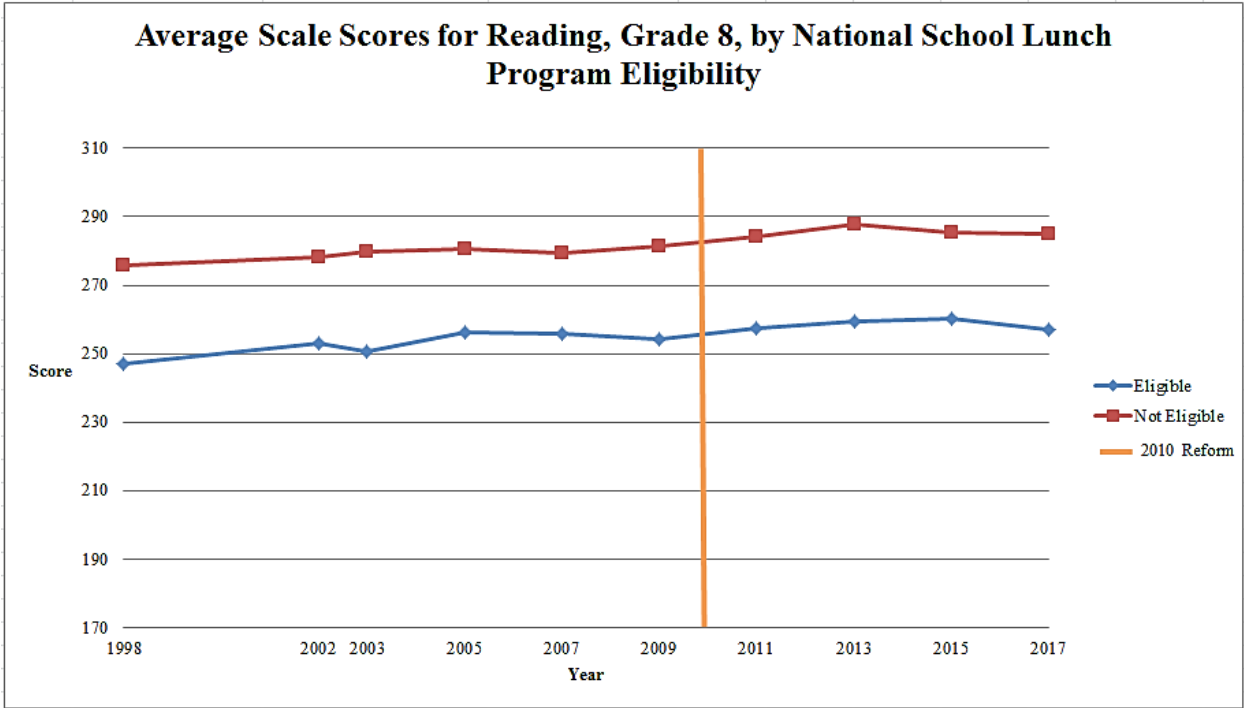


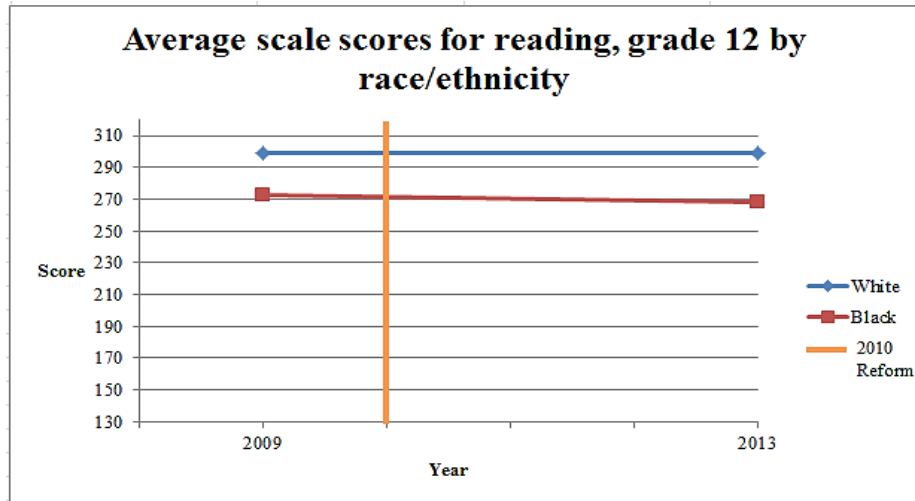
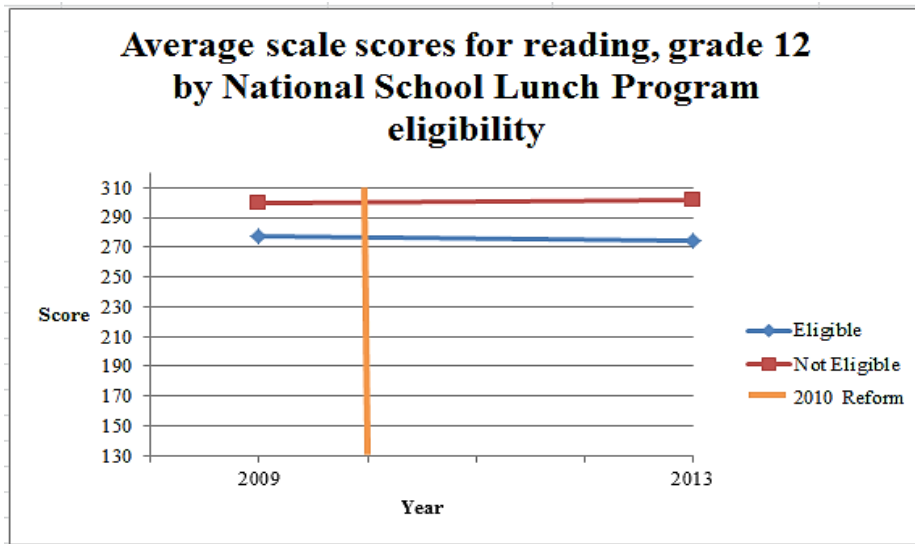
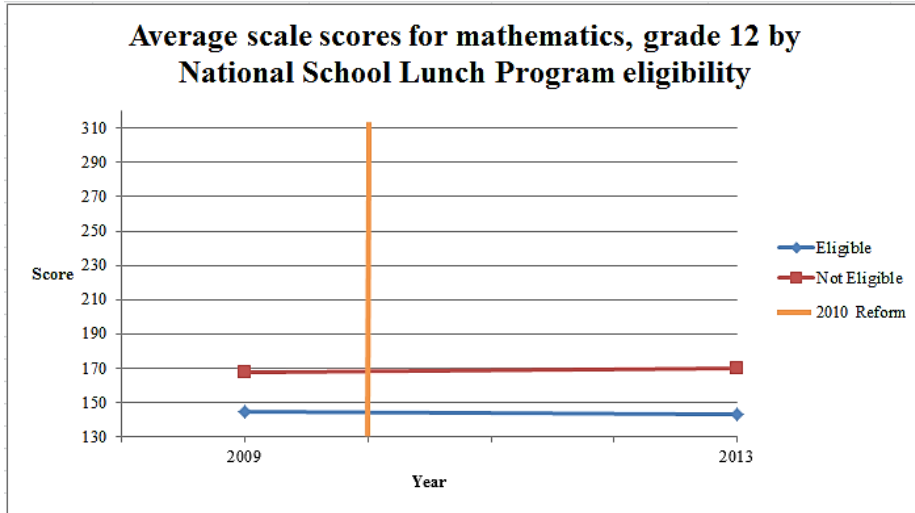
Average scale scores for mathematics, grade 8 by National School Lunch Program eligibility



Average scale scores for mathematics, grade 8 by race/ethnicity







* All chart data derived from NAEP data tools,
<https://www.nationsreportcard.gov/profiles/stateprofile/overview/ma>

APPENDIX B

Demographic Comparisons of Public School and School Choice Populations- SIMS October 2013

(This chart shows the effect of school choice and charter schools on the population of district schools. The chart understates real differences in student populations, because among English learners, district schools generally educate most of those who are just beginning to learn, and among students with disabilities, district schools educate those with the most serious disabilities.)

DISTRICT	Group	Count	African American %	Asian %	Hispanic %	White %	ELL %	Low Income %	Students with disabilities %
Boston	All students	54,690	34.6	8.6	40.3	13.6	29.8	77.6	19.5
Boston	Charter Schools	9,743	54.8	1.9	31.2	9.2	11.3	74.9	15.8
Boston	School Choice	41	24.4	2.4	22.0	51.2	0.0	46.3	14.6
Brockton	All students	17,113	54.9	2.4	14.4	23.6	19.9	80.5	13.2
Brockton	Charter Schools	319	81.8	2.2	8.5	5.6	12.9	33.9	12.5
Brockton	School Choice	183	30.1	2.2	5.5	59.0	0.0	35.0	8.2
Cambridge	All students	6,518	29.0	12.1	13.8	38.2	5.1	44.7	20.9
Cambridge	Charter Schools	411	76.9	3.6	10.5	5.4	7.5	73.2	16.3
Cambridge	School Choice	1	0.0	0.0	0.0	100.0	0.0	0.0	0.0
Chelsea	All students	6,252	7.1	1.9	81.8	8.1	18.6	82.4	12.7
Chelsea	Charter Schools	454	11.5	1.3	76.4	8.8	11.7	72.5	11.9
Chelsea	School Choice	1	0.0	0.0	0.0	100.0	0.0	0.0	0.0
Chicopee	All students	7,813	2.9	1.9	32.0	60.1	4.5	62.6	17.9
Chicopee	Charter Schools	151	4.0	4.6	46.4	38.4	4.6	65.6	11.3
Chicopee	School Choice	127	4.0	0.0	19.0	73.8	4.0	55.6	13.5

Everett	All students	7,007	18.8	5.2	38.8	34.6	12.2	79.5	14.6
Everett	Charter Schools	516	45.9	7.9	16.3	27.7	5.6	53.1	9.5
Everett	School Choice	8	12.5	0.0	25.0	62.5	0.0	50.0	12.5
Fall River	All students	10,459	7.3	4.4	21.1	61.4	8.3	78.4	20.4
Fall River	Charter Schools	7	3.8	2.2	6.9	83.9	1.0	57.5	11.4
Fall River	School Choice	43	7.0	0.0	0.0	93.0	0.0	46.5	9.3
Fitchburg	All students	5,133	5.5	5.6	45.7	36.9	14.9	76.4	22.4
Fitchburg	Charter Schools	182	6.6	2.7	35.7	49.5	2.7	62.1	24.2
Fitchburg	School Choice	451	6.0	1.8	19.3	71.4	1.1	31.9	12.0
Framingham	All students	8,488	6.5	5.8	23.1	61.6	13.1	38.7	22.8
Framingham	Charter Schools	284	6.0	7.0	8.1	75.0	2.8	23.6	20.1
Framingham	School Choice	36	5.6	2.8	16.7	72.2	0.0	22.2	16.7
Haverhill	All students	7,151	4.2	2.0	27.3	65.2	7.5	57.5	20.4
Haverhill	Charter Schools	906	4.7	1.3	19.8	72.6	3.0	36.4	16.8
Haverhill	School Choice	219	2.8	2.3	4.6	87.6	0.5	12.4	11.5
Holyoke	All students	5,657	2.8	0.9	78.4	17.1	28.9	84.4	25.1
Holyoke	Charter Schools	725	1.9	0.7	84.3	11.3	6.9	79.2	13.7
Holyoke	School Choice	310	2.6	1.9	15.5	78.0	2.6	33.7	9.7
Lawrence	All students	13,621	1.7	1.7	90.4	5.8	28.0	92.2	19.8
Lawrence	Charter Schools	1,243	1.5	0.6	94.5	3.3	34.8	86.4	7.5
Lawrence	School Choice	100	1.0	1.0	42.0	55.0	1.0	63.0	16.0
Leominster	All students	6,250	7.4	3.4	27.6	58.4	5.9	47.3	19.2

Leominster	Charter Schools	84	8.3	0.0	6.0	82.1	0.0	22.6	15.5
Leominster	School Choice	334	5.1	3.3	25.1	65.9	2.1	38.6	10.8
Lowell	All students	14,150	6.6	29.7	29.4	31.2	29.2	74.9	15.1
Lowell	Charter Schools	1,132	19.6	21.0	35.3	20.1	35.0	69.0	15.7
Lowell	School Choice	113	5.3	7.1	10.6	74.3	0.9	34.5	19.5
Lynn	All students	14,542	11.1	9.5	54.3	21.1	17.6	82.3	15.8
Lynn	Charter Schools	907	29.2	2.9	53.4	12.3	9.3	76.3	13.9
Lynn	School Choice	54	7.4	9.3	18.5	55.6	0.0	44.4	5.6
Malden	All students	6,622	20.6	22.6	20.5	32.0	18.6	58.6	15.3
Malden	Charter Schools	845	31.8	20.6	7.7	36.3	1.8	34.3	11.1
Malden	School Choice	1	0.0	0.0	0.0	100.0	0.0	0.0	100.0
New Bedford	All students	12,826	11.8	0.8	32.7	47.7	5.4	75.4	22.5
New Bedford	Charter Schools	691	14.8	0.7	32.9	46.2	8.0	72.4	16.5
New Bedford	School Choice	43	2.3	2.3	7.0	81.4	0.0	48.8	16.3
Pittsfield	All students	5,912	11.0	1.4	8.9	72.0	4.0	55.7	17.8
Pittsfield	Charter Schools	159	21.4	1.3	5.0	70.4	1.3	54.7	20.1
Pittsfield	School Choice	377	0.8	2.4	8.0	85.4	1.6	25.7	8.8
Quincy	All students	9,451	6.5	34.9	5.1	50.2	14.3	49.0	15.5
Quincy	Charter Schools	34	38.2	5.9	11.8	32.4	2.9	55.9	17.6
Quincy	School Choice	5	20.0	0.0	0.0	80.0	0.0	0.0	20.0
Revere	All students	6,928	4.4	5.4	45.8	41.2	14.0	77.4	14.9
Revere	Charter Schools	111	18.0	4.5	29.7	42.3	4.5	61.3	8.1

Revere	School Choice	11	0.0	0.0	36.4	63.6	9.1	54.5	18.2
Salem	All students	4,394	5.2	2.8	36.1	51.4	12.8	59.4	21.6
Salem	Charter Schools	378	9.5	2.9	37.8	49.7	5.3	48.7	18.5
Salem	School Choice	66	0.0	1.5	4.5	84.8	0.0	31.8	7.6
Somerville	All students	5,011	11.4	9.0	40.9	36.4	16.5	66.3	20.7
Somerville	Charter Schools	475	39.2	12.6	22.3	21.3	12.2	60.2	14.7
Somerville	School Choice	1	0.0	0.0	0.0	100.0	0.0	100.0	0.0
Springfield	All students	26,034	20.2	2.5	62.1	12.5	16.9	87.1	19.3
Springfield	Charter Schools	2,626	32.1	2.2	39.7	21.0	4.3	64.5	12.3
Springfield	School Choice	724	12.2	1.5	29.5	53.5	1.5	49.8	11.4
Taunton	All students	7,996	10.5	1.5	10.9	72.4	2.8	49.1	19.0
Taunton	Charter Schools	15	53.3	6.7	6.7	33.3	0.0	6.7	20.0
Taunton	School Choice	55	3.6	3.6	16.4	69.1	0.0	30.9	12.7
Worcester	All students	25,039	14.4	7.6	38.1	35.8	31.5	73.1	20.0
Worcester	Charter Schools	2,183	41.2	3.3	33.3	18.9	12.3	70.2	11.3
Worcester	School Choice	488	3.5	2.3	7.6	83.6	2.3	19.9	10.7

APPENDIX C

[from the Foundation Budget Review Commission Final Report , October 2015, p 9]

III. Budget Impact Summary: Health Insurance and Special Education Changes

Statewide Summary	GAA	25% Phase in	Difference	100%	Difference
	FY16	FY16		FY16	
Enrollment	942,120	942,120	0	942,120	0
Foundation budget	10,090,177,272	10,340,927,612	250,750,340	10,912,226,442	822,049,170
Required district contribution	5,943,909,031	6,002,726,108	58,817,077	6,080,502,587	136,593,556
Chapter 70 aid	4,511,521,973	4,607,300,066	95,778,093	4,943,298,626	431,776,654
Required net school spending (NSS)	10,455,431,004	10,610,026,174	154,595,170	11,023,801,213	568,370,210

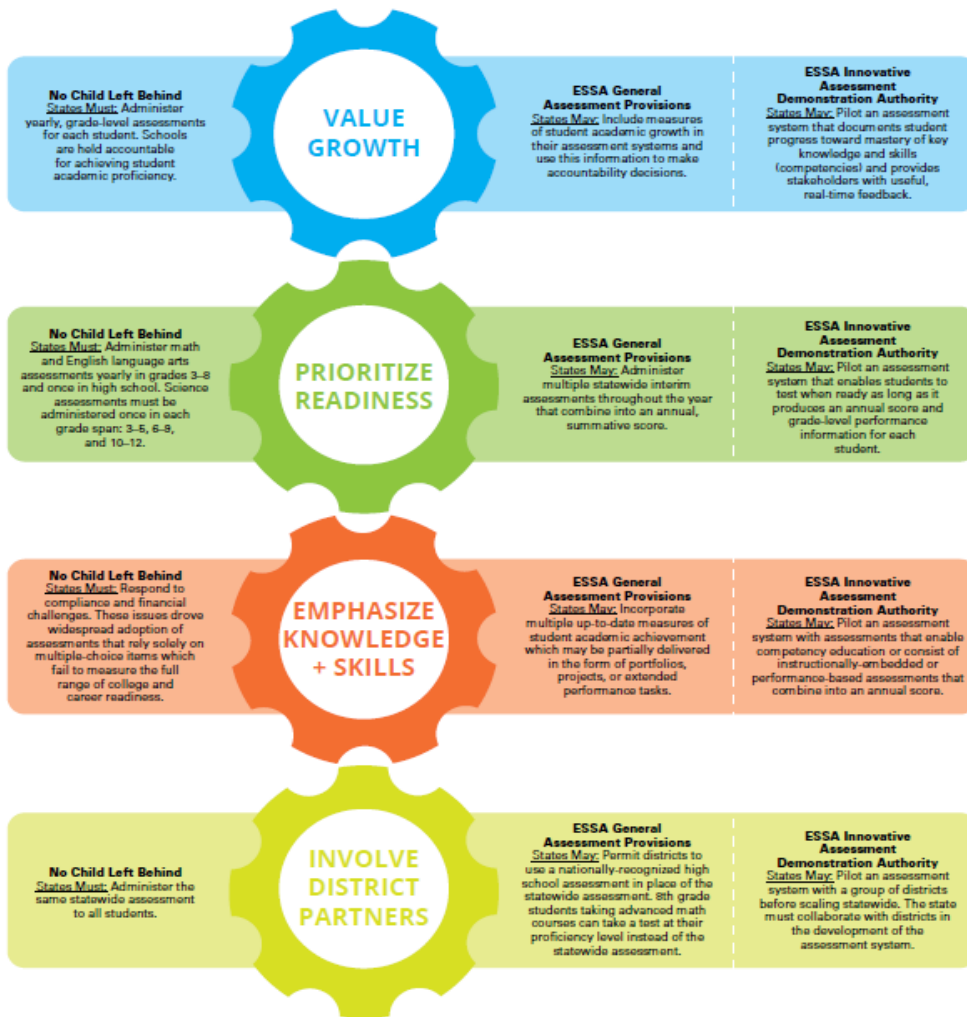
The chart above illustrates the estimated impact of the Commission's recommended adjustments to the foundation budget categories for health insurance and special education, expressed both as a one year cost and based on a four year phase-in. Note that because of the structural changes recommended to both the ELL and low income rates below, further work would be needed to ensure that the Chapter 70 spreadsheets accurately reflected those changes. Those recommendations would also entail an increase in the amount of Chapter 70 aid, not reflected in this chart. In addition, if the legislature chose to incorporate any of the issues raised in Part C of this report as being worthy of further study and consideration, the final cost to the state would increase further.

APPENDIX D

Four Critical Opportunities for States Under the Every Student Succeeds Act (ESSA)

A Better Approach to Assessment

States now have the opportunity to develop student-centered assessment systems that have the potential to increase engagement, provide real-time feedback on student learning, and improve equitable outcomes across our education system.



www.innovativeassessments.org

