

February 16, 2005

Dear Legislator:

Commissioner Driscoll and I would like to update you on items that may be of interest to you regarding activity at the Department of Education:

1. Proposed Amendments to the Special Education Regulations

As many of you know, the Board of Education has been soliciting public comment on proposed amendments to the Special Education Regulations. We have received a great deal of comment on some of the proposed amendments, both in writing and at the public hearings we have held. The public comment has been clear and strong, especially on certain issues. Reflecting on the importance of the public comment process and overwhelming testimony received, the Commissioner recognizes that further consideration is necessary to ensure that any changes to the regulations are carefully considered, widely understood and will improve special education programs for students.

The Commissioner has decided to focus the proposed amendments to the regulations solely on the area that most urgently needs revision: the procedures related to assignment of school district responsibility (new proposed section 28.10). The Commissioner is withdrawing all other proposed amendments from consideration at this time. The Department will sponsor a series of meetings and public forums during the course of this calendar year to discuss and consider other areas of the regulations that may need revision, consistent with state and federal law.

2. Adding Science and Technology to the Competency Determination Requirement

The Board of Education held a discussion at the February 15th Board meeting to consider the steps that will be necessary to add a Science/Technology component to the competency determination requirement for high school graduation.

The Massachusetts *Science and Technology/Engineering Curriculum Framework* was initially adopted in 1995 and was revised in 2001. The current (2001) framework includes state standards for full-year high school courses in Biology, Chemistry, Introductory Physics and Technology/Engineering. Questions for end-of-course high school tests have been developed and are being field-tested. These MCAS tests will become operational in spring 2006.

In April 2003, Commissioner Driscoll and the Board began the discussion of adding Science and Technology/Engineering as well as History to the competency determination. At the January 2005 Board meeting, Governor Romney urged the

Board to add the Science and Technology/Engineering requirement “at the earliest possible date.” At this month’s meeting, the Board discussed some of the issues relating to high school science testing and asked the Commissioner to come back to the Board with recommendations for possible next steps, which will include public outreach and discussions with local educators and others. For more information about this and other Board agenda items, please see the “Board in Brief” posted each month on the Department’s website at <http://www.doe.mass.edu/boe/bib/>.

3. Consideration of Raising 220 Passing Score for Math and English Language Arts

A very preliminary discussion on raising the passing score was begun at this month’s Board of Education meeting. Currently students must meet or exceed the *Needs Improvement* threshold scaled score of 220 on both the English Language Arts and Mathematics grade 10 MCAS tests in order to satisfy the requirements of the competency determination. The Commissioner noted in his comments that he believes the 220 score is the right floor, especially for some students with disabilities, “but the floor should not become the ceiling.” Proficiency is the right goal if Massachusetts high school graduates are to have the opportunities they deserve in the twenty-first century. The Commissioner said high expectations and a sense of urgency are essential. He and the Board agreed to schedule further discussion and public outreach on the issue of raising the passing score in the future.

4. The SJC decision in *Hancock v. Driscoll*

The Commissioner views the February 15th decision of the Supreme Judicial Court disposing of the *Hancock* case as recognition of the strong and steady commitment that state leaders have made to public education since 1993 and the great progress that students and schools have made with the benefit of the Education Reform Act. However, there is much left to do to get many more of our students to a proficient level. In the Commissioner’s opinion, the only thing that has changed is that the court has affirmed that this vitally important state responsibility rests solely with the legislative and executive branches. He is confident that by working together, state leaders will continue to meet the challenge.

I hope you have found this information helpful. Please feel free to contact me at 781-338-3105 or by email at ssmith@doe.mass.edu if you have questions or concerns.

Sincerely,

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