



Massachusetts Department of Elementary and Secondary Education

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Jeffrey C. Riley
Commissioner

By email

November 11, 2021

Honorable Kim Janey, Mayor
City of Boston
1 City Hall Square, Suite 500
Boston, MA 02201
mayor@boston.gov

Jeri Robinson, Chair
Boston School Committee
Bruce C. Bolling Municipal Building
2300 Washington Street
Roxbury, MA 02119
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Brenda Cassellius, Superintendent
Boston Public Schools
Bruce C. Bolling Municipal Building
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Dear Honorable Mayor Janey, Chair Robinson, and Superintendent Cassellius,

I am writing in response to your letter dated November 11, 2021 requesting that seven (7) days of remote learning count towards the required 180 days of structured learning time at the Curley K-8 School (Curley) in the Boston Public Schools (BPS). This request was submitted as a result of BPS's decision to close the Curley for ten days beginning November 10, 2021 and shift to a remote learning model during this time.

Maximizing safe in-person learning remains a top priority for the Department of Elementary and Secondary Education (DESE) this school year. I am particularly concerned that remote learning will not fully meet the academic and social emotional needs of our students, especially students with disabilities, English learners, and other vulnerable students. In order to provide equitable access to high-quality learning for all, DESE stated as early as our May 27, 2021 [guidance](#) that remote learning would not count towards structured learning time for the 2021-22 school year. It is critical that we continue to do everything possible to enable all students to attend school in-person.

DESE's Rapid Response Help Center continues to support districts across the state in implementing COVID-19 protocols and maintaining in-person learning for as many students as possible. Districts are expected to work closely with DESE prior to making any decisions about quarantine and closure of a whole school. Such decisions should only take place after implementing a deliberate and progressive series of mitigation measures. These measures include:

- Robust contact tracing to identify close contacts and enroll them in Test and Stay or quarantine protocols as appropriate;
- Requesting the DPH mobile response unit or in-house testing kits to conduct widespread testing if in-school transmission is suspected; and
- Quarantining full classrooms and whole grade levels where necessary.

Through close partnership and these progressive steps, DESE has successfully supported schools across the Commonwealth with elevated COVID-19 case rates to continue providing in-person learning.

Background and context

It appears in the case of the Curley, a decision to close took place without appropriate consultation with DESE:

- On Thursday, November 4, DESE staff called BPS about COVID-19 cases at another BPS school. During a subsequent call that day, DESE staff were informed that the Curley was experiencing a rise in cases. DESE staff recommended that the Curley begin to quarantine individual classrooms where cases were most prevalent. However, the Boston team comprised of school district and local health officials indicated that the outbreak did not warrant this action at that time.
- At the end of the day on Monday, November 8, BPS officials requested additional staffing support to assist with testing efforts at the Curley.
- The DESE testing team immediately doubled the staffing support available at the Curley, which was provided onsite the next morning, Tuesday, November 9.
- On Tuesday afternoon, November 9, BPS announced a closure of the entire Curley school building and a shift to remote learning for seven school days, with the intent to re-open on November 22.

It is possible that the spread of COVID-19 was truly so rapid that earlier mitigations would not have had an effect. However, we are left to wonder if the whole school closure at the Curley could have been avoided if progressive interventions recommended by DESE were implemented last week, such as quarantining individual classrooms or grade levels.

Absent such efforts to stop the spread earlier, I recognize that school staff became overwhelmed by a sharply increasing number of cases and that a temporary school closure became necessary.

Waiver determination

Each year, DESE considers a limited number of waivers for structured learning time due to extraordinary circumstances. In virtually all cases, DESE is fully informed about events as they are unfolding. Such waivers are rare and are granted at the Commissioner's discretion.

After consideration of the waiver request for the Curley, I will approve a limited structured learning time waiver request of up to four (4) school days to provide time for BPS and the local health commission to complete the following steps:

- Complete contact tracing efforts at the Curley to identify true close contacts
- Create an appropriate plan for these close contacts in accordance with [DESE/DPH protocols](#)
- Set up a testing program beginning on Sunday, November 14, to prepare for re-entry

While DESE will be available to consult with local officials in the coming days, the BPS and local health commission are responsible for implementing the steps outlined above.

This limited waiver of four school days will allow remote learning at the Curley provided on Wednesday, November 10; Friday, November 12; Monday, November 15; and Tuesday, November 16 to count towards the required 180 days of structured learning time.

Should BPS and/or the local health commission be unable to implement these steps or determine for any reason that it is not appropriate to re-open for in-person learning on Wednesday, November 17, the Curley may continue to offer remote learning at its discretion. However, BPS will not be able to count additional remote learning days from Wednesday, November 17 to Friday, November 19 towards the 180 required days at the Curley. As such, the Curley would need to be prepared to add three days to its school calendar.

Please note:

- BPS has provided assurances that high-quality, full-day remote learning – including quality tasks and feedback provided to students – will take place during the approved waiver days. DESE staff will monitor instruction throughout these remote days to ensure instruction is meeting an appropriate quality bar.
- We have discussed the need for BPS to coordinate more robustly with DESE at the outset of any significant case increases going forward, to receive appropriate guidance related to COVID-19 protocols. As such, no future requests for waivers would be considered unless the district coordinates with DESE to follow the progressive process currently in use across the rest of the state.

Sincerely,



Jeffrey C. Riley
Commissioner of Elementary and Secondary Education