

RHODE ISLAND BOARD OF REGENTS FOR ELEMENTARY AND SECONDARY EDUCATION
Minutes of September 3, 2008

A Meeting of the Rhode Island Board of Regents for Elementary and Secondary Education was held at the Shepard Building - 255 Westminster Street, Providence, RI 02903 & convened at 4:15 p.m.

In Attendance:

R. Flanders, P. Guida, C. Callahan, A. Beretta, A. Davis, A. Cano-Morales, K. Forbes, B. Shimberg.

Public Remarks

Tim Duffy – Executive Director of RI Association of School Committees - Spoke to the Board regarding the Secondary Regulations/High School graduation requirements. He told the members of the Board that the RIASC Executive Board feels that NECAP is not an appropriate assessment for students exiting Rhode Island high schools. He suggested that NECAP was designed to be an assessment tool for improving instruction and thus student performance. He urged the Board to delay the adoption of Section 3.3 of the High School regulations until RIDE can articulate and implement a uniform statewide curriculum.

Renee Snow – South Kingstown Special Education Advisory Committee - Asked the Board to vote negative in making NECAP a high stake testing requirement for graduation.

Brianna Backer – Spoke in opposition to the results of the NECAP being posted on students' transcripts. Students should not be held accountable for GSEs that the school districts do not teach.

Paul Backer – Expressed his fear that his daughter's PLP is not being carried out by the district. Opposes the NECAP requirements because she might not be getting what she needs.

Susan Sweeney - Opposed the passage of the Secondary Regulations. Ms. Sweeney asked that the Regents state specifically what partially proficient means.

Fran Mossberg – LEP Advisory Council - Expressed her concerns about the quality and reliability of the NECAP.

Stephanie Straight – Asked that the Regents consider what to do differently to get students to succeed; urged them to be innovative – kids are already stressed out; they need to be made aware of themselves and their surroundings.

Donna Mirza – Meadowbrook Waldoff School – Opposes the standardized tests as part of graduation requirements; her daughter does not test well.

Carol Pilkington – Social Worker – Focused her remarks on the BOR mission statement – high stake testing does not agree with the Board's mission statement.

Joanne LaBranche – Pawtucket School Department – Worked on the original secondary regulations – The first high school regulations focused on changing high schools to better prepare students – the shift to emphasize NECAP will take us back where we were before.

Terri Cicero- SIT parent - Opposes NECAP high stakes testing as a component for graduation – NECAP was designed to assess school systems- not individual students; standardized testing is not an effective tool.

Carmela Geer – Statewide SIT Collaborative/Middletown – Requested that the communication “plan” for what is mandated; how to align curriculum; and what is the formula for the graduation requirements be put in place before the passage of the regulations.

Rick Boschwitz – Education Coordinator of a residential facility - Counting NECAP as a requirement for graduation will be a step backward – especially for his students.

Steven Brown – RIACLU - Stated his opposition to NECAP; High stakes testing has a disproportionate impact on minorities, especially ESL students - is discriminatory.

Mary Sommer – Opposes NECAP testing for graduation requirements. Ms. Sommer urged the Regents not to approve testing requirements that will potentially increase the dropout rate in RI.

Henry Boeniger – NEARI - Needs to do more professional development so that teachers are more prepared.

Robert Hicks – Superintendent of South Kingstown - Cited two sections, as follows: Common planning time shall be used by interdisciplinary teams of teachers; state assessments shall not be the sole grounds to prohibit graduation from high school; local educational agencies shall use individual student results on Board of Regents’ designated statewide assessments as one third (33 1/3%) of the components of their total assessment of student proficiency for graduation in said designated areas of study. The Regents shall determine the minimum achievement level on the designated statewide assessments for the purposes of this section. If a student does not meet this minimum level of proficiency necessary in an area of study, additional evidence of proficiency will be required in a manner and format to be prescribed by the Commissioner. State assessment results shall also be included on each student’s permanent high school transcript in each academic year following the year in which the District in which such student is enrolled has secured approval from the Commissioner of its High School Diploma System pursuant to Section 3.4 of these Regs. Mr. Hicks requested that this section be put on hold.

Donna Tobin – Pilgrim High School - Addressed the Regents on the issue of what is the “minimum score” on the NECAP; and whatever it is, it still makes it a high stake test that students must pass in order to graduate. Ms. Tobin also urged the Regents to take a second look at individual learning plans. Need to be a student document that will keep students focused. Additionally, Ms. Tobin commented on Common Planning Time saying that it is impossible to schedule common planning time in high schools.

Joe Harrington – Parent - Warwick Schools - NECAP not designed as a high stake test. He asked that the Board table this section and told the members of the board that the hearings were not held in compliance with the open meetings law.

Approval of Minutes

MOVED AND SECONDED: THAT the Rhode Island Board of Regents for Elementary and Secondary Education Approves the Minutes of the Regular and Executive Minutes of the meetings of August 6, 2008.

VOTE: Approved unanimously.

Approval of Appeals

Attorney for the Board, Howard Haronian, joined the Regents at the table and read each appeal, as presented.

Jane Doe v. East Greenwich School Committee

MOVED AND SECONDED THAT: in the Matter of Jane Doe v. East Greenwich School Committee the Decision of the Commissioner is Affirmed.

VOTE: Approved Unanimously – (Regent Beretta recused herself from this decision.)

Rosa Garcia, et al v. Providence School Board

MOVED AND SECONDED THAT in the Matter of Rosa Garcia, et al v. Providence School Board, the Decision of the Commissioner is Affirmed.

VOTE: Approved Unanimously

Michael Cantone v. Cranston School Committee

MOVED AND SECONDED THAT: in the Matter of Michael Cantone v. Cranston School Committee, the Decision of the Commissioner is Affirmed.

VOTE: Approved Unanimously.

Melissa Provencial v. Providence School Board

MOVED AND SECONDED THAT: in the Matter of Melissa Provencial v. Providence School Board, the Decision of the Commissioner is Affirmed.

VOTE: Approved Unanimously

Melissa Gershon v. North Providence School Committee

MOVED AND SECONDED THAT: in the Matter of Melissa Gershon v. North Providence School Committee, the Board of Regents Affirms those portions of the Commissioner's Decision as Pertaining to Ms. Gershon as a "regularly-employed" teacher; but Rejects those portions of the Commissioner's decision Pertaining Tenure, as Per Enclosure 4e.

VOTE: Approved Unanimously – (Regent Shimberg recused herself from this decision).

Jill Benum v. Providence School Board

MOVED AND SECONDED THAT: in the Matter of Jill Benum v. Providence School Board the Decision of the Commissioner is Affirmed.

VOTE: Approved Unanimously

Approval of Secondary Regulations

Commissioner McWalters gave the Board an overview of the process and commented on the inclusion of the NECAP test as a requirement for graduation - "We no longer will allow students to graduate that are not ready."

Deputy Commissioner David Abbott reviewed the changes section by section.

The group focused their remarks on section 3.4 "Regents' Approved Diploma System" section (c) "Students and families shall have the right to appeal graduation decisions and alternate methods of assessments" and what the proposed changes would mean for students. They discussed how the results of the NECAP, as a part of multiple measures (grades, portfolios and performance on statewide assessment) would impact graduation requirements. The discussion focused on how all the pieces "fit" together and that the NECAP would not be used as a sole block. There was a continued discussion of the validity of the test and whether it can, or should be used, as a high stake test.

The group also talked about the need to communicate better with the public.

Commissioner McWalters commented on the issue of students with special needs and/or second language issues not being able to pass the test. He emphasized that the regulations are not meant to over-ride the protections already in place for special needs students and were never intended to be a block for children with special needs. The system will continue to protect the interest of these children.

MOVED AND SECONDED: THAT, the Rhode Island Board of Regents for Elementary and Secondary Education Approves the K-12 Literacy, Restructuring of the Learning Environment at the Middle & High School Levels, and Proficiency Based Graduation Requirements (PBGR) at High Schools as presented, with minor changes as addressed at this meeting, for the purpose of replacing the 2003 Secondary Regulations as per the Recommendation of the Board of Regents Programs/School Improvement Committee.

VOTE: Approved unanimously.

Approval of NECAP "Cut Score"

RIDE Director of the Office of Assessment and Accountability, MaryAnn Snider, presented this agenda item. Ms. Snider told the members of the Board that RIDE will continue to gather evidence about the relation between "partially proficient" on the NECAP tests and other measures of proficiency, such as the SAT scores, the ACCUPLACER tests, and course grades. Commissioner McWalters noted that if, in the future, the Regents wish to change the cut score, the Board could make the adjustment without amending the Secondary Regulations.

Regent Callahan raised concerns about some of the language in the recommendation. The group discussed and agreed to change some of the language to be consistent with the language in the secondary regulations to read "minimum achievement level on approved statewide assessment" instead of using NECAP.

MOVED AND SECONDED: That the Rhode Island Board of Regents for Elementary and Secondary Education Approves a Cut Score of “Partially Proficient” as the Minimum Achievement Level for Students Beginning with the Graduating Class of 2012.

VOTE: Approved Unanimously.

Approval of Alternative Education Preparation, for Public Hearing

RIDE Director of Office of Educator Quality gave the Board a brief overview of this item. She explained to the group that in order for the State of Rhode Island to encourage the development of alternative pathways into the teaching profession, the Office of Educator Quality and Certification needed to prepare regulations governing the conditions for the development and approval of proposed alternative routes to certification.

MOVED AND SECONDED: That, the Rhode Island Board of Regents for Elementary and Secondary Education Approves, for the Purpose of Joint Public Hearing with the Certification Policy Advisory Board, the Proposed Alternative Certification Regulations, as Presented.

VOTE: Approved Unanimously.

Approval of Leadership Standards, for Public Hearing

Again, Ms. Gaines presented this agenda item. She explained that over the last year, the Offices of Educator Quality and Certification, Diverse Learners, Secondary Reform and Progressive Support and Intervention have worked with the RI Center for Leadership to develop a set of standards for school and central office leaders.

MOVED AND SECONDED: Than the Rhode Island Board of Regents for Elementary and Secondary Education Approves, for the Purpose of Public Hearing, the Proposed Rhode Island Standards for Educational Leaders, as Presented.

VOTE: Approved Unanimously.

Approval of Changes to Certification Fees

Once again, Ms. Gaines gave the Regents an overview of this agenda item. She told the members of the Board that the last time the department raised certification fees was in 2005 and at that time, the increase in fees brought the State of Rhode Island certificate and transaction fees into alignment with neighboring states. Now, upon review of certification/licensure fees in the New England region in 2007, the annualized cost of a teacher certificate in Rhode Island was among the lowest. Following public hearings on this issue, two members of one school’s administrative staff asked that the Board consider raising the fee on the first professional certificate and leaving any remaining professional certificates at the current fee of \$100.

MOVED AND SECONDED: That, the Rhode Island Board of Regents for Elementary and Secondary Education Approve the Proposed Certification Fee Structure, as Presented.

VOTE: Approved Unanimously.

Approval of FY 2010 Capital Budget

Regent Shimberg reviewed the process as well as the details of the Capital Budget. RIDE, Director of Finance Carolyn Dias, told the Board that the biggest challenge in the budget is to find funding to repair the career & technical centers.

MOVED AND SECONDED: That, the Rhode Island Board of Regents for Elementary and Secondary Education Approves the FY 2010 Capital Budget Totaling \$63,242,807.

VOTE: Approved Unanimously.

Approval of NASBE President Elect and Northeastern Area Director

Regent Guida introduced the agenda item and gave a brief description of the candidates for NASBE President-elect and Northeastern Area Director.

MOVED AND SECONDED: That, the Rhode Island Board of Regents for Elementary & Secondary Education Endorses the Vote for President-elect Lowell Johnson from West Virginia; and Karen Farmer White from Pennsylvania for Northeastern Area Director.

VOTE: Approved Unanimously.

Statewide Transportation Report

Regent Shimberg talked about the statewide transportation initiative that RIDE, RIPTA and the State have been working on and said that now that the development piece is complete, RIDE is ready to begin implementing a plan. RIDE staff member Celeste Bilotti told the members of the board that, if accomplished, this initiative will save the state a total of \$4.5 million in phase one. However, success will depend on a mandate that everyone must participate.

Budget Update

Regent Shimberg updated the group on the budget work and said that the Regents/department recently received the FY 2010 budget instructions which once again includes budget targets that require the department and state charter schools to reduce their budgets by 10%. Additionally, there was no additional increase in state aid. The group

talked about the importance that everyone understands the impact on the Regents' education agenda. Ms. Dias explained the details of the FY'09 – '10 reductions, as attached.

Regents' Committee Reports

Commissioner's Search - There will be a meeting on October 1 from 2:00 p.m. to 3:30 p.m. with the full Board.

Commissioner's Report

Commissioner McWalters distributed a copy of the Savage ruling.

Adjournment

With unanimous consent, the meeting adjourned at 6:35 p.m.