

**Rhode Island Board of Regents for Elementary & Secondary Education
Minutes of May 13, 2009**

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 4:10 p.m.

In Attendance:

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

Public Remarks

There were no public remarks.

Chairman Remarks

There were no Chairman remarks.

Approval of Minutes

Chairman Flanders presented the minutes of the April 2, 2009 meeting for approval.

MOVED AND SECONDED: THAT the Rhode Island Board of Regents for Elementary and Secondary Education Approves the Minutes of the April 2, 2009 meeting.

VOTE: Approved unanimously.

Approval of Charter School Authorization

RIDE staff member, Keith Oliveira presented the agenda item for consideration by the Board. Regent Angus Davis explained to the members of the Board that because of the backlog of pending charter school proposals (there are seven in the pipe line; two are “shovel ready”), it became more important than ever to draft an authorization process and criteria to assist in making authorization decisions and determining which projects should be given priority. Board members discussed the proposal and reviewed, in detail, the authorization criteria and process, the quality of the proposal, and the makeup of the review committee. The group also talked about “timing” concerns, i.e., the approval of the charter; followed by the funding; and then the actual opening of the school and performance targets and contracts.

MOVED AND SECONDED: THAT, the Rhode Island Board of Regents for Elementary and Secondary Education Approve the Process and Criteria Framework for Charter School Authorizations, as attached.

VOTE: Approved Unanimously.

Approval of Adult Education Consent Agenda

RIDE staff member, Elizabeth Jardine reviewed the history of the consent agenda. She told the members of the Board that in August, 2004, a set of recommendations from the Rhode Island Governor’s Adult Literacy Taskforce was published, “Building the Critical Links”. These recommendations consisted of six steps to reform adult education in Rhode Island, and resulted in the creation of a statewide office and a system wide architecture. As a result of these reforms, performance has increased 13% overall statewide from 2006 to 2008 and standards for assessment, instruction, professional development, and program management now exist. The consent agenda, as proposed, has been approved by the Governor’s Workforce Board. The group discussed the funding of adult education and the makeup of the “target” population.

MOVED AND SECONDED: THAT, the Rhode Island Board of Regents for Elementary and Secondary Education Endorse, for the Purpose of Public Comment, the Adult Education Agenda, as attached.

VOTE: Approved Unanimously.

Endorsement of Commissioner's Authority Regarding District Waivers

Commissioner McWalters told the Board that he is requesting from the Board of Regents as per R.I.G.L. 16-2-3, the authority to waive school days on a case by case consideration. The Commissioner explained that in order to expedite the numerous requests because of the difficult winter weather conditions during the middle of the 2008-2009 school year and because of the potential for health related (swine flu) closings of schools at the end of the 2008-2009 school year, he would like the Regents to approve his request to delegate to him the authority to approve or deny reductions in the school year.

MOVED AND SECONDED: THAT, the Rhode Island Board of Regents for Elementary and Secondary Education Delegates to the Commissioner of Education the Authority to Approve or Deny Reductions in the School Year in Accordance with R.I.G.L. 42-35-3 (5)b.

VOTE: Approved Unanimously

Endorsement of Common Core Standards Memorandum of Agreement

Commissioner McWalters asked the Board of Regents to endorse the signing of a memorandum of agreement which outlines the process and conditions by which a consortium of states will develop Common Core Standards in English language arts and mathematics for grades K-12. Signing the Memorandum would commit Rhode Island to participating in this state-led process to develop the standards. He told the Board that the Chief State School Officers have been working with the National Governors Association Center for Best Practices to set a framework for the development of the standards. Governor Carcieri is a strong supporter of the work and has asked the Board of Regents to join in the process. The work will build directly on recent efforts of leading national organizations and states that have focused on developing college and career-ready standards. States will have the opportunity to review the Common Core standards during and throughout the entire development process. An independent validation group will also review the standards before they are made available for the states to adopt. The goal is to release the Common Core of High School Standards late this summer, and then, in the fall to develop K-12 grade-by-grade standards.

MOVED AND SECONDED: THAT, the Rhode Island Board of Regents for Elementary and Secondary Education Endorses the Common Core Standards Memorandum of Agreement, as Presented.

VOTE: Approved Unanimously.

Status of Implementation of Rhode Island Board of Regents Regulations Governing the Education of Students with Disabilities

Kenneth Swanson, Director of Diverse Learners gave the group an overview of the work since the implementation of the Regulations Governing the Education of Students with Disabilities. He reminded the Regents that the Department of Education monitors school districts through a formal school support system (focused monitoring); a due process system (complaints, mediation, hearings); and an informal call center (informal resolution and information). Since the adoption of the new regulations, there has been a reduction in both mediation requests and formal complaints filed during the same span of time prior to implementation of the regulations, probably due to the effectiveness of the Call Center. He went on to say that the Call Center offers guidance and information to parents, school districts, and other interested parties. In addition the Call Center can informally resolve disputes between parents and school districts. The changes in the regulations elicited public comments in six areas: Class size/ratios, IEPs (Individualized Education Plan), ESY (Extended School Year), RTI (Response to Intervention), Speech Language Services, PFPSS (Parentally placed private school students). Mr. Swanson reviewed the changes and provided a detailed update on each area, as attached.

Update on Public Hearings – Early Childhood, Response to Intervention (RTI) and BEP

Kenneth Swanson, Director of Diverse Learners updated the group on the public hearings held on the Early Childhood Standards and RTI (Response to Intervention). Less than twenty people addressed the Board and/or submitted written testimony on the early childhood standards. He reported that the primary concern is that private pre-schools will be put out of business if the standards are passed. Mr. Abbott reminded the Board that the standards are voluntary, however the Board will have to struggle with any unintended negative consequences. Mr. Swanson then re-visited the goal of the standards – to provide poor children with a quality early childhood experience that will enable them to be prepared to enter kindergarten. The Regents' discussion concerned how to provide quality early childhood experiences to poor children without putting many inner city programs out of business; and how to fund those programs to help them reach the "gold" standard. Mr. Swanson then reported that there hadn't been any comments on the RTI. Deputy Commissioner, David Abbott reported to the Board that there have been two hearing held on the Basic Education Plan with approximately 30 people testifying. Overall the comments have been "cautiously" favorable, with the majority of concerns being brought forth by the school librarians. There has been some testimony from the supporters of the arts about the inclusion of music in with the general art category. Mr. Abbot acknowledged that the arts section needs to be strengthened, and the Regents should consider listing music separately. The Regents discussed how the department will monitor the districts for compliance/over site. Department staff have begun to work on costing out the proposed BEP and will be bringing in the firm Pivotal Resources to map out the performance measures.

Budget Update/ARRA Update

Carolyn Dias, Director of Finance, reported that the 2010 Education Aid budget and Department budget has been heard in the House and will be heard by the Senate next week. Ms. Dias said that there is a \$100 million dollar "problem" this year and will have to be resolved in the next enacted budget, either through the rainy day fund or retirement savings. As of the third quarter, the Department is reporting a \$1 million dollar surplus, but is watching expenses closely. On the funding formula, Department staff met with Senator Gallo who is working with Funding Our Future on a bill. The Department will have the opportunity to weigh in on the bill, however, the issue of the money following the child will not be included in either the Senate or House formula bill. Re: ARRA – the application for Rhode Island's stimulus funds has been approved contingent on state budget savings, specifically savings realized through the pension system.

Legislative Update

RIDE staff member, Andy Andrade was attending hearings at the State House, so was unable to be present to give the legislative report, however Deputy Commissioner Abbott did report to the Board that the AFT sponsored Senate bill S350 that would diminish the Commissioner's authority under PS&I was pulled by Senator Gallo; the House is considering a bill that would provide for state-wide health care, including school districts and would include a co-pay; the "teacher" bills on layoff notification and termination have been moved until at least May 15.

Committee Reports

There were no Committee Reports.

Commissioner's Report

- a. Update on the Providence Order – the district Superintendent and union president have been working on agreements and are beginning the design piece. The union is also beginning negotiations with the Mayor.
- b. Tuition Waiver – The Department continues to work with Higher Education and Department of Education 2012 employees. The discussions are currently focusing on two of the Department's employees' children that have been caught in the "gap", i.e., have been accepted for admission into the state college/university system, but have not started school yet. The question under discussion has been the issue of the Department's obligation if Higher Education does not continue to honor the tuition waiver.
- c. Swine Flu – The Swine Flu is still listed as a pandemic, but not a deadly flu.

Adjournment

With unanimous consent, the meeting adjourned at 6:15 p.m.