



**Enclosure 2a**  
**November 27, 2018**

**MINUTES OF THE MEETING**  
**November 27, 2018**

**COUNCIL ON ELEMENTARY AND SECONDARY EDUCATION**

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Chair McConaghy welcomed everyone to the meeting of the Council on Elementary and Secondary Education, noted for the record that Council Member Field would not be joining the meeting and that Council Member Gaines would be joining the meeting late. He declared a quorum present, and called the meeting to order at 5:30 p.m.

**Present:** Amy Beretta, \*Christopher Bove, Barbara Cottam, Karen Davis, Colleen Callahan, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

**Absent:** Gara Field  
Jo Eva Gaines

[\*Ex-officio, non-voting member]

**1. ACCEPTANCE OF THE AGENDA**

On a motion duly made by Amy Beretta and seconded by Colleen Callahan, it was

**VOTED:** That the Rhode Island Council on Elementary and Secondary Education accepts the agenda for the November 27, 2018, Meeting

Vote: 7 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Amy Beretta, Barbara Cottam, Colleen Callahan, Karen Davis, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

NAYS: 0

**2. ACCEPTANCE OF THE MINUTES**

**a. Minutes of the October 23, 2018, Meeting**

On a motion duly made by Lawrence Purtill and seconded by Marta Martinez, it was

**VOTED:** That the Rhode Island Council on Elementary and Secondary Education accepts the minutes of the October 23, 2018, Meeting

Vote: 7 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Barbara Corttam, Colleen Callahan, Jo Eva Gaines,  
Marta Martinez, and Lawrence Purtill

NAYS: 0

[Members Beretta and Davis had to recuse themselves from the vote as they did not attend the October 23, 2018, Meeting]

**b. Minutes of the November 14, 2018, Special Work Session**

On a motion duly made by Lawrence Purtill and seconded by Colleen Callahan, it was

**VOTED:** That the Rhode Island Council on Elementary and Secondary Education accepts the minutes of the November 14, 2018, Special Work Session

Vote: 7 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Barbara Corttam, Colleen Callahan, Jo Eva Gaines,  
Marta Martinez, and Lawrence Purtill

NAYS: 0

[Members Beretta and Martinez had to recuse themselves from the vote as they did not attend the November 14, 2018, Special Work Session]

**3. OPEN FORUM**

An individual representing the North Kingstown Teachers Union shared concern with RIDE giving authority to Superintendents to approve professional learning while there is no obligation for the district to provide professional learning. It is a financial burdent to teachers who have had pay cuts and no raises for 10 years.

RIFTHP President thanked Commissioner and RIDE staff for their effort in engaging the public in the roll-out of the proposed changes to the regulations. He also expressed his appreciation for the amendments that RIDE made as a result of the public feedback, however, he voiced concerns with the suggested one-year pratical residency requirement, alternate certification, the elimination of the bachelor degree requirement for CTE teachers, and the elimination of the School Nurse Teacher certification requirement.

The Health Services Coordinator at Johnston Public Schools expressed that nursing is a specialty beyond that of a Registered Nurse’s coursework. Educational theory and the ability to communicate in educational settings is not offered in nursing programs. Substituting PLUs for Masters level coursework does not meet the needs; it is not the same. Suggested that those specific districts having difficulty finding School Nurse Teachers (SNT) should reach out to the professional association.

The President Elect of the RI SNT Association opposed the proposed Registered Nurse Certificate as it de-professionalizes the profession. Superintendents state lack of nurses as the issue, but in reality the difficulty in getting substitutes is due to low pay. Many RNs are not aware of where to seek job openings. They don't know to go to SchoolSpring. RNs have nursing backgrounds, not education backgrounds. The RI SNT Association is very willing to work on this. Retain current regulations and allow the association to work with RIDE.

#### **4. REPORT OF THE COMMISSIONER**

Commissioner Wagner reported that on Thursday, RIDE will be releasing the grades 3-8 assessment scores. Commissioner Wagner noted that in April 2017, RIDE had announced that one of the ways to anchor the structural work taking place around standards, assessments, teaching and learning, curriculum, leadership, and ongoing professional learning was not to just metaphorically compare ourselves to Massachusetts, but to adopt the same assessments as Massachusetts so that comparisons would be apples-to-apples. When that decision was made, there was widespread support that it made sense to align in that way; in addition to the test itself, Rhode Island would also have the same test support resources. Commissioner Wagner reported that the results should not be a surprise: comparisons between Massachusetts districts in the past, through the PARCC assessment, showed that Rhode Island scores on average lower than Massachusetts. He noted that the results would be tough: when crossing the state line, the percentage proficiency rate drops by double digits – roughly a 15-20% difference between scores of Massachusetts students and the scores of Rhode Island students on the exact same test. He noted that it is equally important to acknowledge that reality and to turn and ask what we are going to do about it. He indicated that Rhode Island is putting all of the pieces in place to do what Massachusetts has already done, though it may take several years, but there is no reason that we won't see those results if we stay the course. He expressed the need to not pause and get distracted by blaming each other or the assessment, but to instead stay focused on an honest reckoning of what the data tells and what actions to take or continue to take.

A Council member raised a comment about the comparison between Rhode Island and Massachusetts, specifically that in the talking points Commissioner Wagner had noted that it wasn't quite apples-to-apples since Massachusetts had been doing some things for a while that Rhode Island is only starting or on the path to doing.

Commissioner Wagner responded that Massachusetts in their transition had made sure to get all of the adults on board and going in the same direction with a message that was clear, consistent, and coherent.

## 5. DISCUSSION ITEMS

### a. Regulations Governing the Certification of Educators in Rhode Island – Feedback from Public Review and Comment

To introduce the topic, Commissioner Wagner noted the four documents from the October 23 meeting which were provided again to the Council at this meeting: the cover memo, the track changes version of the regulations with changes made since public comment, an updated version of the table that captures thematically all of the feedback and including a new column that articulates RIDE's reactions to the comments, and a first draft of a document explaining the changes in "plain English". Commissioner Wagner then provided some remarks to summarize and frame the topic and provide answers to questions from the previous meeting, directing Council members' attention to the presentation slides. First, Commissioner Wagner noted the "why" for the changes: persistent performance gaps and equity gaps, similar to Massachusetts, who has also not yet closed their performance gaps. He also noted that another reason is that Rhode Island is underserving English Language Learners. He expressed that the goal of these regulations is to make sure that new teachers are ready for day 1 of teaching, more opportunities to match teachers to the right employment, build educator learning pathways, and other technical adjustments. He stated that virtually everything in the documents that were initially proposed in March has been in public discussion for five, ten, or more years, and lots of revisions were made prior to it going out for public comment through stakeholder engagement. He noted that the same issues which were hot issues prior to public comment are still hot issues after public comment.

Commissioner Wagner then walked through each of the more significant changes, each with its own slide in the presentation, starting with assignment review. Assignment review proposed that if a teacher had a demonstrated area of expertise and competence that happened to be outside of a formal certification area, that there should at least be an enabling ability for that teacher to be able to teach up to one section outside of their certification area. The intent was not at all to enable bad actors to provide substandard instruction, but rather to enable exciting opportunities such as interdisciplinary instructional opportunities (e.g., STEM, humanities, science). To that end, an addition was made to reduce the potential for bad actors taking advantage of this change by adding mutual agreement language (both superintendent and teacher agree to the assignment), as well as language that if a superintendent/district intends to make this opportunity known, they would have to first make it known to the local union to provide foreknowledge in case the flexibility was not used properly, and then apply to RIDE for a waiver to use that flexibility (and that the waiver could not be used to avoid committing to FTE positions, and could be revoked or not awarded if that were the case). He expressed that the point was to provide the opportunity for teachers and leadership to open educational

possibilities possible for students – not to tell people that they should assign teachers out of certification.

Commissioner Wagner then summarized the school nurse teacher / registered school nurse change. He reported that a lot of the feedback conveyed a strong perception that there is a difference in knowledge, skills, and competencies between someone who is formally trained as an RN versus someone who needs to operate as a nurse and school nurse teacher or related role. To that end, there is a difference or delta between the preparation and the practice for nurses in an education setting, which the formal preparation programs take steps to address or close the deltas, which may be similar to other clinical service providers in a school building. There is language that proposes that during the period of initial certification (a 3 year window), that competency gap would have to be closed through formal legacy providers (e.g., higher education institutions) or other providers. Commissioner Wagner noted that RIDE is working with RISSA to collect more objective data about the nature of how school nurse teachers are employed throughout the state, as well as information about the filling of vacancies. In response to the first question asking whether school nurse teachers teach and if so to explain, RIDE has responses from 33 of 36 districts: 18 say there is no teaching by school nurse teachers, 12 say there is teaching but that the teaching is at the elementary level only, and only 2 have school nurse teaching K-12. In sum, 30 of the 33 districts responding do not have school nurse teachers teaching at the middle or high school level. In response to the second question about the difficulty recruiting school nurse teachers, 29 of the 36 districts responded, and 23 of the 29 districts responding noted that they have at least some difficulty in recruitment of school nurse teachers.

Commissioner Wagner explained that the language in the regulations is not shortage area language, but that it reflects two challenges around school nurse teachers. The first is that there may be a shortage of hiring for school nurse teacher, and this would allow for flexibility in hiring to fill a role if there is no teaching involved. The second is that if the teacher is not going to teach, they do not have to be a certified teacher; if the teacher is going to act as a clinician, they have to be competent in their clinical skills, coupled with the expansion of that competency with the additional language added. Therefore this would become an alternate pathway through the registered nurse training process to a school nurse teacher certification, they could be hired if they were not going to be employed as a teacher, and in the first three years they would have to close the competencies through either a higher education or alternate service provider. School nurse teachers who go through this alternate pathway to the school nurse teacher certification would still be certified teachers. Commissioner Wagner noted that the majority of the feedback against the change came from school nurse teachers or those who train school nurse teachers; superintendents support the change as it gives them options for hiring and does not preclude them from hiring a school nurse teacher to teach.

A Council member commented on the need to formally convene a group to identify what the competencies are which were mentioned above and how they could be achieved. Another Council member commented that once those competencies are established and how to meet them is established, and expressed the importance of mental health as one of those competencies.

Commissioner Wagner continued the presentation with the next topic: the one year practical residency. He noted that the vision and value RIDE was supporting was that teachers in training need more practical experience, and that there were multiple ways to do this, as covered by the language “one year practical residency or the equivalent” in order to alleviate the concerns raised about the change’s impact on the programs, but also on the candidates and how smoothly this could be implemented. The changes include some exemplars for how this may be defined, and it was made clear in the regulation that it could be a condensed year during the academic year, or extend over the summer into the academic year, or spread over the course of the program. After meeting with some individual public institutions and the association representing the private institutions, RIDE found that they supported those changes and considerations to support a thoughtful redesign.

Commissioner Wagner noted that the last significant change was that of professional learning. Originally, RIDE proposed 30 units for every teacher without any differentiation. As a result of conversations and public comment, RIDE changed that requirement to differentiate between initial and subsequent certifications, similar to the induction programs from the past.

Commissioner Wagner also noted that the idea of the phase-in for this change would support a smooth transition and keep the focus on quality learning opportunities and support school and district implementation. To that end, there would be a phase-in to the 20 to 30 units at the initial certification, and from 15 to 20 hours for the professional certification. Commissioner Wagner then explained the possibilities for how the phase in could work: options to phase in over five years (affecting certifications renewed in 2025), over ten years (starts in 2025), or – as a compromise – for the phase in to depend on where a teacher is in 2019 (e.g, apply to anyone who is currently in an initial certification for their professional certification).

A Council member raised two points: first, offering thanks for listening feedback and incorporating it into the revisions, particularly in the determination of professional learning and its approval, and secondly, for the emphasis on the quality of professional learning and the types offered. Another Council member seconded those points, and noted that the exemplars and language added will help explain what it should look like. The Council member then expressed support for the compromise that Commissioner Wagner had proposed for the hours. Another Council member referenced the comparison with Massachusetts and the consistency there which has led to their performance, and the changes in Rhode Island depending on the leadership, as well as expressing support for the language added.

Commissioner Wagner promised that next week, RIDE would bring an updated document containing the changes to the hours as a table in the document. He proposed that language be added about creation of a joint group to develop a model policy about professional learning. A Council member noted the importance of measuring the implementation and impact on student achievement, and periodically gathering and analyzing data.

Chair McConaghy requested clarification about the timeline. Commissioner Wagner noted that the changes would be provided for the December 4 meeting, but that the vote could be deferred to the final meeting if the Council so chose, though because the regulations would be expiring the vote should be in December. He noted that RIDE plans to do the accountability release in the end of December and would prefer to spend the December 18 meeting discussing that. Chair Cottam noted that the Council should be ready to vote on December 4.

#### b. League of Charter Schools Waiver Request

Commissioner Wagner introduced Sandra Lopes and Steve Carey from RIDE before providing the context for the waiver request with the School Nutrition Regulations. He noted that those regulations are currently posted for public comment, and summarized the process. He summarized the three areas for school nutrition as the following: caffeine (Rhode Island exceeds the federal standard on caffeine not allowed in school), sodium (historically has been an issue), and whole grains (federal standards say that must have 100% grain rich foods, and Rhode Island's regulations say must have at least 50% whole grain and the rest grain rich, so Rhode Island exceeds the federal standard). Commissioner Wagner noted that in discussions with food service providers in Rhode Island, he promised that the standards that Rhode Island had enforced would be promulgated in the regulations. He also noted that everyone needed to be open to the potential for changes in order to ensure not only nutritionally healthy food, but also palatable food, is served in Rhode Island schools. He noted that a group of charter schools has entered into a one year contract with a vendor that is conforming with the current regulations and also modifying their menu to try new choices. Commissioner Wagner is proposing to the Council a variance for a subset of charters who wish to participate in this contract, to uphold the federal rule in place of the Rhode Island regulation around the 100% grain rich versus 50% whole grain and 50% grain rich.

A Council member requested a report from this variance to share the results of the contract, and other Council members agreed.

A question was raised about the concern of the regulations expiring as the calendar year end approached. Commissioner Wagner noted that the only regulation for which there was some concern had been the Special Education Regulations, but those are back on track as the result of a compromise.

Steve Carey made a clarification about whole grain and grain rich products, in that whole grain products can only have “whole grain” as the first ingredient with no other grains, but that grain rich products have “whole grain” as the first ingredient and may have other grains (including enriched) listed.

c. Owner’s Program Manager Cost Adjustment – School Building Authority

Commissioner Wagner framed the discussion as a clean-up element on projects that were currently approved, and invited Christine Lopes Mecalfe and Dr. Joseph da Silva from the School Building Authority team at RIDE to the table. He noted that twelve projects that were approved as far back as summer 2015, the OPM was not required. They were grandfathered in to benefit from the bond and the bonuses from the bond. When the bond was approved, that affected their eligibility. The request is for the Council to modify those twelve projects that were originally approved without an OPM to now require an OPM for two purposes: to add an additional level of protection to that project, and to make sure that they qualify for the bonuses that were part of the bond.

A Council member asked for clarification about whether all twelve had an OPM. Christine Lopes Metcalfe responded that they may or may not have, but that they can only access the bonuses if they have an OPM, and some LEAs may not want to take advantage of this. Discussion ensued about the funding available and the benefit of having an OPM.

## 6. ACTION ITEMS

a. Approval of the Program Manager Cost Adjustment – School Building Authority

On a motion duly made by Amy Beretta and seconded by Lawrence Purtill, it was

**VOTED:** That the Council on Elementary and Secondary Education approves a one-time adjustment for Owner’s Program Manager Fees for Necessity of School Construction Projects approved between May 1, 2015 and January 1, 2018, pursuant to R.I.G.L. 16-7-41.1.



Vote: 7 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Amy Beretta, Barbara Corttam, Colleen Callahan, Karen Davis, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

YEAS: 7

NAYS: 0

**7. ADJOURNMENT: Meeting adjourned at 7:04 p.m.**

On a motion duly made by Colleen Callahan and seconded by Barbara Cottam, it was

**VOTED:** That the Council on Elementary and Secondary Education adjourns.

Vote: 7 members voted in the affirmative and 0 members voted in the negative as follows:

YEAS: Amy Beretta, Barbara Corttam, Colleen Callahan, Karen Davis, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

NAYS: 0