



RHODE ISLAND BOARD OF EDUCATION

Enclosure 2a  
September 9, 2013

The fourth work session of the Rhode Island Board of Education was held on Thursday, July 11<sup>th</sup>, 2013, at the Department of Education, Room 501, 255 Westminster Street, Providence, 02903. Chair Eva-Marie Mancuso welcomed everyone, declared a quorum present, and called the work session to order at 4:07 p.m.

**Present:** Eva-Marie Mancuso, Antonio Barajas, Michael Bernstein, Karin Forbes, Jo Eva Gaines, Lawrence Purtill, and Mathies Santos

**Absent:** Colleen A. Callahan, Michael A. Grande, Patrick A. Guida, and William C. Maaia

**1. ACCEPTANCE OF THE AGENDA**

On a motion duly made by Karin Forbes and seconded by Jo Eva Gaines, it was

**VOTED:** That the Rhode Island Board of Education accepts the agenda for the work session of July 11, 2013.

**Vote:** 6 members voted in the affirmative and 0 members voted in the negative as follows:

**YEAS:** Eva-Marie Mancuso, Antonio Barajas, Michael Bernstein, Karin Forbes, Jo Eva Gaines, and Lawrence Purtill.

**NAYS:** 0

**2. DISCUSSION ITEMS**

Commissioner Gist introduced **Items 2a, 2a1, 2a2, and 2a3**, all of which were **charter school renewals**. It is the board's responsibility to be the sole authorizer for charter schools in the State of Rhode Island, and it is an important decision to manage successful charters for our state.

There are three kinds of charter schools: in-district, independent, and mayoral. Today, all three categories are being brought before the Board of Education for renewal.

All four are doing great work, Commissioner Gist said. She has spent time in each school, and all have undergone formal reviews. RIDE is recommending the following:

- A 3-year renewal for Segue Institute for Learning, which serves Central Falls students;
- A 5-year renewal for Times<sup>2</sup> Academy, which is an in-district charter school located in Providence;
- A 5-year renewal for The Learning Community, an independent charter school serving students from Central Falls, Pawtucket, and Providence;
- And a 5-year renewal for Blackstone Valley Prep Mayoral Academy

Andrew Castaneda provided an overview of the charter school renewal process, which includes wide-reaching data on academic performance, student surveys, and on-site team visits. Three questions must be answered (and are discussed in Board members' packets for each school):

1. Is the school's educational program an academic success?
2. Do the school's education programs provide appropriate conditions for academic success?
3. Are the school's educational programs viable?

All schools that display academic success are recommended to the Board for renewal for a term not to exceed five years. The tables in board members' packets compare each school to relevant units and to their sending districts. Additional figures compare the schools' academic performance to their hypothetical demographic.

Lawrence Purtill asked why Segue was recommended for a three-year and not five-year renewal, and for clarification on Blackstone Valley Prep's mixed fiscal health.

Segue has many strengths, Ms. Castaneda responded, but its overall performance was mixed due to some academic weaknesses. Three years will allow the school time to make improvements to meet targets.

An audit conducted by RIDE revealed that Blackstone Valley Prep, Ms. Castaneda continued, did not meet its debt-to-asset ratio and cash reserves. She added that cash reserves have increased since the review was completed and that this year's audit of Blackstone Valley Prep was fine.

Karen Forbes asked about the school's categorization, and Ms. Castaneda explained that in the years the school has existed it has been tracked as a federal accountability program. The school was in a "warning" category and in the next year the school had slipped into the "focus" category.

Antonio Barajas asked a question about the table in the Board members' packets and Ms. Castaneda explained that copies of the full review, which is reported out at the end of a site visit, list out the number of types of data collected on the site visit including classroom observations, meetings with students/parents/groups, curricula, culture, and climate.

Dr. Barajas noted that Segue is in the poorest part of the state and said he was impressed that so many Central Falls kids are leading better lives. He felt that a three-year renewal could place the charter school in financial jeopardy and suggested extending the renewal to five years like the others.

Chair Mancuso asked if there was evidence that a 3-year term renewal would cause financial difficulty for Segue, and Ms. Castaneda said that it could be possible but it varies based on the lending situation. Ms. Castaneda said that three years is a very adequate time for a school to strengthen its academics. Other schools have been able to secure lending with renewal periods under five years.

Chair Mancuso noted that Blackstone Valley Prep and The Learning Community also drew students from Central Falls and stated that she feels comfortable with a three-year renewal.

Dr. Barajas said that by enrolling only students from Central Falls, Segue has the highest percentage of students from that city. He stated that he feels that renewing Segue for three instead of five years is penalizing them, and providing an inequity of resources that affects how students learn.

Mathies Santos noted that before this December Segue has to meet two areas, and he wondered if that fact changes the school's renewal term or conditions. Ms. Castaneda explained that when the Board puts a school on notice, the school must address the issue by the date in the Board's motion. The Board can then take action based on the school's response. She noted that charter schools are autonomous and that outside of needing the Board's permission to operate, the schools have freedom to experiment and try new governance and instructor models. RIDE does not tell the charter schools what to do, but they do provide technical assistance on what the schools *might* do if that help is requested.

Jo Eva Gaines asked about the English Language Learner rate, which is 7.6% at Segue. Ms. Castaneda responded that the numbers can only be compared with certainty if there is only one sending district; of these four schools, only Segue has a single sending district (Central Falls). If there are multiple senders, the ELL students are harder to profile, and if a sub-population is not available, there is not enough information to reliably measure and compile data. She noted that Segue is a small school, so the rate is not proportionate to students.

Dr. Barajas asked whether Segue outperformed schools in other districts. Ms. Castaneda indicated that the school outperformed Central Falls and others in some areas. However, it does not outperform other comparable districts. Sector health is also determined by growth numbers, and Segue's growth numbers are low.

Chair Mancuso noted that money is being taken out of Central Falls' public schools to go toward charter schools to do something innovative and different. She said that it is a privilege to have a charter.

Dr. Barajas stated that it is also important to note the number of English as a Second Language students facing challenges in Center Falls compared to districts such as East Greenwich and Barrington..

Karin Forbes provided information on the Highlander charter school, which had received Board approval for a three-year renewal rather than five years because Highlander, like Segue, had mixed performance. Highlander, which drew high-poverty Providence students, was given a chance with that renewal, and it made good changes. Ms. Forbes felt that any renewal was giving the school time to see improvement in some areas, and Ms. Castaneda agreed that renewing a charter can bring about a feeling of shared success.

Mathies Santos noted that the review committee recommended a one-year renewal, and the Board approved a three-year renewal, for Highlander. He asked whether anyone recommended closing that charter school.

Commissioner Gist said the accountability procedures were not in place at that time, and Highlander was on a growth trajectory. Dr. Gist felt that the Board's three-year decision was a good one and stated that Highlander did an outstanding job.

### **Item 2b – Capital Budget FY 2015**

Commissioner Gist said that a five-year plan with renovations, repairs, and improvements is required for Davies Tech, The MET School, the School for the Deaf, and any state-owned technical centers and technology initiatives. The capital budget for those institutions is technically due on July 12, but the State Budget Office is aware that the Board of Education is not meeting until July 15, when the budget will be set before the Board for approval.

Between 2014 to 2019, Dr. Gist continued, 13 projects are being requested, totaling \$88.1 million. \$46.5 million has already been spent, and \$41.6 million will be spent by 2019. All projects have already been approved by the former Board of Regents for Elementary and Secondary Education, by the Governor's office, and/or by the General Assembly.

Lawrence Purtill asked whether a cost update for PARCC has been investigated, including the percent of the total cost, and whether the \$20 million budgeted for LEAs be enough.

Commissioner Gist clarified that these updates regard wireless classrooms, not devices and equipment. In-depth studies of PARCC assessments could be conducted and shared with the Board of Education, and those would require an operational, rather than capital, budget.

Jo Eva Gaines asked if PARCC funds have been considered, and Commissioner Gist said there have been conversations on whether the state should support PARCC measures, and that the issue can be visited this fall. Karin Forbes added that the Board of Regents had briefly discussed the matter before that board was disbanded. Jo Eva Gaines asked that the matter be placed on the table before the current Board of Education.

Commissioner Gist said that people from districts and schools are being encouraged to attend the fall conference on technology on October 5<sup>th</sup>, which will feature 2013 Superintendent of the Year Mark Edwards of North Carolina. The conference will be a great opportunity to discuss how to repurpose funds and learn cost-effectiveness. Commissioner Gist will talk to Chair Mancuso about adding this as a future agenda item.

**Item 2c, State-Owned Property Modification – Grant of Easement: Paul W. Crowley East Bay Metropolitan Regional Career and Technical Center.**

Commissioner Gist explained that there are two different funds at work: the capital budget, which regards state-owned facilities, and the distribution of housing aid to districts which those districts in turn use to pay a portion of their construction projects. This issue is an adjustment to a pre-approved project.

This grant of easement regards the Paul W. Crowley campus of the MET school in Newport. National Grid is requesting an easement in order to distribute electrical current to that campus. After receiving approval from the Board of Education, the grant of easement will need additional approval by the State Properties Committee.

**Item 2d, Special Education Regulations – Technical Revisions.**

Commissioner Gist informed the Board that there will be three changes for Monday's meeting regarding the Special Education Regulations. All are technical changes necessary in order to keep current with federal laws and recent court decisions. Board members' packets contain an executive summary of these changes and a copy of the regulations' affected areas.

**Item 2e, Necessity of School Construction – Lincoln School Department.**

Commissioner Gist explained that housing aid provides a portion of funding ranging from 35%-95% reimbursement. All projects are under the rigorous review and address only immediate health and safety concern issues, due to a 2011 General Assembly moratorium on new school construction projects through June of 2014.

Lincoln Public Schools will fund \$1.5 million of the construction project, which is a 35% district share ratio. The construction will be entirely for security upgrades and for roof repair.

**Item 2f, Approval of St. Joseph Hospital School of Anesthesia for Nurses as a Rhode Island Proprietary Program.**

Commissioner Ray Di Pasquale explained that St. Joseph Hospital School needs Board of Education permission in order to operate as a post-secondary school in Rhode Island. It is the Board's first time doing this kind of approval.

Commissioner Di Pasquale defined "proprietary schools" as for-profit and not-for-profit schools that provide training and offer certificates and diplomas. Rhode Island has 17 proprietary schools in operation, all of which are regulated by the Board. The schools include everything from Sanford-Brown to tractor-trailer driving schools to cosmetology schools.

**Item 2g, Revisions to the Board of Education's Personnel Policies.**

General Counsel Ron Cavallaro explained that the General Assembly passed a law adding a condition that all Board of Education employees who request a tuition waiver for themselves or their eligible spouse or dependent must sign a consent form allowing for the public disclosure of the tuition waiver and its amount. Chair Mancuso added that if that proposed legislature is not signed by Monday's board meeting, the Board of Education cannot vote on this personnel policy change.

Attny. Cavallaro explained that these revisions reflect this new legislation and will also update the name of the Board Commissioner Di Pasquale wondered if the public institutions would have to gather that information for this year once the bill is signed, but Attny. Cavallaro said that the law is not retroactive.

President David Dooley asked if this revision and the consent form are consistent with FERPA (the Family Education Rights and Privacy Act), which gives students the rights to access their records and keep them confidential. Attny. Cavallaro responded that this question has been explored thoroughly and that the federal guidance that we received indicates that neither the institutions nor Board of Education can make signing the waiver a condition of acceptance into the institution, but the Board's policy *can* require the consent form as a condition of employment.

The Board of Education has to follow the legislators' leads, so if Governor Chafee signs the bill into action by Monday, the Board will take up action on the revision to its personnel policies that evening.

**Item 2h, Approval of the Proposed Leases with Narragansett Electric to Install and Operate Electric Vehicle Charging Stations at Specific Sites at the University of Rhode Island and Rhode Island College.**

Associate Commissioner for Finance and Management Susan LaPanne explained that federal ARRA funding is supporting the two charging stations, one at URI and one at RIC. The land leases are still under review by the general counsel for Narragansett Electric (National Grid) and the general counsel for the Board of Education. Per conditions of the federal funds, everything must be up and running by August 15<sup>th</sup>.

Chair Mancuso asked if this means that no one will sign the leases until they are in final form, and Dr. LaPanne confirmed that that is the case.

**Item 2i, Approval of a Lease for Professional Office Space in Providence for the Living Rite Grant Program.**

Associate Commissioner LaPanne explained that The Living Rite program has been in operation for a year, and that personnel have determined that Providence is a better site for the grant participants.

**Item 2j, Budget Implications and Future Leadership for Higher Education.**

Commissioner Di Pasquale noted that state legislation provides for two commissioners, one for elementary and secondary education and one for higher education. His contract as commissioner expired on June 30<sup>th</sup> and the Board of Education is now charged with choosing a new commissioner. The anticipated salary is around \$200,000 which is nationally low (the \$380,000 salary for Connecticut's higher education commissioner and \$320,000 for New Hampshire's are much more typical). The Board will need to move quickly to find someone with a strong learning curve. The Office of Higher Education has been in touch with Governor Chafee's office on appointing an interim commissioner so as not to lose momentum. The Governor would like the Board to weigh in on that proposal and on moving on with someone who understands the public higher education system.

Mathies Santos asked whether this regarded an interim commissioner or a permanent commissioner. The discussion is regarding an interim commissioner only, as that would not require a search process. It would take six months and cost \$250,000-300,000 to conduct a search for a permanent commissioner. The last search, Mr. Di Pasquale noted, failed, as it was difficult to recruit experienced and skilled higher education administrators for the offered salary. The prior Board of Governors saved the State of Rhode Island approximately \$1 million by combining the president of CCRI and commissioner of higher education into one position. The commissioner oversees approximately 44,000 students; 4,500 employees; a \$1 billion budget; and managing day-to-day operations at the Office of Higher Education as well as being involved with URI, RIC and CCRI and the Board of Education.

Jo Eva Gaines wondered why \$200,000 would attract anyone. Mr. Di Pasquale said he thinks that is why Governor Chafee is looking at an interim commissioner ASAP.

Michael Bernstein stated that with all the Board of Education is doing, it could be easy for things to drift. He said that the complexity of overseeing higher education is a different animal than K-12 and the higher education system needs someone at the helm. There needs to be coordination and leadership among the presidents.

Chair Mancuso added that Governor Chafee underscored his confidence in the abilities of Presidents Dooley, Carriuolo and Di Pasquale.

Karin Forbes expressed her support for a full-time interim commissioner as soon as possible, particularly as one of the commissioner's duties is to chair the Executive Committee that is helping to shape the structure of the Board of Education and Rhode Island's K-16 education system.

Commissioner Di Pasquale noted that the Office of Higher Education, consisting of 11 FTE (full-time equivalent) employees, have covered the office well, doing good work and staying consistent with approvals. However, it would be great to have a commissioner in place by the fall.

Michael Bernstein added that he thinks an interim commissioner is fine to buy time. He felt that search consultants are expensive and most do not have their ear to the ground in Rhode Island.

**Item 6k, Vice President for Business Affairs at CCRI.**

President DiPasquale stated that CCRI is in the final stages of its vice president search and will be ready for the Board's meeting on Monday night. Interviews and rating sheets are complete, and CCRI has been calling references. The Community College will be contacting the candidates tomorrow regarding selection.

**Item 6l, Vice President for Research and Economic Development at URI.**

President Dooley indicated that URI's search is more complicated because the vice president would be appointed with tenure. This position requires the consent of the academic department and college. URI has completed interviews and contacted references. The University is close to extending an offer, and all sources indicate that offer will be accepted.

Mathies Santos asked if a search agency was used, and Anne Marie Coleman said that the RFP process bundled two searches together at URI, which resulted in a good price from Korn-Ferry. The search generated pools from the U.S.'s finest institutions and resulted in three extremely qualified and experienced individuals. It was an expensive but favorable arrangement.

Lt. Col. Santos asked if the search included a sensitivity to diversity. President Dooley said that Korn-Ferry is one of the best search firms and has extensive contacts and experienced staff, and they produced candidates with strong diversity.

**August Board Retreat**

Chair Mancuso talked about the Board's August retreat and thanked Lawrence Purtill and Mathies Santos for sending her their information. Everyone is working on putting materials together.

This is not a debate nor a public meeting, she reminded the board members and audience. Board members will be receiving information from presenters but will not be discussing and debating issues among themselves. Chair Mancuso added that she asked Deborah Gist for an accountability timeline because there has been press on that subject.

Before concluding the work session, Chair Mancuso asked her fellow members of the Board of Education to prepare for a longer meeting on Monday night in order to tackle all of the items that will be before them for action.

**3. NEXT MEETING**

Monday, July 15<sup>th</sup>, 5:30 p.m. at Rhode Island College, Student Ballroom, Providence

**4. ADJOURNMENT:**

On a motion duly made by Jo Eva Gaines and seconded by Antonio Barajas, it was

**VOTED:** That the work session of the Rhode Island Board of Education adjourns.

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

YEAS: Eva-Marie Mancuso, Antonio Barajas, Michael Bernstein, Karin Forbes, Jo Eva Gaines, Lawrence Purtill, and Mathies Santos.

NAYS: 0

The work session adjourned at 5:32 p.m.