



**Enclosure 2a**  
**December 18, 2018**

**MINUTES OF THE MEETING**  
**December 4, 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 and noted for the record that Board Chair Cottam would not be joining the meeting. He declared a quorum present and called the meeting to order at 5:33 p.m.

**Present:** Amy Beretta, \*Christopher Bove, Colleen Callahan, Karen Davis, \*\*Gara Field, Jo Eva Gaines, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

**Absent:** Barbara Cottam

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

[\*\*Arrived at 5:35 p.m.]

Next, Chair McConaghy asked for a motion to amend the agenda as two items on the agenda (Enclosure 5b – Reformatted Regulations Governing the Education of Children with Disabilities and corresponding Enclosures 6a2 – Approval of the Reformatted Regulations Governing the Education of Children with Disabilities) needed to be tabled.

**- MOTION TO AMEND 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 approves to amend the agenda and table discussion of enclosure 5b and corresponding enclosure 6a2

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

**YEAS:** Amy Beretta, Colleen Callahan, Karen Davis, Jo Eva Gaines, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

**NAYS:** 0

[Member Field arrived after the motion to amend the agenda]

Commissioner Wagner explained that the reason for tabling the two items is that while in the process of developing the document that will accompany the Regulations Governing the Education of Children with Disabilities, RIDE did a line-by-line comparison between the two documents and noticed that a line was missing from the regulations after the agenda had been posted. This falls under the category of a technical fix, therefore, the regulations do not have to go through another public review process.

**1. ACCEPTANCE OF THE AMENDED AGENDA**

On a motion duly made by Jo Eva Gaines and seconded by Karen Davis, it was

**VOTED:** That the Rhode Island Council on Elementary and Secondary Education accepts the amended agenda for the December 4, 2018, Meeting

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

YEAS: Amy Beretta, Colleen Callahan, Karen Davis, Jo Eva Gaines, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

NAYS: 0

[Member Field arrived after the acceptance of the amended agenda]

**2. ACCEPTANCE OF THE MINUTES**

**a. Minutes of the November 27, 2018, Meeting**

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 27, 2018, Meeting

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

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

NAYS: 0

[Members Field and Gaines had to recuse themselves from the vote as they did not attend the November 27, 2018, Meeting]

### 3. OPEN FORUM

Chair McConaghy reported that no one signed up to speak.

### 4. REPORT OF THE COMMISSIONER

Commissioner Wagner began his report by sharing that RICAS tested scores have been released. He explained that he tried very hard to strike a balance between creating a sense of urgency, while also making it very clear that this is a collective and shared effort that needs to have a comprehensive package of solutions that we need to stick to for the long term. Although the moment was difficult, it was an important one and tonight's vote on the Regulations Governing the Certification of Educators in Rhode Island will be part of that important work moving forward.

### 5. DISCUSSION ITEMS

- a. Proposed Revisions to the Regulations Governing the Certification of Educators in Rhode Island

Commissioner Wagner thanked RIDE staff for their hard work and leadership in getting the regulations to this stage of the process and Council members for their significant and important feedback. He highlighted the changes in the amount of professional learning units required, which will be phased in between 2020 and 2030. In 2030, the full one hundred (100) professional learning units will be required.

Member Callahan expressed her gratitude for the way the entire process was handled as it exemplifies the collective effort to get something done right. She voiced that adding the chart to the regulations is very helpful as it helps districts monitor where their teachers are in terms of the required professional learning units. She stressed the need to bring folks together to brainstorm what these changes could look like in the field as systems aren't currently in place to meet this new requirement. She also expressed the need to bring folks together to address some of the concerns voiced by the School Nurse Teachers Association.

Chair McConaghy and other Council members commended Commissioner Wagner for his leadership and the RIDE staff for all of the hard work during the last several months.

- b. Reformatted Regulations Governing the Education of Children with Disabilities – *This discussion was tabled as noted at the beginning of the meeting*

c. Regulations of the Comprehensive Early Childhood Education Program – Feedback from Public Review and Comment

Commissioner Wagner explained that this regulation was originally filed as a “Direct Final.” Due to a modification to the regulation as a result of public feedback that RIDE received from the ACLU around an inconsistency in the way that volunteers were screened for early learning programs compared to other educational programs, the regulation had to be re-noticed under “Regular Rulemaking” for a second round of public review and comment. RIDE did not receive any comments on that change during the second round of public review.

d. Procedural Rules for Appeals to and Hearings Before the Commissioner and Procedural Rules for Appeals from Decisions of the Commissioner – Feedback from Public Review and Comment

Commissioner Wagner explained that this regulation was also originally promulgated as a “Direct Final,” but due to some minor modifications that RIDE agreed to as a result of public feedback, the regulations had to be re-noticed under “Regular Rulemaking” for a second round of public review and comment. RIDE did not receive any comments on those changes during the second round of public review.

**6. ACTION ITEMS**

**a1. Approval of the Regulations Governing the Certification of Educators in Rhode Island**

On a motion duly made by Jo Eva Gaines and seconded by Marta Martinez, it was

**VOTED:** That the Council on Elementary and Secondary Education approves the Regulations Governing the Certification of Educators in Rhode Island

**Vote:** 8 members voted in the affirmative and 0 members voted in the negative as follows:

**YEAS:** Amy Beretta, Colleen Callahan, Karen Davis, Gara Field, Jo Eva Gaines, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

**YEAS:** 8

**NAYS:** 0

- a2. Approval of the Reformatted Regulations Governing the Education of Children with Disabilities** - *This Action Item was tabled as noted at the beginning of the meeting*
- a3. Approval of the Regulations of the Comprehensive Early Childhood Education Program**

On a motion duly made by Jo Eva Gaines and seconded by Karen Davis, it was

**VOTED:** That the Council on Elementary and Secondary Education approves the Regulations of the Comprehensive Early Childhood Education Program

**Vote:** 8 members voted in the affirmative and 0 members voted in the negative as follows:

**YEAS:** Amy Beretta, Colleen Callahan, Karen Davis, Gara Field, Jo Eva Gaines, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

**NAYS:** 0

- a4. Approval of the Procedural Rules for Appeals to and Hearings Before the Commissioner and Procedural Rules for Appeals from Decisions of the Commissioner**

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

**VOTED:** That the Council on Elementary and Secondary Education approves the Procedural Rules for Appeals to and Hearings Before the Commissioner and Procedural Rules for Appeals from Decisions of the Commissioner

**Vote:** 8 members voted in the affirmative and 0 members voted in the negative as follows:

**YEAS:** Amy Beretta, Colleen Callahan, Karen Davis, Gara Field, Jo Eva Gaines, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

**NAYS:** 0

**6b1. Warwick School Committee v. Joseph Bleczinski**

On a motion duly made by Amy Beretta and seconded by Jo Eva Gaines, it was

**VOTED:** That, in the matter of Warwick School Committee v. Joseph Bleczinski, the Commissioner's decision if affirmed, as presented.

**Vote:** 8 members voted in the affirmative and 0 members voted in the negative as follows:

**YEAS:** Amy Beretta, Colleen Callahan, Karen Davis, Gara Field, Jo Eva Gaines, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

**NAYS:** 0

**6b2. DCYF v. North Kingstown School Department**

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

**VOTED:** That, in the matter of DCYF v. North Kingstown, the Commissioner's decision if affirmed, as presented.

**Vote:** 8 members voted in the affirmative and 0 members voted in the negative as follows:

**YEAS:** Amy Beretta, Colleen Callahan, Karen Davis, Gara Field, Jo Eva Gaines, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

**NAYS:** 0

**6b3. DCYF v. Providence School Department**

On a motion duly made by Amy Beretta and seconded by Jo Eva Gaines, it was

**VOTED:** That, in the matter of DCYF v. Providence School Department, the Commissioner's decision if affirmed, as presented.

**Vote:** 8 members voted in the affirmative and 0 members voted in the negative as follows:

**YEAS:** Amy Beretta, Colleen Callahan, Karen Davis, Gara Field, Jo Eva Gaines, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

**NAYS:** 0

**6c. Approval of the League of Charter Schools Variance Request**

On a motion duly made by Karen Davis and Amy Beretta, it was

**VOTED:** That the Council on Elementary and Secondary Education delegate its authority to the Commissioner to approve the granting of a variance from the “whole grain requirement” contained in the RI Nutrition Requirements 2009, Nutrition Criteria for RI School Food Service Program, or successor regulations, to any charter school that may submit such acceptable request.

**Vote:** 8 members voted in the affirmative and 0 members voted in the negative as follows:

**YEAS:** Amy Beretta, Colleen Callahan, Karen Davis, Gara Field, Jo Eva Gaines, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

**NAYS:** 0

**7. ADJOURNMENT: Meeting adjourned at 6:54 p.m.**

On a motion duly made by Amy Beretta and seconded by Karen Davis, it was

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

**Vote:** 8 members voted in the affirmative and 0 members voted in the negative as follows:

**YEAS:** Amy Beretta, Colleen Callahan, Karen Davis, Gara Field, Jo Eva Gaines, Marta Martinez, Daniel McConaghy, and Lawrence Purtill

**NAYS:** 0