



MINUTES OF THE MEETING
October 14, 2014

COUNCIL ON ELEMENTARY AND SECONDARY EDUCATION

The Rhode Island Council on Elementary and Secondary Education met on Tuesday, October 14, 2014 at the R.I. Department of Elementary and Secondary Education, 255 Westminster Street, Providence, R.I. Chair Guida welcomed everyone, declared a quorum present, and called the meeting to order at 5:05 p.m.

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 Council on Elementary and Secondary Education accepts the agenda for the meeting of October 14, 2014

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

YEAS: Patrick Guida, Amy Beretta, Colleen A. Callahan, Karin Forbes, Jo Eva Gaines, Eva-Marie Mancuso, Lawrence Purtill, and Joyce Stevos

NAYS: 0

2. APPROVAL OF THE MINUTES

2a. Minutes of the August 4, 2014 Council Meeting

On a motion duly made by Karin Forbes and seconded by Colleen Callahan, it was

VOTED: That the Rhode Island Board of Education approves the minutes of the August 4, 2014 Council Meeting

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

YEAS: Patrick Guida, Amy Beretta, Colleen Callahan, Karin Forbes, Jo Eva Gaines, Eva-Marie Mancuso, Lawrence Purtill, and Joyce Stevos

NAYS: 0

2b. Minutes of the August 25, 2014 Council Work Session

On a motion duly made by Jo Eva Gaines and seconded by Colleen Callahan, it was

VOTED: That the Rhode Island Board of Education approves the minutes of August 25, 2014 Council Work Session

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

YEAS: Patrick Guida, Amy Beretta, Colleen Callahan, Karin Forbes, Jo Eva Gaines, Lawrence Purtill, and Joyce Stevos

NAYS: 0

[Board Chair Mancuso recused herself from the vote as she did not attend the August 25th Work Session]

2c. Minutes of the September 8, 2014 Meeting

On a motion duly made by Eva-Marie Mancuso and seconded by Karin Forbes, it was

VOTED: That the Rhode Island Board of Education approves the minutes of the September 8, 2014 Council Meeting

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

YEAS: Patrick Guida, Amy Beretta, Colleen Callahan, Karin Forbes, Jo Eva Gaines, Eva-Marie Mancuso, Lawrence Purtill, and Joyce Stevos

NAYS: 0

2d. Minutes of the September 8, 2014 Executive Meeting

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

VOTED: That the Rhode Island Board of Education approves the minutes of the September 8, 2014 Executive Session

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

YEAS: Patrick Guida, Amy Beretta, Colleen Callahan, Karin Forbes, Jo Eva Gaines, Eva-Marie Mancuso, Lawrence Purtill, and Joyce Stevos

NAYS: 0

[Member Santos arrives at this time]

3. OPEN FORUM

Chair Guida began the meeting by explaining that today's Open Forum will be split into two segments in that those who are here to testify on the matter of Student G. Doe v. Cumberland School District will go first allowing Member Gaines, who also serves on the Appeals Committee, the opportunity to participate in the discussion and vote on the matter prior to her leaving for another commitment.

Student G. Doe v. Cumberland School District

Four individuals spoke in support of

Two spoke in opposition to

4. ACTION ITEMS

4a. Student G. Doe v. Cumberland School District

Prior to asking for a vote, Chair Guida asked if anyone wanted to address the matter.

Member Santos asked if Title I dollars were utilized to pay for summer scholastic programs. He feels that if students who received additional summer support at CCRI to pass the NECAP Assessment did not have to pay for those courses than it is unfair to charge those students who need to attend summer school in order to get promoted to the next grade.

Joe Rodio, Jr., Counsel to the Board reminded Council members that the Board is charged with a very specific legal standard and the question irrespective of finances is whether the Commissioner's interpretation of the statute and of the BEP was arbitrary, discriminatory or unfair.

In response to Member Santos' question, Commissioner Gist responded that in her conversation with superintendents, districts spend many different sources of funds and do allow for students who are unable to pay depending on the nature of the summer school. Summer school programs are funded in different ways depending on whether it is an enrichment program, a credit recovery program for a student who just simply did not do the work or attended a class, versus a student who is struggling for a different reason.

Member Callahan voiced her disappointment in that the Commissioner did not provide her with a breakdown of the districts that do and those that do not charge for summer school, as she had requested.

Commissioner Gist apologized about not getting Member Callahan the requested information and responded that when checking with legal counsel, that it is not the question before the Council. The question before the Council in this case is whether or not the Commissioner's decision, which she made through the hearing officer, was appropriate in the law.

Member Purtill shared that although he understands that decisions need to be made based in the law, the truth is that we are also talking about kids. It bothers him that we talk about kids getting every opportunity and will provide every opportunity, but on the other hand we hide behind legal decisions. He is going to vote to uphold the Commissioner's decision, for this case and this case only, because he wants the Board to start looking at policy. He is concerned about the equity when you have school districts around the state that charge for some things and do not charge for others. He further stated that whether people want to admit it or not, students' zip codes and the financial income of their parents still dictate, in many cases, the opportunities they have, and that is wrong.

Board Chair Mancuso went on to clarify that in this particular case the district offered mom the opportunity to apply for a waiver and that she did not submit the necessary documents.

Member Gaines voiced that based upon her experience as a school committee member, summer school falls outside the 180-day school year required by the state and that the only way that her school district is able to offer summer school is by charging.

Member Santos shared that although he did not attend the previous work session where this matter was discussed in detail he watched the video of the meeting and that he is looking at this case in terms of what he perceives as fairness and doing away with a two-tier system of who those who can afford it versus those who cannot.

Next, Chair Guida asked for a vote on the matter of Student G. Doe v. Cumberland School District:

VOTED: That the Council on Elementary and Secondary Education table the Commissioner's decision in the matter of Student G. Doe v. Cumberland School District and schedule another discussion after the Council has had the opportunity to review the entire file on the case

Vote: 7 members voted in the affirmative and 2 members voted in the negative as follows:

YEAS: Patrick Guida, Amy Beretta, Karin Forbes, Jo Eva Gaines, Eva-Marie Mancuso, Lawrence Purtill, and Joyce Stevos

NAYS: Colleen Callahan and Mathies Santos

[Member Gaines departs the meeting at this time]

Open Forum Resumed at this time.

Preliminary Approval of the RISE Mayoral Academy:

25 individuals spoke in support of

20 individuals spoke in opposition to

Segue Institute for Learning – Request for Charter Amendment

8 individuals spoke in support of

Blackstone Academy – Request for Charter Amendment

2 individuals spoke in support of

5. REPORT OF THE CHAIR OF THE BOARD OF EDUCATION

Board Chair Mancuso reported that the Council on Postsecondary Education has been working on the higher education strategic plan, which is on a different timeline than the PK-12 plan because of the legislative requests to get funding for the Office of Postsecondary Commissioner for the second half of the fiscal year.

She also reported that the Council has had very lengthy discussions on the postsecondary budget, which the full Board will be asked to approve at its December 1st meeting, as well as very robust conversations about the sexual assault policies at the three public institutions of higher education.

6. REPORT OF THE CHAIR OF THE COUNCIL ON ELEMENTARY AND SECONDARY EDUCATION

Chair Guida reported that prior to this meeting the Council conducted a session to specifically discuss the development of the next 5-year statewide strategic plan for education. He encouraged every member of the R.I. community to participate in this highly inclusive and exciting opportunity.

7. REPORT OF THE COMMISSIONER

Commissioner Gist began by reporting that RIDE continues to proceed with the Assessment Project, which looks at the issue of testing in our schools to ensure that testing is occurring only as frequent as necessary, is of high quality, and is being used effectively to report student achievement.

Next she reported on an item that is coming before the Council in the near future around financial literacy; a project that she was approached on last year by a group of students from East Greenwich High School who were very concerned about financial literacy and took it on as a project. They did a deep analysis of available national financial literacy standards and found a set of standards that are of high quality. At its November meeting, the Council will be asked to endorse the set of national standards that the group is recommending that R.I. School districts use.

She went on to report on the recent Advanced Placement testing results that were released last week showing R.I. students' continued improvement in overall participation and success. She also reported on the U.S. Department of Education's announcement of three R.I. schools as winners of the 2014 National Blue Ribbon Schools.

Lastly, she was very pleased to report that in partnership with RI Kids Count and with support from the R.I. Foundation, the early childhood community and school districts across the state, RIDE successfully submitted a competitive federal Preschool Development Expansion grant application.

8. DISCUSSION ITEMS

8a. Secondary School Regulations

Chair Guida explained that the Council is being asked to re-vote to send out for public review and comment the proposed amendments to the regulations on proficiency-based graduation requirements. Since the September 8th meeting, when the vote took place, RIDE became aware that the Council voted on the wrong version of the proposed revisions and has since restored the four paragraphs that were inadvertently omitted.

9. ADDITIONAL ACTION ITEMS

9a. Preliminary Approval of the RISE Mayoral Academy

Member Purtill motioned and was seconded by Member Santos to table the voting until the next meeting allowing the sending districts to further discuss the fiscal impact that this charter will have on their communities.

Board Chair Mancuso asked if it is the Council's responsibility to look at the financial impact on the district or if their responsibility is to decide whether or not an application is viable.

Deputy Abbott answered that the legislature determines how all public schools are funded, including charter schools, by adopting a funding formula. As the authorizer of charter schools, the Council's charge is to determine whether an application is viable and not on what the fiscal impact is on sending districts.

Member Callahan voiced that one of the Council's charge is to determine whether an application has enough community support. While there is evidence of some community support with this particular case, she does not believe that there is enough evidence of community support for the Council to make a decision at this time.

Board Chair Mancuso voiced that she does not feel the need to delay the decision any further since there has been many opportunities for the public to weigh in. In addition to the many comments heard this evening, this application went through a 60-day public review and comment and the Council discussed it at length two weeks ago.

Chair Guida asked for a vote on Member Purtill's motion to table the vote until a future meeting:

Vote: 3 members voted in the affirmative and 5 members voted in the negative as follows:

YEAS: Colleen A. Callahan, Lawrence Purtill, and Mathies Santos

NAYS: Patrick Guida, Amy Beretta, Karin Forbes, Eva-Marie Mancuso, and Joyce Stevos

On a motion duly made by Amy Beretta and seconded by Karin Forbes, it was

VOTED: That the Council on Elementary and Secondary Education moves to grant preliminary approval, for further planning and development, to RISE Mayoral Academy toward a 2015 opening contingent upon final approval to operate by the Council on Elementary and Secondary Education

Vote: 5 members voted in the affirmative and 3 members voted in the negative as follows:

YEAS: Patrick Guida, Amy Beretta, Karin Forbes, Eva-Marie Mancuso, and Joyce Stevos

NAYS: Colleen Callahan, Lawrence Purtill, and Mathies Santos

9b1. Blackstone Academy – Request for Charter Amendment

On a motion duly made by Karin Forbes and seconded by Eva-Marie Mancuso, it was

VOTED: That the Council on Elementary and Secondary Education moves to approve the Blackstone Academy Charter School Amendment permitting the school to enroll up to 350 students from Central Falls, Pawtucket and Providence

Vote: 6 members voted in the affirmative and 2 members voted in the negative as follows:

YEAS: Patrick Guida, Amy Beretta, Karin Forbes, Eva-Marie Mancuso, Mathies Santos, and Joyce Stevos

NAYS: Colleen Callahan, Lawrence Purtill

9b2. Segue Institute for Learning – Request for Charter Amendment

On a motion duly made by Amy Beretta and seconded by Eva Marie Mancuso, it was

- VOTED:** That the Council on Elementary and Secondary Education moves to deny the amendment request by the Segue Institute for Learning that would permit the school to enroll 655 students
- Vote: 7 members voted in the affirmative and 1 member voted in the negative as follows:
- YEAS: Patrick Guida, Amy Beretta, Colleen Callahan, Karin Forbes, Eva-Marie Mancuso, Lawrence Purtill, and Joyce Stevos
- NAYS: Mathies Santos

9c. Approval of the proposed revisions to the Secondary School Regulations, for the purpose of public review and comment

On a motion duly made by Eva-Marie Mancuso and seconded by Colleen Callahan, it was

- VOTED:** That the Council on Elementary and Secondary Education approves, for the purpose of public review and comment, the revised Regulations of the Board of Education K-12 Literacy, Restructuring of the Learning Environment at the Middle and High School Levels and Proficiency-Based Graduation Requirements at High Schools, as presented
- Vote: 8 members voted in the affirmative and 0 members voted in the negative as follows:
- YEAS: Patrick Guida, Amy Beretta, Colleen Callahan, Karin Forbes, Eva-Marie Mancuso, Lawrence Purtill, Mathies Santos, and Joyce Stevos
- NAYS: 0

9d. Approval of FY 2015 Revised and FY 2016 Budget Requests

On a motion duly made by Karin Forbes and seconded by Joyce Stevos, it was

VOTED: That the Council on Elementary and Secondary Education approves and transmits the FY 2016 current service level, FY 2016 constrained, and FY 2015 revised budget proposals to the Rhode Island State Budget Office. We further approve its transmission to the R.I. Board of Education for final approval.

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

YEAS: Patrick Guida, Amy Beretta, Colleen Callahan, Karin Forbes, Eva-Marie Mancuso, Lawrence Purtill, Mathies Santos, and Joyce Stevos

NAYS: 0

10. ADJOURNMENT:

On a motion duly made Larry Purtill and seconded by Amy Beretta, 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: Patrick Guida, Amy Beretta, Colleen Callahan, Karin Forbes, Eva-Marie Mancuso, Lawrence Purtill, Mathies Santos, and Joyce Stevos

NAYS: 0

The meeting adjourned at 8:05 p.m.