

**Rhode Island Board of Regents for Elementary & Secondary Education
Minutes of September 3, 2009**

A Meeting of the Rhode Island Board of Regents for Elementary and Secondary Education was held at the Dr. Earl F. Calcutt Middle School Library, 112 Washington Street, Central Falls, RI, and convened at 4:10 p.m.

In Attendance:

Flanders, Caprio, Guida, Cano Morales, Forbes, Shimberg, Beretta, Davis

Commissioner's Report

Commissioner Gist reported to the Regents on her "first day of school" visit to Central Falls. She said that she is getting to know the people in the district and community. She recognizes that there is a lot of work to be done to improve student achievement, but she is also seeing a lot of good things happening in the schools. She also told the Regents that she had visited the West Warwick school district for its teacher orientation; the Segue Institute for Learning; the Oakland Beach Elementary School, in Warwick; the Fortes/Lima School Complex, in Providence; and the UCAP School.

The Commissioner also reported on the Woonsocket variance requests. RIDE staff is working with Superintendent Gerardi to identify ways to either fund required positions or to resubmit variance requests in line with RIDE parameters.

She told the group that North Smithfield may not be the only community implementing a "pay-to-play" system, which, as Commissioner, she has ruled illegal. She said that if she does not receive a complaint from a parent once the district has sent a bill to a student, she will schedule a "show cause" hearing to address the issue. She also reported that Deputy Commissioner David Abbott has met with Providence City Solicitor Joe Fernandez in regard to the suit filed recently by the Providence Teachers Union. RIDE will continue to coordinate with the Providence School District. RIDE has also been named as an indispensable party in the Central Falls litigation pending in Superior Court that arose from the Commissioner's order regarding the job fair. RIDE is planning on participating as a "friend of the court."

Next, Commissioner Gist referred the Regents to a story that had appeared in the Providence Journal earlier in the day about an action taken by the East Providence Teachers' Association. She said that the Journal had reported that the East Providence teachers would no longer be doing any "volunteer" work in the district. Commissioner Gist told the Regents that she wanted to be "very clear" that it is "never appropriate for educators to make decisions that have a negative impact on students."

The Commissioner reported that strategic planning was going well and that she had met with representatives from education leadership-organizations on her Five Priorities. She will now be taking the priorities out for public input.

The public hearings on the Educator Evaluation standards and Code of Professional Responsibility have been scheduled for October 13 and 22. Locations will be announced. If there are a lot of people that still want to be heard after the two hearings, a third will be scheduled.

Public Remarks

Sonia Rodrigues, Central Falls Board of Trustees, thanked the Commissioner for spending the day in Central Falls and the members of the Board for holding their meeting in the city. She also thanked Representatives Elizabeth Crowley and Gus Silva for their support of the Central Falls school bond. She urged the Regents to support the Central Falls building projects being considered on the agenda. She reminded them that education reforms are flourishing in Central Falls, but they need to be supported by up-to-date facilities.

Janna Miranda, Veronica Salako, Miranda Santos, and Sam Ogundarei, of Central Falls High School Young Voices, and Chris Gingerella, SCOPE Project Director, spoke to the Regents about the Central Falls High School Young Voices group. They described their work surveying students and collecting data about issues related to teacher-student interactions, student engagement, and hands-on learning.

Karen Cooper, President Local 2012, read a statement on behalf of the Department's professional employees concerning the proposed "shutdown" days. A copy of her remarks is attached.

Alissa Vazquez, of "Cool" Summer Program, talked about the Central Falls summer program that was designed for 6th- and 7th-grade students.

David Anderson, of ASORA Education, spoke to the Board about his analysis of the state achievement tests (NECAP) and said that the tests are deficient in a "number" of areas. He said that it inflates proficiency percentages, has differential inflation and false gains, and that RIDE has a structural conflict of interest in its dual roles as instructor and tester.

Dennis Littky, co-founder of the Met School, told the members of the Board that there are currently 81 Met schools across the United States. He then thanked the Regents for supporting the Rhode Island Met schools and introduced Charlie Plante, the Crowley East Bay Met School principal.

Charlie Plante, Principal Paul W. Crowley Metropolitan Career & Technical Center, urged the Regents to approve agenda item number 6: Approval of the Necessity of School Construction: The Paul W. Crowley Metropolitan Career & Technical Center. He told the group that the school is currently housed in the Florence Gray Community Center, in Newport, and reminded the Regents about the high need in that community for the school. The Gray Community Center was chosen because it is located within the community where 72% of households are female-headed; median income is \$11,000; and the racial makeup is 50% black. Additionally, the center is near the Newport Hospital, CCRI, and Head Start.

Jim Rudd, Executive Director, Newport Housing Authority, spoke to the group about Paul Crowley and his vision for a career-and-technical school in Newport. Mr. Rudd also told the group about the importance of the Met school in the community. He urged the members of the Regents to support the school, as presented. Denise DeBarros, Coordinator of the Central Falls family and community partnership office, described her work – translation services, home visits, parent support – and told the Regents that there needs to be more new computers in the classrooms.

Chairman's Remarks

Chairman Flanders congratulated Commissioner Gist on her enthusiastic start to the new school year. He cited her “whirlwind” of activity, visiting the schools on the first day.

Approval of Minutes

Chairman Flanders presented the minutes of the September 3, 2009, meeting, for approval.

MOVED AND SECONDED: THAT the Rhode Island Board of Regents for Elementary and Secondary Education Approves the Minutes of the September 3, 2009 meeting, as attached.

VOTE: Approved unanimously.

Approval of Appeal Item

Tracy Rossi et al. v. Johnston School Committee

The Chairman of the Board of Regents Appeals Committee, Amy Beretta, read the recommended decision of the committee, as attached.

MOVED AND SECONDED: THAT, in the matter of Traci Rossi et al. v. Johnston School Committee, the Board of Regents for Elementary and Secondary Education Remands this matter to the Commissioner to determine if the Johnston School Committee is in Compliance with the Board of Regents Regulations on Length of the School Day and RIGL 16-22-4 and, if not, to make appropriate remedial orders.

VOTE: Approved Unanimously.

Timothy Coen v. Portsmouth School Committee

Chairman Beretta read the recommended decision of the committee, as attached.

MOVED AND SECONDED: THAT, in the matter of Timothy Coen v. Portsmouth School Committee, the Board of Regents for Elementary and Secondary Education Affirms the Decision of the Commissioner.

VOTE: Approved Unanimously.

Nellie Francis v. Providence School Board

Chairman Beretta read the recommended decision of the committee, as attached.

MOVED AND SECONDED: THAT, in the matter of Nellie Francis v. Providence School Board, the Board of Regents for Elementary and Secondary Affirms the Decision of the Commissioner.

VOTE: Approved Unanimously.

Approval of Necessity of School Construction: The Paul W. Crowley Metropolitan Career & Technical Center

Commissioner Gist addressed the members of the Board on agenda items numbers 6 and 7. She reminded the Board that the Board of Regents reviews and certifies two kinds of school-construction projects: Capital Budget projects for state-owned schools funded through RIDE's Capital Budget, and necessity-of-school-construction projects, for district-owned and -operated schools reimbursed through Housing Aid. She explained that agenda item number 6 is a school-construction project for the Central Falls schools and item number 7 is a capital-budget project, the Paul W. Crowley Metropolitan Career & Technical Center. Both projects are in compliance with the Regents' school-construction regulations.

Commissioner Gist then addressed agenda item number 6. She told the Board that the Paul W. Crowley Metropolitan Career & Technical Center is currently housed in Florence Gray Community Center, in Newport. The facility was not designed to be a school and is currently well beyond capacity without a dedicated library, laboratories, or adequate classrooms. There has been a feasibility study that reviewed potential sites, and the Community Center was recommended as the site for the proposed Met campus. The current capital budget allocation is \$10.1 million, and the recommended project is \$8.8 million, a \$1.3-million savings from the capital-budget request.

MOVED AND SECONDED: THAT, the Board of Regents for Elementary and Secondary Education Approves the Capital Budget for the Paul W. Crowley Metropolitan Career & Technical Center, totaling \$8,800,000, as presented.

VOTE: Approved Unanimously.

[Regent Caprio left the meeting at 5:05 p.m.]

Approval of Necessity of School Construction: Central Falls

Commissioner Gist reviewed the proposals, in detail, as follows:

District-Wide Improvements:

- Emergency and high-priority renovations and additions: \$20,499,999 at nine facilities in the Central Falls School District
- Scope of Work includes High-Priority items such as:
 - Modernization for Code Compliance
 - Roof repair and replacement
 - Exterior envelope repair
 - Window replacement
 - HVAC repair and replacement
 - Alleviation of overcrowding
 - Educational programming improvements at the elementary and high-school levels.

The Regents raised concerns related to the investment of money in buildings owned by the City of Central Falls and the ongoing maintenance of the buildings. They reviewed the process for ensuring proper maintenance of the buildings and agreed that a work session would be held to discuss, in detail, the steps being taken to ensure the quality of the repairs and ongoing maintenance of the buildings.

MOVED AND SECONDED: THAT, the Board of Regents for Elementary and Secondary Education Approves the Necessity of School Construction Projects, totaling \$20,499,999, pursuant to 16-7-41.1, as presented.

VOTE: Approved Unanimously. [Regent Cano Morales abstained from the vote.]

Approval of Shutdown Days

Commissioner Gist explained that the Governor, in the exercise of his statutory and constitutional authority to maintain a balanced budget, has requested the Board to adopt twelve "unpaid shutdown days" as a cost-saving measure. She went on to say that she had examined the Governor's request and found that it is the least disruptive alternative allowing for the attainment of the requisite cost savings while providing for the continued effective operation of the Department of Education. The group discussed department budget cuts and how the work on the Regents' priorities will be accomplished.

MOVED AND SECONDED: THAT, the Board of Regents for Elementary and Secondary Education Directs the Commissioner of Education to implement 12 unpaid shutdown days for the Rhode Island Department of Elementary and Secondary Education in the form called for in the Governor's Executive Order, dated August 24, 2009.

VOTE: Approved Unanimously.

Discussion of Central Falls School District

The Regents talked about how they could be more aggressive in taking a leadership role in the Central Falls School District. Chairman Flanders asked Regents Anna Cano Morales and Betsy Shimberg to discuss the matter and bring a recommendation forward to the Regents for consideration.

Discussion of Facility Use: Rhode Island School for the Deaf

Commissioner Gist told the members of the Board that she has a "growing concern regarding the effective functioning of the Board of Trustees at the Rhode Island School for the Deaf." She reviewed the current composition of the Board of Trustees and reported that the Trustees seem to lack clarity regarding their mandated role, as delineated by state statute in relationship with RIDE, the school director, and school operations. The trustees also seem to need training in open-meetings law, meeting conduct and confidentiality, and member ethical boundaries. She will offer the Board specific recommendations on the Trustees at the Board of Regents September 17th work session.

Budget Update

Commissioner Gist reported that the Department has not received its budget targets yet, but she hopes to have them by the work session on the 17th.

Legislative Report

The House has announced that it will reconvene on October 14 and 15. As of today, no agenda has been posted for this session. The agenda will be forwarded to the Regents as soon as it is posted. In addition, the Regents will be informed when committee hearings are posted that affect education. The Senate has not set a date for its return.

Re: Binding Arbitration: The Commissioner reported that she had spoken with House Majority Leader Gordon Fox yesterday afternoon by phone. Representative Fox expressed his appreciation that the Commissioner had reached out to him on this important piece of legislation. She explained that the Board of Regents is opposed, at this time, to the General Assembly's enacting any legislation that includes binding arbitration without further study and input from stakeholders and that the Regents are recommending that the bill be taken up in the regular legislative session, in January 2010. She also told Representative Fox that she is concerned that many teacher contracts in Rhode Island include management-rights language that is not in the best interest of students. She offered to share research that RIDE has conducted on what other states are doing.

Adjournment

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