

BOARD OF REGENTS FOR ELEMENTARY AND SECONDARY EDUCATION

WORK SESSION
Thursday, July 22, 2010
11:30 – 1:30 p.m.

The Rhode Island Department of Education – Shepard Building
5th Floor – Peter McWalters Conference Room
255 Westminster St. – Providence, RI 02903

Minutes

Regents present: R. Flanders, K. Forbes, A. Beretta, C. Callahan, B. Shimberg, P. Guida
A. Cano-Morales

The meeting convened at 11:45 a.m.

Executive Session

As per RIGL 42-46-5(a)(1), Evaluation of the Commissioner of Education, the meeting adjourned to Executive Session at 11:46 a.m.

The meeting reconvened to open session at 12:40 p.m.

Chairman Flanders reported that during Executive Session there were no votes taken.

MOVED AND SECONDED: THAT, the minutes of the Executive Session be sealed.

VOTE: Approved Unanimously.

Commissioner Evaluation Update

Regent Betsy Shimberg thanked all of the Regents for their input on the evaluation of the Commissioner. She reported to the Board that this year's evaluation will be presented to the Commissioner at the August 5th meeting in Executive Session. She also reported that progress is being made on structuring the evaluations for years 2 and 3.

Commissioner's Comments

Central Falls Facilities Update – Commissioner Gist reported on the progress of the emergency repairs at the Central Falls School District, as follows:

- Under the City's Receiver and with great support from the Department of Administration, particularly Director Rosemary Booth Gallogly and her staff, planning has resumed to address the emergency repair work at the Central Falls School District.
- With the assistance of Bob Donovan, a \$5M RIHBEC bond was issued for the emergency repair work.
- The Building Committee was recently reconstituted and has reconvened to manage \$5M in repair work in collaboration with the City's Receiver.
- This week the Building Committee approved the award of an Architecture and Engineering contract (selected through an RFP process) to prioritize and design the districtwide repairs, which is the first step in promptly addressing the necessary repairs.

- In addition, the Building Committee, with the assistance of the Department of Administration and RIDE, is currently procuring an Energy Service Company (ESCO) to conduct an investment-grade audit that will identify potential efficiencies and energy savings in all the district's facilities.
- In the interest of closing out previously completed work, the City Receiver and the Central Falls School District are collaborating to finalize all necessary Housing Aid forms and documentation for the \$1.1M emergency repair work conducted at Captain Hunt and Calcutt Too, which, if work conducted is eligible for funding, will leave \$3.9M for the remaining health and life-safety repairs.
- This new collaboration between RIDE, DOA, the City's Receiver, and the School District has made enormous progress in the last two weeks and promises to bring transparency, fiscal prudence, and additional oversight to the necessary districtwide repairs.

Update on Providence and Central Falls – Lowest Achieving Schools/ and School Improvement Grant

The Commissioner told the Regents that the Department was notified during the first week of July that the Department's School Improvement Grant application has been approved. The Department will receive \$12.5 million to turn around our lowest-achieving schools. Those funds will be directed to Providence and Central Falls to support the transformation of the five identified persistently lowest-achieving schools. Going forward, during this upcoming school year RIDE will develop a new list of persistently lowest-achieving schools, based on the latest assessment results and other data. The new list will determine which schools RIDE will intervene in during 2010-11, and we will apply for a new round of funding to support transformation in the schools identified in 2010-11. The Commissioner told the group that Jennifer Smith has been working closely with the leadership of both Providence and Central Falls to keep abreast of the progress in turnaround efforts for each district.

Review of Protocol for Lowest Achieving Schools

Commissioner Gist reported to the Regents that two public hearings were held on the Protocols for Lowest Achieving Schools (June 22 and 23); the majority of concerns centered on the hiring process for schools identified as persistently lowest-achieving (PLAs), the value of assessment scores, the definition of the "graduation rate" (duration of time it takes students to complete high school), and perceived negative language about teachers and collective bargaining in general. She emphasized that it is important to note that the Protocol includes language taken directly from the *U.S. Department of Education's [US DOE] Guidance on School Improvement Grants under Section 1003(g) of the Elementary and Secondary Education Act of 1965, December 18, 2009*. This language, therefore, cannot be amended. The Protocol for Persistently Lowest Achieving Schools, if adopted as regulation, ultimately could result in the authority for personnel decisions being assigned to the Board of Regents following reconstitution. The Commissioner then asked the Department's Chief Transformation Officer, Jennifer Smith, to talk about the Protocol. Ms. Smith told the group that some commenters expressed concern that the language being proposed is in conflict with statutory authorities of school committees and that some express concern about the recommendation within the Protocol to move away from seniority and collective-bargaining agreements as the parameter-setting guides for hiring in PLAs. Ms. Smith stressed that movement away from the use of seniority and collective-bargaining parameters allows the leadership of PLAs to identify the best and most appropriate staff to address the needs diagnosed in the schools' Comprehensive Needs Assessments and School Reform Plans. It is intended to reinforce commitment to high levels of achievement and will empower leadership teams to create professional, scholarly, student-centered learning environments. Assessment scores and alternative forms of measuring school success were also discussed during the hearings. Commissioner Gist reiterated that standardized test scores provide vital information about the quality, depth, and effectiveness of instruction. She said that assessments are the most relevant means of identifying practice that is, or is not, placing Rhode Island's students on a trajectory toward postsecondary success. Ms. Smith noted that

PLAs serve students with a wide variety of academic, social, and emotional needs and to ignore or minimize the facts that assessment scores reveal would be to resign ourselves to accepting continued underperformance in these schools. Rhode Island is committed to a broad variety of measures to assess total school success, but remains committed to using state assessment scores as the primary means by which PLAs will be judged.

Additionally, RIDE has proposed a revised graduation-rate model to the US DOE. If adopted, this will give credit to schools that have put in place programs and resources to support students who need more than the traditional four years to demonstrate proficiency and earn a diploma. A US DOE decision is expected in the fall of this year.

David Abbott reviewed a definition from the Protocol that has undergone a revision in the Title I School Improvement Grant application filed with US DOE. “An EMO is a for-profit or non-profit organization that provides whole-school operation services to an LEA. Examples of an EMO may include, but are not limited to, the following, if they meet the foregoing definition: (1) a regional collaborative organized pursuant to RIGL Chapter 16-3.1; and (b) the creation of a joint Management/Labor Compact detailing reciprocal obligations that create a new management structure with shared decision-making designed to fully address the needs of each student in the schools and which fully complies with all applicable requirements set forth in this Protocol.” This definition deletes the last sentence in the prior iteration: “An EMO may also become the employer of staff as part of the Restart model.”

Additionally, given that the five “Tier I” schools were identified prior to the Board taking action on promulgation, it was proposed that language be added in the Overview section to make it clear that the new Protocol regulations will have a retroactive effect and that the title of the document be changed to include the header: “Board of Regents Regulations.”

The Regents asked that the agenda item be continued to the next meeting, with approval in September. They talked about the “tone” of the document and asked to see the proposed line-by-line revisions.

Discussion of Career & Technical Regulations

The Commissioner told the members of the Board that at their September Board meeting they will be asked to endorse a series of key principles that will serve as the foundation for the revised career-and-technical education regulations. She reminded them that they have been receiving regular updates on the progress the Department has made toward the regulations’ substantial revision. However, with the passage of the funding formula, it was decided that it would be prudent to rigorously review the tuition and funding-calculation rates that will be incorporated into the regulations. The Commissioner will be asking the Board to consider endorsing a series of principles as a means of providing the field with a clear signal about the broadest intent of the regulations and the direction that the new regulations will be taking career-and-technical education in Rhode Island. These principles are neither the sum total of the new regulations, nor do they preclude any changes being made between now and their preparation for Regents’ review and public hearing. Commissioner Gist then asked Andrea Castaneda to talk about the timeline for the approval of the new regulations and to walk the Regents through a summary of the principles and a side-by-side comparison of the 1990 regulations and the proposed new regulations.

The Regents discussed the operation of the individual centers, changes to the “traditional” high schools to be able to implement the new regulations, and RIDE’s vision of multiple pathways.

Central Falls Tentative Agreement Update

The Commissioner reported that the Central Falls Board of Trustees met on July 13th and unanimously recommended approval of a new contract for members of Local 94 (support staff). She reminded the Board that state statute requires the Commissioner, in concurrence with the Board of Regents, to approve all Central Falls employment contracts. The contract will come back to the Board for approval in August or September.

RTTT Update

The Commissioner reported that there hasn’t been any word yet on the finalists for Race to the Top; however it is expected that the announcement should be made sometime next week.

Adjournment: With unanimous consent, the meeting adjourned at 1:25 p.m.