

BOARD OF REGENTS FOR ELEMENTARY AND SECONDARY EDUCATION
255 WESTMINSTER STREET
5TH FLOOR – PETER MCWALTERS CONFERENCE ROOM
PROVIDENCE, RI 02903

WORK SESSION MINUTES

Enclosure 4c

March 3, 2011

THURSDAY, FEBRUARY 17, 2011
11:30 a.m. – 1:30 p.m.

Meeting called to order at 11:40 a.m.

Regents Present: Robert Flanders, Patrick Guida, Colleen Callahan, Angus Davis, Betsy Shimberg, Anna Cano-Morales, Karin Forbes, Amy Beretta

Absent: (1 vacancy)

Chairman, Robert Flanders, welcomed everyone to the meeting.

Commissioner's Updates:

Commissioner Gist thanked everyone for making time for this very important work session.

Revised Secondary School Regulations

At the last meeting, the Regents reviewed the public feedback and discussed a series of revisions. The Board of Regents authorized RIDE staff to begin drafting revisions to the regulations that reflected their discussion and a series of important preliminary agreements:

- Increasing the specificity of the support system for students taking the state assessment that includes:
 - Retake options
 - Waivers
 - Further definition of the progress as it pertains to the improvement necessary between the administrations of the NECAP
- Language that enables the Regents to affix a commendation to local diplomas for students who reach a pre-established level of academic achievement.

- Changing the latest grade by which LEAs had to implement a state-developed early-warning system from 8th to 6th grade, which is the lowest grade referenced in these regulations.

Commissioner Gist then asked Andrea Castañeda to walk everyone through these changes, but before that she asked her to spend a few minutes talking about a couple of issues that have come up regularly in the Commissioner's district visits over the course of the past few weeks:

- Districts have been asking what the graduation requirements will be for the classes of 2011, 2012, and 2013.
- There is understandable confusion about the change in the proposed effective date for the partial-proficiency requirement.
- Regents must ensure that we all share a very clear understanding of how this will be handled. The Commissioner, in turn, will make sure that the field is provided crystal-clear guidance on this issue.

Presentation & Discussion by Andrea Castañeda –

Ms. Castañeda presented a revised version of the summary page, which refers to both the content and regulatory content, and went over the primary changes:

- Required common planning time;
- Requirement for the implementation of statewide early-warning system no later than 6th grade;
- Striking language preventing granting of diplomas based upon diploma-system approval status; introduction of language that provides for progressive intervention in districts struggling with implementation;
- Provisions for nontraditional learning – broadening definition of a course; explicitly providing for CTE, virtual, and other nontraditional opportunities;
- Role of ILP – Personal, academic, and career-planning tool;
- Role of NECAP – Extend detail on growth, alternatives, and waivers for students and describe the sequence of required assessments;
- Expansion of the explicit provisions for students with unique learning needs with greater specificity for different student populations; and

- Single diploma system – establish Regents’ authority to offer commendation that recognizes excellence at level of proficiency.

Board of Regents recommendations for change:

- Clarify the language for student support;
- Repeat in each section how the LEAs will be held accountable;
- Clarify the language on the progress required on NECAP.
- Write the language for the motions to be approved by the Board of Regents at the March 3, 2011, meeting;
- Clarification of the waiver language; and
- Capitalization of new terms that refer back to definitions.

Revised Charter School Regulations

Commissioner Gist shared the regulations that the Regents have been reviewing, which define the governance structures for Rhode Island’s charter public schools:

- The regulations outline authority, timelines, and general rules for all major areas of charter-school policy not covered adequately in the charter-school statute.
- The regulations now sufficiently define the establishment of charter schools, amendments to existing charters, variances and waivers for and/or exemptions from compliance with state policies, and ongoing oversight of charter-programming in the state.
- The regulations also provide a clear process for procedural actions, such as charter-school outreach, dissemination of information on lottery and enrollment processes, and charter revocation and expiration.
- At the two public hearings held over the last several weeks, testimony from a number of stakeholders in and around the charter-school community was heard.
- RIDE received verbal and written comments from leaders in our charter schools, state charter organizations, teachers, parents, and even a representative from a nationally recognized organization who regularly advises states on charter-policy development.

- The team in the Office of Transformation worked in collaboration with both internal and external RIDE partners to consider and process the information received.
- The regulations have been revised to reflect the thoughtful commentary provided through the hearings.
- Feedback from members of the Board of Regents present at the hearings and from representatives of legal agencies who support our charter public schools as well as advocates for our charters was considered as well.

Presentation & Discussion by Jennifer Smith

Jennifer Smith provided an overview of the issues that were recurrent in hearing testimony. It is felt that the revised regulations now provide the framework for the implementation of our full authorization protocol.

Focal points from hearing testimony:

- 1) Lotteries: Concern was expressed over the recommended change to a March 1st deadline for application to charter schools.
- 2) Guidelines for the complete performance-management process for charter schools: The three guiding themes that make up the performance-management process for charter schools include scrutiny of academic performance, conditions for student success, and operational viability. Those who testified expressed concern that the two latter measures have not been fully developed.
- 3) Minor amendments: Concern was heard from some who testified centered on avoiding a process that might be cumbersome and slow in terms of making minor changes to their charters.

Overview of Charter School Regulations:

- Creating high-performing educational opportunities was cited as one of the reasons for allowing for charter schools and their oversight.
- Application and final charter content requirements are inserted directly into regulations.
- For final approval, charter schools must show evidence of demand for 50% of first-year seats.
- Rules for annual report are included in guidelines.

- Annual report-submission deadline is set by RIDE annually.
- There are no changes to good-cause standard, but statutory references are updated.
- Commissioner sets standards during probation process.
- For reversal of nonrenewal decision, charter proponents must demonstrate that the school met the terms of its charter.
- Commissioner is required to coordinate the enrollment of shuttered school's students into different public schools.
- Teacher and School Founder exemption exists for no more than 10% of enrollment.
- Removal of the provision that gave IEP or 504 teams the authority to decide if placement is appropriate for student.
- March 1st Lottery Date: It is recommended that schools that have charters with predefined percentages of enrollment from their sending districts be allowed to hold lotteries after the March 1 deadline.
- Unavailable Guidelines: It is recommended that language be inserted that clarifies the policy intentions of each of these documents directly into the Regulations.
- Minor Amendments: It is recommend that the minor-amendment process be streamlined by granting RIDE the authority to approve minor-amendment requests without having to go before the Board of Regents. It is also suggested that RIDE's timeline to object to such amendments be constrained to 14 business days and its authority to object limited to those amendments that entail conflicts of interest and that are contrary to state and federal laws and regulations.

Adjournment:

With unanimous consent, the meeting adjourned at 1:12 p.m.