

BOARD OF REGENTS FOR ELEMENTARY AND SECONDARY EDUCATION
MINUTES OF MEETING
December 09, 2004

A meeting of the Board of Regents for Elementary and Secondary Education was held at the Shepard Building - 255 Westminster Street, Providence, RI 02903 and convened at 4:05 p.m.

In Attendance

J. DiPrete, C. Callahan, S. Duff, P. Guida, G. Grove, M. Mancieri, and (K. Forbes).

Public Remarks:

There were no public remarks.

Chairman's Remarks:

- Chairman DiPrete spoke to members of the board about the recent passage of the legislation on separation of powers. He said that more than likely, the legislators currently serving on the Board of Regents will be replaced in the near future so it will be necessary for the members of the board to consider how to fill that void. He reminded the board that it is imperative to have the Regents voice heard at the state house on a regular basis to insure that education funding stay on the top of the state agenda.
- Chairman DiPrete recognized the work of department staff out in the districts. He praised them for being professional and well informed.
- He also reported that he had attended a conference on International Education in Washington, D.C. and talked about Hope High School and performance assessments.

Approval of Minutes

MOVED AND SECONDED: That, the Board of Regents approved the Minutes of the October 28, 2004 meetings as presented.

VOTE: Approved Unanimously.

Approval of Chairman to the William M. Davies Career and Technical High School's Board of Trustees

Chairman DiPrete recognized board member and chair of the Regents State and Charter Schools Committee, Gary Grove to introduce the agenda item – Approval of a Chairman to the William M. Davies Career and Technical School Board of Trustees. Mr. Grove introduced the candidate, Mr. Michael Ferdinandi and asked him to address the Board. Mr. Ferdinandi thanked the members of the Board and spoke briefly about progress and goals at the school.

MOVED AND SECONDED: That, Board of Regents for Elementary and Secondary Education Approve Mr. Michael Ferdinandi as the Chairman of the William Davies Career and Technical School, as Recommended by the Regents Committee on State and Charter Schools.

VOTE: Approved Unanimously.

Approval of Regulations for the Education of Homeless Children and Youth for Purpose of Public Hearing

RIDE Director of School Improvement and Support Services, Virginia daMota, and RIDE staff member Janice Stavros reviewed the information, as presented in enclosure #4 of the Regents' package of December 9, 2004 package. Ms. Stavros gave the group a brief history of the federal homeless act and then highlighted the proposed changes as follows:

- Express prohibition against segregating homeless students The legislation expressly prohibits a district or school from segregating a homeless child or youth in a separate school, or in a separate program within a school, based on the child or youth's status as homeless.
- Requirement for transportation to and from the child's school of origin States and local educational agencies must adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian, to and from the school of origin. In the case of an unaccompanied youth, the local homeless education liaison must ensure that transportation is provided. Specific provisions regarding the responsibility and costs of transportation are outlined in the attached Summary of Key McKinney-Vento Provisions.
- Immediate school enrollment requirement If a dispute arises over school selection or placement, an LEA must admit a homeless child or youth to the school in which enrollment is sought, pending resolution of the dispute.
- Changes in "best interest" determination LEAs must make school placement determinations on the basis of the "best interest" of the child or youth. In determining best interest, an LEA must, to the extent feasible, keep a homeless child or youth in the school of origin, unless doing so is contrary to the wishes of the child or youth's parent or guardian.
- Local liaison in all school districts Every LEA, whether or not it receives a McKinney-Vento sub grant, must designate a local liaison for homeless children and youth.
- New sub grant requirements States receiving a McKinney-Vento allocation greater than the State minimum must sub grant, through a competitive process, at least 75% of its allocation. States receiving the State minimum must sub grant, through a competitive process, at least 50% of its allocation.

The Regents discussed their concerns about the numbers of children statewide that could be affected by these changes. Ms. Stavros explained that data is difficult to obtain because many families are afraid to say that they are homeless.

Regent Mancieri expressed his fear that some of the proposed changes to the regulations might encourage children and/or families to say they are homeless just to attend a school in a different district.

MOVED AND SECONDED: THAT, the Board of Regents for Elementary and Secondary Education Approve the Revised Regulations for the Education of Homeless Children and Youth for the Purpose of Public Hearing, as Presented.

VOTE: Approved Unanimously.

Approval of Regulations for School Health Programs for Purpose of Public Hearing

Ms. Virginia daMota and RIDE staff member Jackie Ascrizzi presented the proposed changes to the regulations for Schools Health Programs as described in enclosure #5 of the Regents' package dated December 09, 2004 as follows:

- Section 4.3 – Health Education: References to the state health assessment program has been deleted, as the program has been eliminated.
- Section 10.0 – Hearing Screening:
 - Prescribes the grades in which children will have a hearing screening (pre-K, K, 1st, 2nd, 3rd);
 - Aligns “passing” criteria with the RI School for the Deaf;
 - Requires that the initial screen be performed using the Otoacoustic Emission hearing test; and
 - Strengthens follow-up procedures if a child fails the test.
- Section 17.2 – First Aid Training:
 - Includes diabetes-related signs and symptoms in the basic first aid training provided to school personnel;
 - More clearly defines options to meet the basic first aid training requirement.
- Section 18.0 – Diabetes Care Management: Requires districts to develop and implement policies for children diagnosed with diabetes that align with recommendations passed in House Resolution #8313 from the House Commission on the Health Care of Students, including the following requirements:
 - All students diagnosed with diabetes must have an individualized health care plan (IHCP) and an emergency care plan (ECP) as part of their permanent health record;
 - Schools must allow students diagnosed with diabetes to self-test, have snacks and water in the classroom or in any other place on the school campus or at school-sponsored activities;

- Schools must allow students diagnosed with diabetes to have bathroom privileges in the classroom or in any other place on the school campus or at school-sponsored activities;
 - Schools must ensure the accompaniment of a symptomatic child by an adult to a health care area;
 - Schools must inform all personnel who may be involved in the care of a student with diabetes of the IHEP and ECP.
- Section 36.6-36.16 – Student Discipline Codes: Requires school districts to adopt a policy that prohibits harassment, intimidation or bullying at school, in accordance with current law.
- Section 40.5 – Chemical Hygiene Plan: Requires school personnel (e.g. art teachers, shop teachers, classroom teachers) to ensure that all chemicals stored, handled or used in areas in their control are managed according to the district or school chemical hygiene plan.

RECOMMENDATION: THAT, the Board of Regents for Elementary and Secondary Education Approve the Revised Regulations for School Health Program for the Purpose of Public Hearing, as Presented.

Report on Proposed Changes to Employee Health Benefits

RIDE Director of Human Resource Development, Paula Rossi, reported that as per a previous discussion with the Board, she has researched the department's employee personnel policies. Because the policies don't include a reference to health co-payments, it will be necessary to bring a proposal forward to the Regents for approval for public hearing at one of the Regents' January meetings.

Ms. Rossi explained that the department's current health benefit plans reflect what is offered throughout the state system. The Superior Court is considering the issue now, so it is in the Regents' best interest to wait and see what the court's decision says.

Budget Update

Commissioner McWalters reported that the department has filed the budget request and white papers with the Governor's Office. The "aid" conversation is on going. The group decided that a letter supporting the request should be sent over to the Governor under the Regents signature.

Committee Report

The Chairman of the Board of Regents' High School Restructuring Committee, Colleen Callahan reported on the Regent and department's on going work surrounding the high school regulations; graduation/diploma requirements; advisories; and common planning time. She also reported on the progress of the Gates grant, i.e. high schools have been coming together at network meetings.

Regent Guida reported on the PS&I action retreat - good progress made.

Commissioner's Report

Commissioner McWalters announced that RIDE staff member, Keith Oliveira, is the new department legislative liaison;

The department has finished the first round of Hope High School show cause hearings. RIDE Chief of Staff, Jennifer Wood, presented the Department's case. At the first two sessions, both sides presented information concerning the school. This morning Providence invited Hope partners to speak about the structure of the school; next Wednesday, Hope faculty, students, parents, and community members have been invited to speak about programs at the school. After a follow-up session on Thursday, the department will review the record and make a decision on next steps.

The Commissioner explained to board members that in accordance with Article 31, he would be bringing a recommendation to the Regents for their endorsement.

Executive Session

As per R.I.G.L. 42-46-5, the meeting adjourned at 5:35 pm for Executive Session.

The meeting reconvened to open session at 6:00 p.m.

Adjournment

With Unanimous consent the meeting adjourned at 6:05 p.m.