

**BOARD OF REGENTS FOR ELEMENTARY AND SECONDARY EDUCATION**  
**MINUTES OF MEETING**  
**July 13, 2006**

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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 4:10 p.m.

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**In Attendance**

C. Callahan, A. Beretta, B. Camara, K. Forbes, and M. Paradise.

[In Chairman DiPrete's absence, Regent Callahan chaired the meeting.]

**Public Remarks**

There were no public remarks.

**Approval of Minutes**

**MOVED AND SECONDED:** That, The Board of Regents for Elementary and Secondary Education Approve the Meeting Minutes of June 8, 2006.

**VOTE:** Approved Unanimously.

**Approval of Reauthorization of Charter Schools**

RIDE staff member, Keith Oliveira, explained to the Board that the review of the three charter schools up for reauthorization had included an analysis of data sources compiled by RIDE over the past five years, including the schools original charters; performance on state assessments; 2005 report card and performance classifications; annual reports; SALT survey data; School Support System visit reports; and financial data. Additionally, members of the Regents State and Charter Schools Committee visited the three schools to observe the schools while in operation. They observed classroom instruction, spoke with teachers and students, and observed the quality of the school's facilities.

**Kingston Hill Academy – Findings and Recommendations**

Mr. Oliveira reviewed the findings and recommendations of the Kingston Hill Charter School, as follows:

- KHA is a quality school with a very positive and supportive learning environment. It is classified as high-performing and sustaining by RIDE and made Adequate Yearly Progress (AYP) in 2005;
- Consistent with the charter, KHA has implemented a program that provides its students with individualized, small group instruction in an inclusive setting where students with special needs learn together with their peers.
- However, KHA performance on the 2006 NECAP was only average. KHA attributes their average NECAP performance to the transition of moving to a new building during the testing and the lack of test-taking skills of its students. KHA officials must take action to show measurable improvement and shall submit an action plan to RIDE to improve its NECAP performance. RIDE will monitor the implementation of the plan.
- The school has a very competent leadership and a highly dedicated faculty. The school also has a very engaged sponsor, The Groden Center, which provides professional consultation in the area of special needs children.
- The Groden Center also provides the financial management of the school which has resulted in KHA's very secure financial standing.

### **Charter Amendments**

- Regents authorize an amendment to allow the school to expand to middle school grades 6, 7, and 8; and to expand the maximum enrollment from 180 students to 260.
- Regents authorize an amendment to reduce the number of school days from 190 to 185 – the current school day is 6 hours 20 minutes and exceeds the Regents' regulations on the length of the school day; and reduces the number of teacher days from 200 to 187 days.
- Regents authorize an amendment to remove the provision of teacher home visits, provided, that KHA conduct mandatory family orientations as per the amended charter.
- Regents authorize a series of charter revisions necessary to reflect the sponsorship, mission, and operational activities that went into effect when the Groden Center assumed sponsorship of the school.

Regent Beretta congratulated the school on its wonderful one-on-one reading instruction.

**MOVED AND SECONDED: THAT, The Board of Regents for Elementary and Secondary Education approves the reauthorization of the Kingston Hill Academy Charter School, as amended, and in accordance with the provisions of the Regents' findings.**

**VOTE: Approved Unanimously.**

Mr. Oliveira introduced members of the school Board and faculty in attendance.

### **Paul Cuffee Charter School Findings and Recommendations**

Mr. Oliveira reported on the findings and recommendations of the State and Charter School Committee in reference to the Paul Cuffee Charter School, as follows:

- The committee has determined that the Paul Cuffee Charter School is a quality school. Very personalized instruction and competent leadership. Provides the necessary supports and resources to its students, particularly in its reading and writing curriculum.
- PCS is classified as moderately performing and improving by RIDE and made Adequate Yearly Progress (AYP) in 2005. NECAP assessments can and should improve. The school must take the necessary actions to improve student results on state assessments, and it must particularly assess and take action to address the disparity between the elementary and middle school grades.
- The school is very secure financially and has a very strong fund development program which facilitated the school's ability to finance the acquisition and renovation of their building currently housing their elementary program. However, they must address the issue of housing their middle school program, which currently operates out of a separate leased facility.
- The school has exceptional parent and community engagement. Parents are embedded into the activities of the school and they show a consistently high degree of parent satisfaction on SALT surveys.

- PCS has suspended action on developing its secondary program due to a variety of strategic, program, and housing considerations. However, the school has a year of planning before its current seventh graders reach high school. Regents' reauthorization of the charter shall require the PCS to provide periodic updates regarding the feasibility of the development of the high school program.

#### **Charter Amendments**

- Regents authorize an amendment to the PCS original charter to expand the maximum enrollment from the current 585 students to 624 students. This would accommodate an enrollment plan of 48 students per grade (K-12) from the current 45 per grade.

Regent Beretta commented on the dedication of the staff and the appearance of happy kids at the school.

**MOVED AND SECONDED: THAT, The Board of Regents for Elementary and Secondary Education approves the reauthorization of the Paul Cuffee Charter School, as amended, and in Accordance with the provisions of the Regents' findings.**

**VOTE: Approved Unanimously.**

#### **International Charter School Findings and Recommendations**

Mr. Oliveira reported on the findings and recommendations of the State and Charter School Committee in reference to the International Charter School, as follows:

- The Regents State and Charter School Committee has determined that the ICS is a quality school, classified by RIDE as high-performing and sustaining and made Adequate Yearly Progress (AYP) in 2005, However, their performance on the 2006 NECAP assessments was poor. School officials attribute their poor NECAP performance to their high percentage (62%) of LEP students and lack of test-taking skills. Nonetheless, ICS officials must take immediate action to show measurable improvement on NECAP. ICS shall submit a corrective action plan to RIDE to address the school's NECAP performance and provide periodic updates to the Regents on its implementation.
- The school has developed a very innovative Two-Way Immersion, bilingual-education program where students spend 50% of their time learning in English and 50% of their time learning in either Spanish or Portuguese. This program is an essential element of the school's mission of preparing students to acquire dual languages and fostering cross-cultural understandings.
- The school is a very positive and supportive learning environment; has a very engaged faculty with great collegiality and very competent leadership.
- ICS has exceptional parent and community engagement
- School is very secure financially having had five years of budget surpluses and has demonstrated very sound fiscal management.

#### **Charter Amendments**

- Regents authorize an amendment to the ICS charter to allow the school to expand to middle-school grades 6,7, and 8; and authorize an amendment to expand the maximum enrollment from 270 students to 486 students. This

would accommodate an enrollment plan of 54 students per grade (3 classes of 18 students per grade) K-8.

- Regents endorse the ICS Two-Way Immersion bilingual education program and authorize an amendment to memorialize the program in to the school charter.

Regent Beretta commented on the school's low NECAP scores reminding Regents that it is important to remember that 62% of their students are LEP.

**MOVED AND SECONDED: THAT, The Board of Regents for Elementary and Secondary Education approves the reauthorization of the International Charter School, as amended, and in accordance with the provisions of the Regents' findings.**

**VOTE: Approved Unanimously.**

Keith recognized Board members, faculty, and staff from the school.

Regent Callahan congratulated Regent Grove on all his hard work on behalf of the charter schools. Steve Nardelli, Director the of League for Charter Schools offered his congratulations to the three schools and thanked the Board and RIDE for their support and their high quality review.

#### Approval of Appeals

##### Donald Proto v. Providence School Board

Legal Counsel for the Board, Howard Haronian read the decision as attached.

**MOVED AND SECONDED: That in the Matter of Donald Proto v. Providence School Board, the Commissioner's Decision is Affirmed.**

**VOTE: Approved Unanimously.**

##### Providence School Board v. Michael Dame – Rhode Island Department of Elementary and Secondary Education v. Michael Dame

Mr. Haronian read the decision as attached.

**MOVED AND SECONDED: THAT, in the Matter of Providence School Board v. Michael Dame – Rhode Island Department of Elementary and Secondary Education v. Michael Dame the Commissioner's Decision is Affirmed.**

#### Endorsement of Policy Guidelines Relating to HIV/Hepatitis

RIDE staff member Midge Sabatini reviewed the proposed changes to the Policy Guidelines relating to HIV/Hepatitis, as attached. She told the members of the Board that the policy has been revised and updated from language adopted from the Johnston School Department HIV policy. They had included HIV and Hepatitis in their yearly submission – other changes were updated information, current links, resources, and contact information. Commissioner McWalters told Board members that this is a routine visit to an existing policy that are guidelines, rather than regulations. He explained that the proposed guidelines do not require approval for public hearing – but for board endorsement for transmittal to the schools. RIDE Legal Counsel, Jennifer

Wood provided the group with procedural context – that the regulations overseeing school health programs require that the departments of health and education jointly propose guidelines for the schools relating to HIV and Hepatitis transmission. The regulations require that the guideline document be routinely updated.

**MOVED AND AECONDED: THAT, The Board of Regents for Elementary and Secondary Education Endorse the Rhode Island Department of Education and Secondary Education & Rhode Island Department of Health’s Policy Guidelines Relating to HIV/Hepatitis as Presented.**

**VOTE: Approved Unanimously.**

### Functionality Matrix

RIDE Deputy Commissioner, David Abbott provided the Board with a brief introduction of the agenda item – A Functionality Framework for Educational Organizations: Achieving Accountability at Scale. He explained to the Board that the central concept is a statewide system of public education where each level works in concert with every other level, and in which peer-driven accountability is fully supported by external efforts to build capacity and enhance performance. Mr. Abbott talked about a comprehensive education strategy – setting high standards and clear expectations for student achievement; measuring school and student progress toward the shared standards; and ensuring accountability for results in terms of achievement; and highlighted the Functionality Framework – the development of a series of functions at classroom, school district and state level. He explained that the information will serve to revise school improvement plans and district strategic plans and realign them to current data, including budget and finance data.

Using this matrix, the department will be able to make our information systems relevant to the decisions facing instructional leaders; anchor needs assessment and planning in clear expectations; improve the integration of school, district and state initiatives; and, provide a basis for evaluating reform efforts. It will give us a more detailed picture of what is going on at all levels. Regent Callahan expressed her interest in a look at the rollout for districts and asked if all the aggregate data will be available to the public. Because of the absence of three members of the Board, it was decided that Mr. Abbot would give a complete presentation at a future meeting.

### Budget and Legislative Report

RIDE Special Assistant for Legislative Affairs, Andy Andrade and RIDE Director of the Office of Finance, Carolyn Dias distributed information reporting on all 285 education related bills that were considered by the State House and Senate this year. He then highlighted some of the key legislation and Budget articles enacted in 2006 as follows:

#### **S-2142 and H-6749 (Separation of Powers – Education)**

Working with legislative leaders and the Governor’s office, RIDE was able to amend the original legislation to remove language that would make the Chairperson of the Board of Regents for Elementary and Secondary Education a nonvoting ex-officio member of the Board of Governors of Higher Education. In addition, the Board of Regents within 90 days after the end of the fiscal year shall submit a comprehensive

annual report to the Governor, the Speaker of the House of Representatives and the President of the Senate of its activities during that fiscal year.

**S-2696 and H-6968** This legislation mandates that all Rhode Island elementary, middle, and junior high schools are required to offer “healthy” beverages effective January 1, 2007 and “Healthier snacks” effective January 1, 2008.

**S-2531 and H-6853 Sub A**

This act provides that RIDE, along with the Department of Administration, shall develop a plan for the establishment and implementation of a statewide purchasing system for all public schools in Rhode Island. The budget did not provide funding for this plan and thus RIDE is unable to add staff, consultants or particularized expertise in support of this project.

**S-2489 Sub A and H-7841 (Governor)**

This act directs RIDE (working with DOA and RIPTA) to plan, create and implement a statewide system of transportation for students with special needs. RIDE will look to RIPTA to help provide the direction and resources needed to complete the transportation plan. Finally, the budget did not provide funding or FTE for this plan and thus RIDE is unable to add staff, consultants or particularized expertise in support of this project.

**S-3050**

This legislation is a comprehensive tax reform bill that was the centerpiece of the 2006 Senate agenda. RIDE will inform the school districts that the legislation has significant impact upon future budgets. For example, beginning in FY 2008 school committee budgets shall not exceed 105.25% of the total of municipal funds appropriated by the city or town for school purposes for FY 2007 (exclusive of state and federal aid). The percentages go down every year by .25% until 2013. In FY 2013, school committee budgets shall not exceed 104% of the total municipal funds appropriated for school purposes for FY 2012.

**S-2094 Sub A and H-6779 Sub A**

This legislation significantly increases the reporting requirements and the workload for the Office of Finance regarding outside contracts or agreements valued at \$100,000 or more. The Office of Finance is currently down 2 FTE's and is struggling to maintain the fiscal oversight of the Department and State Schools.

**H-7066**

This act adds to the existing powers and duties of the Board of Regents the responsibilities of supervision, administration and control of the RI Vision Education and Service Program (RIVESP) which includes governance, funding and programming of the RIVESP and the appointment of an advisory board. The Board of Regents must now annually report to the General Assembly regarding RIVESP. This act will also require the Board of Regents to establish initial qualifications and term of offices of members of the board of trustees of the advisory committee. Recommendations from the advisory board could have unforeseen budgetary impacts.

**Article 19 ~ Speech Pathologists Salary Supplements (\$265,000):** The FY 2007 Enacted Budget includes \$265,000 to provide an annual \$1,750 salary supplement to any licensed speech language pathologist who is employed by a school district, and who has acquired a certificate of clinical competence from the American Speech-Language-Hearing Association. Payment would be made to the employee by the school department upon proof of certification and the state would reimburse the local school district for these costs. Certificate of Clinical Competence (CCC) is not a

requirement for licensure of speech pathologists by the Department. This change will require staff to design, implement, and then administer this stipend at a time when RIDE does not have adequate staff to maintain its current services.

**Article 39A – State Mandates:** Article 39A creates the requirement that the Department of Education perform a fiscal impact statement for every regulation proposed to be promulgated by the Board of Regents. For regulatory initiatives that will mandate the expenditure of funds, such initiatives cannot become effective until July 1 of the calendar year following promulgation. Adding this level of oversight necessitates a substantial commitment of resources within RIDE that does not currently exist. The impact of delaying important regulatory initiatives is difficult to predict, but will have an impact. There is also the possibility that some mandates will be “funded” in some districts, but not in others, creating yet another level of analysis and program oversight that will further impact an already overburdened department, struggling to meet cuts in personnel and budget.

**Article 24 Sub A as amended - Tax Credits for Contributions to Scholarship Organizations.** Article 24 creates a corporate tax credit for businesses that contribute money to private and parochial school scholarship funds. The maximum amount of the corporate tax credit is \$100,000. The tax break is 75% of the contribution for a one-year contribution, and 90% for a two-year contribution. The total aggregate amount of all tax credits shall not exceed one million (\$1,000,000) in a fiscal year.

**Article 19 – Statewide Science Curriculum**

The Board of Regents for Elementary and Secondary Education shall select and/or develop a statewide curriculum in Science for Students in grades K – 12 by August 31, 2008. The General Assembly appropriated \$200,000 that was recommended by the Governor.

Ms. Dias reported on the FY '08 targets. She said that the department has not received official notification on the FY 2008 budget targets. However, preliminary information is indicating that the state is projecting a \$300M deficit, which could result in a 10–15% target reduction for cabinet agencies.

**Regents Committee Reports**

**Administrator & Teacher Quality** – Regent Karen Forbes reported that there had been a joint meeting with the Certification Advisory Board about the certification of literacy advisory coaches and the Regents Administrator & Teacher Quality committee had a follow-up meeting to discuss the issues and recommendations and were coming to a consensus. They also discussed the changes to the certification requirements for Principals and will be bringing the item before the board for approval within the next couple of months.

**Finance & Personnel** – Committee Chairman, Bob Camara announced that there is a Finance Committee meeting scheduled to discuss the FY'08 preliminary budget planning on Thursday, July 20 at 9:00 a.m.

**PS&I** – Chairman of the Regents PS&I Committee, Patrick Guida reported that RIDE Director of the Office of Progressive Support and Intervention, Mary Canole has prepared a year-end report.

**CASP** – Regent Colleen Callahan reported that the review of the “Regulations of the Board of Regents for Elementary and Secondary Education Regarding Literacy, Proficiency Based Graduation and Restructuring of the Learning Environment at the Middle and High School Levels” has been completed and will be brought before the Board for approval at the August 10, meeting.

**Commissioner’s Report**

Commissioner McWalters reported that the Commissioner’s Review Process had been completed and had gone well. The Regents will receive a full report at a future meeting.

Regent Callahan congratulated Shane Lee who was accepted to URI.

**Executive Session**

There was no Executive Session.

**Adjourn**

With unanimous consent the meeting adjourned immediately at 5:50 p.m.