

**RHODE ISLAND BOARD OF REGENTS FOR ELEMENTARY AND SECONDARY EDUCATION
MINUTES OF MEETING – DECEMBER 19, 2007**

A meeting of the Rhode Island Board of Regents for Elementary and Secondary Education was held at the Shepard Building - 255 Westminster Street, Providence, RI 02903 & convened at 3:00 p.m.

In Attendance:

R. Flanders, A. Beretta, C. Callahan, R. Camara, A. Davis, K. Forbes, P. Guida, and G. Grove.

Public Remarks

There were no public remarks.

Chairman's Remarks

Judge Flanders wished everyone Happy Holidays and healthy and Prosperous New Year.

Approval of Minutes

MOVED AND SECONDED: That, the minutes of the Rhode Island Board of Regents Meeting of November 15 be approved with the following change: Regent Angus Davis was present.

VOTE: Approved unanimously.

MOVED AND SECONDED: That, the minutes of the Rhode Island Board of Regents Meeting of December 5 be approved with the following change: Regent Angus Davis was present.

VOTE: Approved unanimously.

Approval of Special Education Regulations

Commissioner McWalters presented his recommendations on the special education regulations based on discussions with staff and Regents at the various workshops. He told the members of the Board that he had made an adjustment to the first draft of the regulations on the timeline of the implementation for parentally placed students and the speech and hearing IEP exercise. He said that on the issue of the removal of class size caps and case loads, he is confident to have recommendations on guidelines ready by mid January, 2008. The Regents will then be able to act on them before the regulations take affect on July 1, 2008.

The proposed changes are as follows: Extended school year services will be determined through the IEP process on an individual basis; Class size maximums for self contained classrooms and case load ratios will be determined based on the needs of students within a district. The Department of Education will continue to give guidance and to monitor the district plans and results, and, as an additional safeguard, the commissioner will have the authority to intervene when necessary; Parentally placed private school students will continue to receive FAPE from the district where the student resides as well as a service plan from the district where the private school is located through the 2008-2009 school year. As of July 1, 2009, PPPSS will receive services through a service plan based on proportionate share only;

Speech and language shall remain a special education service for students through age eight.

Regent Callahan expressed her concerns about the elimination of the caps. She reminded the group that there had been a lot of testimony against the proposal. She also told the members of the board that it is the Regents and RIDE's responsibility to assess the needs of students with disabilities, assign personnel in accordance with those needs, and evaluate the delivery of services to determine whether the agency's program conforms to the requirements of the regulations and the Individuals with Disabilities Act.

MOVED AND SECONDED: THAT, The Rhode Island Board of Regents for Elementary and Secondary Education Approve the Changes to the Special Education Regulations, as Presented.

VOTE: Approved 7-1; (Regent Callahan voted against the motion)

Approval of Board of Regents Secondary Regulations, for Public Hearing

Assistant Commissioner David Abbott and Regent Colleen Callahan presented the changes to the Board of Regents High School Regulations originally passed in 2003. Ms. Callahan told the members of the Board that the BOR Committee on Academic and School Programs (CASP) has been working on revisions to the original High School Regulations for over one year to clarify and clean up some of the language; include the middle schools in the regs.; include a "definition" section; add new language to underscore the need for proficiency in six (6) core areas; expand literacy expectations from HS students to all students who did not demonstrate reading proficiency in preceding state testing; include language that determines proficiency in a holistic way – through course work, applied learning, and state testing; create a "Regents approved diploma"; and expand the requirements of common planning time.

There was an extensive discussion about the performance-based diploma assessments, specifically, the distinction between completion of courses and demonstration of proficiency through two alternate measures of the district's choosing and the use of state assessment results for high school graduation. Regent Callahan told the group that the proposed language is the result of a compromise position that requires state testing to represent "no less than 20 percent and no more than 33 1/3 percent" of all graduation factors. Regents expressed concern about the state assessments counting for only 33 1/3 percent.

Group Discussion took place concerning the protections in place for students that don't do well on the state test. It was decided that a reference be added to ensure that district's have a policy in place that describes the rights of students and families to appeal graduation decisions and which must recognize avenues for alternate methods for measuring the student's overall proficiency in the requisite six core academic areas.

MOVED AND SECONDED: THAT, the Rhode Island Board of Regents for Elementary and Secondary Education Approves, for Public Hearing, the Secondary Regulations, as amended.

VOTE: Approved Unanimously.

BOR Committee Reports

Educator Quality – Karin Forbes, Chair of the Educator Quality Committee said that the date of the next meeting is January 9. At that time, the group will consider recommendations to the full Board on raising certification fees, changing the certification process to an on-line application, and changes to certification regulation requirements.

State & Charter Schools – The members of the BOR State and Charter Schools Committee visited Central Falls Charter Schools on 12/10 to look at the ELL statute. The Charter Schools Committee will be scheduling another meeting in the near future to discuss how and when to bring about needed changes to the charter schools legislation.

Appeals – A hearing on the continuation of the Providence Variance has been scheduled for December 27 at 10:00 a.m.

PS&I – Regent Guida distributed an end of the year PS&I report. There are four additional districts in need of improvement for a total of ten. Commissioner's visit to Hope high school took place last month and there were no surprises.

Commissioner's Report

Commissioner McWalters updated the group on the Commissioner's Review. He joined the Governor to visit Mount Hope High School in Bristol and will visit Westerly High School tomorrow.

Budget update - Once the Governor has all the materials from the budget office, Chairman Flanders will ask to meet with the Governor.

Executive Agenda

As per R.I.G.L. 42-46-4 & 5a, the meeting adjourned at 4:55 p.m. for Executive Session.

The meeting reconvened to open session at 5:05 p.m.

MOVED AND SECONDED: THAT, the Minutes of the Executive Session be Sealed.

VOTE: Approved Unanimously.

Adjournment

With unanimous consent, the meeting adjourned at 5:10 p.m.