

Rhode Island Board of Regents for Elementary & Secondary Education
Minutes of January 8, 2009

REVISED

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 4:00 p.m.

In Attendance:

R. Flanders, P. Guida, C. Callahan, A. Davis, A. Cano-Morales, K. Forbes, B. Shimberg, and A. Beretta

Public Remarks

Jacquelyn Lamoureux, Greenbush Elem. School Librarian and past President of the RI Education Media Association, spoke to the Board about the BEP. She urged the Regents to keep the requirements for teacher librarians in the BEP.

Chairman Remarks

Chairman Flanders commended the RIDE staff that have been working on providing the Governor's office with budget saving proposals to achieve savings through state-wide efficiencies.

Approval of Minutes

Chairman Flanders presented the minutes of the December 10, 2008 meeting.

MOVED AND SECONDED: THAT the Rhode Island Board of Regents for Elementary and Secondary Education Approves the Minutes of the December 10, 2008.

VOTE: Approved unanimously.

Approval of Appeal

Anne Gorman v. Jamestown School Committee

Chairman of the Board of Regents Appeals Committee, Amy Beretta read the decision of Anne Gorman versus Jamestown School Committee, as attached.

MOVED AND SECONDED: THAT, in the matter of Anne Gorman v. The Jamestown School Committee, the Decision of the Commissioner is that if a resolution cannot be accomplished within 45 days of this decision, the Commissioner shall, at the request of each party, convene another hearing to determine the legal remedies to which Ms. Gorman is entitled.

VOTE: Approved Unanimously.

Budget Update and Discussion on Budget "Savings" and Funding Formula Principles

Re: Budget "Savings": Chairman of the Board of Regents Finance Committee, Betsy Shimberg spoke to the group about the proposed cuts to education aid, as proposed by the Governor. She urged the Regents to support those cuts that are the least hurtful to Rhode Island students. RIDE Director of Finance, Carolyn Dias explained that RIDE staff had sought input from district Superintendents on possible cuts and then had sent over to the Governor recommended cuts from two sources: the permanent school fund and the suspension of professional development funds. The Governor also included deferments in payment to teachers' retirement funds and a \$10M cut from Providence. Ms. Dias reminded the group that any proposed cuts would need to be approved by the General Assembly. She also discussed with the Regents the "opportunity" factor of reviewing cuts to the state's education budget, i.e., looking at teacher contracts and mandates.

Commissioner McWalters distributed a chart showing the reductions in local aid by community. He pointed out the “accounting” changes in general revenue sharing, permanent school fund and professional development; along with community based changes such as the motor vehicle tax phase –out, property reevaluation, library construction aid, housing aid and pension savings. He reminded the Board that all of the proposals reflect the seriousness of the fiscal environment but are only proposals until approved by the legislature.

Next, Carolyn Dias distributed an outline of the Governor’s Supplemental FY ‘09 Budget proposal and reviewed the cuts, in detail as follows: Statewide School Food Services program – amends Chapter 60 to add a new section entitled “Statewide School Food Services Program which authorizes the Department to procure the services of a food services management company to service all districts and public schools in the state; Statewide school health and dental benefits – would remove from the scope of collective bargaining between certified teachers and other employees in the public school system of any city, town or regional school district the subjects of health, vision, and dental benefits and health/dental insurance coverage. Would realize approximately \$17.1M savings; Statewide purchasing system and programs – would establish a statewide purchasing system for goods, supplies and services to get the best possible prices for school district materials, supplies and equipment and would allow Rhode Island to join other consortiums across state lines; Transportation of public and private school pupils – would require a statewide system of transportation for special needs students and the eventual implementation for all students. Ms. Dias told the members of the Board that she is not sure if this proposal is needed any more. The districts are voluntarily cooperating to carry this out. Potential savings could be between \$3 and \$5 M; School bus monitors – would relieve school districts of the requirement to provide school bus monitors - estimated \$12M savings; School Budget Resolution – makes application of budget caps mandatory in court proceedings seeking additional school funding and creates a three member budget resolution panel to resolve a school budget impasse when state, school or general revenue sharing aid is reduced; Certified Nurse-teacher would amend 16-21-8 that requires that school nurses be certified as teachers. 2.6M savings; Teacher Tenure and Notification of Dismissal moves date of notification of non-renewal of teacher contracts from March 1 to June 1; Collective bargaining fiscal impact statements amends 16-2-21.6 and 45-2-22 to require towns, cities and school committees to post proposed fiscal impact statements and collective bargaining agreements on the appropriate town or city website 30 days prior to ratification; Dismissal of teachers in Woonsocket and Cumberland amends 16-12-6; Teacher Strikes amends 28-9.3-1 to explicitly prohibit “work to rule”; Intervention and Support for Failing Schools enhances the department of education authority under progressive support and intervention; Management Rights of School Committees secures school committees management control over issues that are not appropriate for collective bargaining; Education Aid 16-7-10 suspends the professional development investment fund allocation for FY 2009 only; Pension Reform 36-10-2, -9, -15, -15, and -35 sets minimum retirement age of 59 for state employees and teachers and eliminates cost of living adjustment for state employees, teachers, judges and state police who retire after April 1, 2009. New School and Municipal Realignment Commission creates a school realignment commission and a public safety and public works realignment commission; New Personnel reform requires that any collective bargaining agreement to which the State is a party be reviewed and approved by the state’s chief executive officer or his or her designee prior to becoming effective.

The group talked about district Superintendent concerns that the April 1 retirement dead line would disrupt schools and be detrimental to students who would lose teachers in the middle of the school year. It was suggested that the date should be changed to June 30th.

Re: Funding Formula Principles: Regent P. Guida distributed a draft “Guiding Principles for Education and Foundation Formula”. He told the group that the Board of Regents study committee had met immediately before this meeting and this was the product. David Abbott will review the document and a final copy will be circulated to the Regents for comment followed by the document being distributed to the various education constituent groups. The final document will then be brought back to the Regents for approval at its next meeting.

Commissioner’s Search - Update

Co-chairs of the Commissioner’s search Committee, Angus Davis and Amy Beretta reported that applications have begun to come in. They also urged the members of the Board to urge any potential candidate that they might know to apply. The next meeting of the committee will be held on January, 14. The agenda will include a discussion of the interview process. Then on February 11, the committee will go through the applications and “whittle down” the list for interviews. The final interview process that will include the members of the Board of Regents will be determined when the first interviews are completed. The group also discussed the need to address the letter from the Superintendents’ Association requesting that they be included in the final interviews. Regent Guida expressed his concern that the Superintendents aren’t more involved. Co-chair, Amy Beretta emphasized that there had been public meetings to gather input from education constituencies, such as the Superintendents and that a current Superintendent sits as a member of the Search Committee. Regent Colleen Callahan suggested that a forum be held where members of all of the various constituent groups would be able to meet the final two or three candidates. Following a brief discussion, it was decided that the Regents would stay with the process as originally planned, but will reiterate with the representatives from the various groups that sit on the search committee that they should keep their membership informed.

BEP Update

Deputy Commissioner, David Abbott distributed a table of contents from the original 1989 BEP and a DRAFT table of contents for the 2009 BEP. He informed the Regents that there are four RIDE groups working on the new BEP – Chapter 12/ Authority, Scope and Purpose of the Basic Education Program; Chapter 13/ Curriculum, Instruction and Assessment; Chapter 14/ Student and Family Supports for Academic, Work, and Career Success; and Chapter 15/ Administration, Management and Accountability of the Local Education Agency. He explained that the biggest change is the change from input measures to a functionality approach – how well does something work/what needs to happen? A staff draft will be reviewed next Friday; then the document will be reviewed by the Regents at the next Super Committee meeting.

BOR Committee Reports

State & Charter School Committee – There is a meeting scheduled next week.

Commissioner’s Report

Commissioner McWalters reported that:

- He and Chairman Flanders will be attending the ECS meeting in Boston next week;
- Regents Karin Forbes and Patrick Guida will be going to a NASBE meeting on January 23rd to attend the Governmental Affairs Committee and The Power of Partnerships and the Graduation Rate.

Adjournment

With unanimous consent, the meeting adjourned at 6:10 p.m.