

BOARD OF REGENTS FOR ELEMENTARY AND SECONDARY EDUCATION

**MEETING HELD AT:
Smithfield High School Library
90 Pleasant View Avenue
Smithfield, RI**

Thursday, December 2, 2010 4:00 p.m.

MINUTES

Regents Attending: R. Flanders, A. Davis, K. Forbes, A. Cano-Morales, P. Guida, B. Shimberg, A. Beretta

The meeting convened at 4:00 p.m.

Chairman Flanders introduced Smithfield Superintendent Robert O'Brien and Smithfield High School Principal Daniel Kelley and thanked them for hosting the meeting. He also recognized the Chair of the Smithfield School Committee, Virginia Harnois, and school-committee members Richard Iannitelli, Albert LaGreca, and Joan LaFanci.

Commissioner's Report

Update on Lowest-Achieving Schools: Commissioner Gist updated the Regents on the RFP process for Lowest-Achieving Schools. She told them that the Department is preparing a Request for Proposals/ Letter of Interest for the pre-approval of educational-management organizations (EMOs) to implement the "restart" model for turning around Persistently Lowest-Achieving Schools. She outlined the steps that have been taken to prepare for this process, including reviewing Request for Proposals/Applications from other states to identify common requirements and concerns, examining a representative set of school operators and school-turnaround organizations, and contacting several potential school operators to assess readiness and interest to respond to a Request for Proposals/Application. She said that the Department has received positive feedback from several of the contacted groups and that pre-approving several EMOs to operate in the state will help to decrease barriers for districts that choose the "restart" option and expedite intervention by the Commissioner and the Board of Regents if reconstitution is deemed necessary. The Department will continue working toward the Transformation Office's goal of attracting high-quality school operators to Rhode Island as we reach out to potential applicants to turn around low-achieving schools.

Next, the Commissioner reported on Central Falls and Providence as follows:

- **Central Falls:** CFHS has completed an entire round of teacher evaluations and will be providing direct supports to teachers who have scored “basic” or below. Central Office, Judge Pfeiffer (receiver), local police, and State Police have met several times to discuss the role of police presence in the building, given large numbers of teacher complaints about student behavior. RIDE staff are a presence in the building and they consistently report that they are not seeing the disruption alleged by certain teachers.
- **Providence:** The Department has been in close contact with USED regarding the management-labor compact submitted by Providence as part of its restart model. The Department will provide Providence with detailed feedback about the compact and its four school-reform plans in the next week.

Update on Charter School Applications: Commissioner Gist reported that the Department has received four new charter public school applications:

1) Meeting Street - A proposal for a hybrid, full inclusion K-8 charter that will serve general education and students with severe and profound disabilities in the same classrooms.

2) Unsure of Name, haven't seen application yet - A proposal for a new mayoral academy in Providence.

3) Ocean State STEM Academy - A proposal for a STEM charter public high school.

The Office of Transformation will be reviewing these applications for completeness and providing feedback to applicants over the next three weeks. The Department will continue to accept applications until March 1, 2011, for openings in the 2012-13 school year. The Commissioner told the members of the Board that she has also received a letter from Cranston Mayor Fung saying that he will be submitting an application to open a mayoral academy charter school.

Public Remarks

The following people spoke to the Board during Public Remarks:

Paul Stroup, Chair of the Rhode Island Special Education Advisory Committee, addressed the members of the Board about the secondary regulations. He said that at RISEAC’s monthly meeting in October, the group recommended a multi-pathway system in which students could earn their diploma and earn special distinction of merit for meeting higher benchmarks. A complete copy of Mr. Stroup’s remarks is attached.

Daniel Kelley, Smithfield High School Principal, commented on the short timeline for the implementation of the high-school regulations and the movement away from multiple measures.

Joseph Battaglia, Metropolitan Career and Technical High School, criticized the emphasis on the state assessment requirement for graduation.

Steve Nardelli, RI League of Charter Schools, thanked the Regents and Department for all of their work on the Charter School regulations and for including the members of the League of Charter Schools in their deliberations.

Mathew Plain, Attorney, spoke to the Regents on behalf of the League of Charter Schools. He suggested that the wording of the regulations referring to "jurisdiction, as established by the Commissioner..." needs to be more specific about exactly what the guidelines are. Additionally, on the issue of charter revocation for "...good cause," the language is too vague and the language is already outlined in the charter-school law anyway.

Janice LeBrun and son Ryan spoke to the Board about the emphasis of the NECAP assessment on the graduation requirements. Ms. LeBrun explained that her son Ryan has an IEP and does very well in school, but cannot pass the NECAP exam.

Joop Nagtegaal, President of the Paul Cuffee Charter School Board of Trustees, spoke about section C.2.1(b), and said that he feels that this section of the regulations over-regulates the day-to-day operation of the school. Mr. Nagtegaal specifically cited the section of the regulation that requires that the Regents approve every change in student-discipline procedures and changes in terms of employment. He asked that the Regents consider modifying that section of the regulations.

Chairman's Remarks

Chairman Flanders invited the Rhode Island 2010 Milken Award winner, Dale Blaess, to join him at the front of the room. Chairman Flanders told the Regents that Ms. Blaess has been a full-day kindergarten teacher at the William J. Underwood School, in Newport, for the past eight years and a lead teacher for mathematics, science, and literacy. Chairman Flanders called Ms. Blaess a "...great kindergarten teacher... has a positive effect on every grade in her school and on every pupil in her grade." He then presented her with a Board of Regents certificate of achievement.

Approval of Minutes of the Board of Regents Meeting of November 4, 2010; and November 18, 2010 Work Session

MOVED AND SECONDED: THAT, the Rhode Island Board of Regents for Elementary and Secondary Education Approve the Minutes of the Board of Regents Meeting of November 4, 2010; and Minutes of the November 18, 2010 Work Session.

VOTE: Approved Unanimously.

Approval of Commissioner’s Regulations Governing Rhode Island Charter Schools
Commissioner Gist reminded the Regents that these regulations are being brought to them for approval for public hearing and are the product of a summer workgroup with a representative group of charter-school leaders and members of RIDE’s Office of Transformation; Office of Assessment; and Office for Student, Community, and Academic Supports. They cover all key areas of charter-school policy, including the application process, ongoing oversight, lotteries, and charter renewal and revocation. The first revision was presented at the last work session. The substantive changes were at the request of the USDOE so that RIDE could meet the requirements for the Charter School Program grant. Today’s version is the second revision and includes very minor updates. Grammatical errors were corrected in sections C-1-4(h)(iii), C-7-1(a), and C-7-1(c), and the language regarding third-party contracts in section C-2-1(b) was altered to further specify the types of contracts that are eligible for minor amendments.

MOVED AND SECONDED: THAT the Board of Regents for Elementary and Secondary Education Approve the Regulations Governing Rhode Island Public Charter Schools, for public hearing, as attached.

VOTE: Approved Unanimously.

Approval of Policy Statement on Discrimination Based on Sexual Orientation
Commissioner Gist reviewed the revised policy statement on Discrimination Based on Sexual Orientation and Gender Identity/Expression. She said that the revisions were drafted as a result of comments received at the Board’s November 18 work session. This version expands the policy to include language that is currently in Rhode Island antidiscrimination law related to gender identity and expression. The new language strengthens the policy to specifically include bullying and **REQUIRES** (versus “urges”) school districts to address harassment and bullying.

MOVED AND SECONDED: THAT the Board of Regents for Elementary and Secondary Education Approve the Board of Regents Policy Statement on Discrimination Based on Sexual Orientation, as attached.

VOTE: Approved Unanimously.

Discussion of Changes to High School Graduation Requirements
Commissioner Gist presented the first draft of the proposed revisions to the secondary regulations. She told the members of the Board that this document includes three categories of proposed revisions:

- (1) Revisions made on the basis of the full board and board subcommittee deliberations between August and November 2010;

- (2) Administrative and clerical revisions that are recommended to ensure that the regulations are current, precise, clear, and reflective of current regulations and initiatives; and
- (3) Revisions that are the result of a review of implementation of the regulations to date and that address any unintended consequences of the existing language.

She then asked RIDE staff member Andrea Castañeda to review the proposed language. Ms. Castañeda walked the group through the proposed language changes relating to multiple measures, i.e., coursework, performance-based assessments, and the state assessment; the NECAP retake opportunity that focuses on growth as a means of students' demonstrating their eligibility for graduation; differentiated diplomas; the appeals process; and the "early-warning system." The Regents discussed at length the conjunctive nature of the multiple-measure design versus a compensatory system and that all the requirements will have an equal importance and weight for the purpose of determining graduation eligibility. The revised language will be brought back for further discussion at the next Board work session.

Adjournment: With unanimous consent, the meeting adjourned at 5:40 p.m.