

**BOARD OF REGENTS FOR ELEMENTARY AND SECONDARY EDUCATION
255 WESTMINSTER STREET
5TH FLOOR - PETER MCWALTERS CONFERENCE ROOM
PROVIDENCE, RI 02903**

WORK SESSION MINUTES

**THURSDAY, JANUARY 20, 2011
11:30 a.m. - 1:30 p.m.**

Called to order at 11:34 a.m.

Regents Present: Robert Flanders, Patrick Guida, Angus Davis, Betsy Shimberg, Anna Cano-Morales, Karin Forbes, Amy Beretta

Commissioner's Updates:

a. Update on Race to the Top (RTTT)

- The U.S. Department of Education (ED) is finalizing the review of our state and LEA scopes of work. We are awaiting final approval, which is dependent upon our finalizing the LEA budgets.
- ED has clarified the process for amending state scopes of work and has reinforced that awardees will be held accountable for implementing the plan as awarded. Substantial changes to activities, timelines, and budgets must get prior approval from ED through the amendment process they've laid out.
- We participated in an interview with the Government Accountability Office (GAO), which is conducting a study of Race to the Top with 19 states and the District of Columbia.
- We will be convening the Steering Committee in February to review quarterly progress.
- We are currently preparing the budget guidance for LEAs, describing how to submit budgets using the AccelaGrants process. This will be completed by the end of this month.
- We have hired UPD Consulting to develop RFPs and design the performance management system with RIDE and our LEAs.

b. Update on CTE Regulations

RIDE staff continues to work on the CTE Regulations. However, we are substantially behind the original ambitious timeline for CTE regulation promulgation in March 2011. The delays we are experiencing are largely the result of the need to thoroughly investigate the connections between the CTE regulations and:

- (1) Secondary regulations, which have taken a great deal of time to discuss, review, and revise;
- (2) The implications of the funding formula, which will change the current relationship between school districts and career and technical centers and, in turn, affect the content of the regulations;
- (3) The year-1 UCOA data, which will affect the way that the regulations approach funding for career-and-technical education programs of study; and
- (4) Our statewide efforts to develop a design framework for a multiple-pathway system, a system in which career and technical education is essential.

Staff have begun regular meetings to organize this work, and we will be able to come to the Regents with a revised timeline at the next board meeting.

c. Update on School for the Deaf

RIDE staff have continued to provide guidance and support for the School for the Deaf:

In December, we planned and facilitated a day-long strategic planning session for the school:

- More than 30 participants, including parents, school administrators, trustees, teachers, RIDE staff, and community members spent a Saturday developing a mission and vision for the school.
- The Board has been reviewing this work over the past two meetings, and they should formally adopt a new mission and vision in the coming weeks.

Director Lori Dunsmore, who was out on leave:

- Returned to work on January 6; and
- At the last board meeting, she notified the trustees that she will complete her contract but will not seek renewal in June.

RIDE has been working with the administrative team and the Trustees to put together a plan that ensures that the school has a stable team leading it through this transition.

In coming meetings, Regents will receive an update on our plans to conduct a search for a new director.

d. Update on Hearings

i. High School Regulations

- Two of the three hearings have been completed
- Between public comment and submitted written testimony, we have heard from a vast number of the public

At every opportunity, the Commissioner and RIDE staff have reiterated how much we value the comments presented through the hearing process, and the Commissioner will be bringing reports summarizing those comments to the Regents as soon as they are available.

Regent Shimberg asked if RIDE can do a video to get out the facts on the Diploma System, and post the video on the Web site. Regent Forbes asked for a scheduled work session on the Secondary Regulations revisions.

Deborah Gist: Underneath the feedback, there's fear sometimes, and a reflection of the culture we're trying to change in the state, that believes it's enough for them to graduate without the skills that diploma is supposed to represent. There is genuinely very valid feedback, but there's also a reflection there about beliefs about children's abilities.

ii. Public Charter Schools

The first public hearing went well:

- We heard testimony from 4 stakeholders (Steve Nardelli, Julie Nora, and two Highlander parents). 30 people attended.
- All expressed appreciation for the work to develop the regulations and were positive about RIDE's increasing its oversight and clarifying charter policies.

- Two main concerns were highlighted: 1) the new lottery date, and 2) Highlander's targets were not available in the fall before the latest NECAP.
- The next public hearing will be at CCRI Warwick. Doug Thaman, from National Assoc. of Charter School Authorizers (NACSA), will be giving testimony in support of the work we're doing. He will also present a thorough written analysis of the regulations with suggestions for improvement.

e. Legislative Proposals to Governor's Office

- i. Teacher Notification: Change the date from March 1 to May 15. This legislation has been introduced for the last three years. Last year it passed the House.
- ii. To ensure that the state and LEAs have the expertise needed to implement RTTT, we will propose legislation allowing persons employed by an LEA to work for the state for up to 90 days after retirement, and for state Department of Education retirees to work in an LEA for 90 days. This will allow the state to further utilize the unique experience of these retirees.

2. Update on Educator Evaluation System

Regents have received a copy of the "version .50 of the Educator Evaluation Model" in last week's e-mail. This document was also mailed to superintendents, assistant superintendents, principals, the heads of the AFT and NEA, ACEES, and educator preparation programs. It's also available on our Web site. This version provides the specifications for what we are field-testing in Johnston, Portsmouth, and the Beacon Charter School over the next few months. Following the adjustments we make based on what we learn during field testing, we will begin training district teams in order to prepare them for the graduated implementation of the model in the 2011-12 school year.

The evaluation model, particularly around student growth and learning, continues to receive a lot of attention and questions from the field. We are working hard to provide as much information as possible to communicate clearly and allay fears. It's so important that we understand the model, its purposes and supporting design features, as well as the processes we have in place to make sure that it is fair, valid, and reliable.

Mary Ann Snider and Lisa Foehr noted that our goal is to merge with the AFT model when all is said and done. RIDE and AFT will each field-test models this spring; we have established a joint working group to put the single model together. Field-testing will be small - just a few schools/teachers per district. It's not a full pilot; just to measure certain

components and the instruments in the system. The basic principle is that evaluation is an ongoing process throughout the year.

Regent Cano-Morales cautioned about the different capacities and infrastructure in urban districts, compared with suburban districts, noting that we cannot apply this model with the same broad brushstrokes across all districts.

Chairman Flanders asked how long under this model it would take to get rid of an ineffective teacher. Mary Ann Snider said the process for termination should begin if an educator is ineffective for 2 consecutive years. Regent Davis asked how recertification ties in to this model. Commissioner said that after 5 years of ineffective teaching the educator would not be recertified. Regent Cano-Morales asked what we can do to help students who have had an ineffective teacher – the liability goes beyond an individual educator. Mary Ann Snider said that our data system can track which students have an ineffective teacher to ensure they will not have an ineffective teacher for two years in a row. David Abbott said districts must ensure students have opportunities to learn even as teachers are being evaluated.

Mary Ann Snider said about 20% of teachers (grades 3-7) will have a student growth measure, based on NECAP, but this will not be their only measure for the evaluation. During next school year a standards evaluation committee will review teacher “ratings” and see which teachers fall into which rating level. Next year we will begin to establish evaluation procedures for administrators.

Regents asked for a presentation on the American Federation of Teachers and Health Professionals’ (RIAFTHP) model.

Mary Ann Snider: In late spring we will focus on how to evaluate educators in areas outside of reading and mathematics, e.g., the arts. We will work with Higher Education to determine what evidence would look like in different content areas.

Chairman Flanders encouraged RIDE to work with the RIAFTHP to get together on this model.

3. Update on Lowest Achieving Schools

A response to the School Improvement Grant application and School Reform Plans for Providence’s persistently lowest-achieving schools was sent to Providence. The letter details earlier revisions to both the application and school-reform plans necessary for final approval of the Restart Model.

In recent weeks, the Providence School Board has reached out to RIDE to engage with David Abbott and his team in discussions centered on total district improvement, but specifically ways they can collaborate with us to facilitate successful reform of the persistently lowest-achieving schools. We are encouraged by these interactions and look forward to continuing the dialogue with the committed leaders in Providence.

Commissioner Gist: RIDE has responded to Providence on its request for funding; we need additional information from Providence before we can provide funding for transformation of the lowest-achieving schools.

Deputy Commissioner Abbott: We have provided feedback on the management-labor compact. Specifically, we need to see the performance-management contract for managing the schools under the Restart model. Providence School Board has reached out to RIDE and asked for clarification on these issues. We have sent an expected timeline to Superintendent Brady. Report from Providence has 4 separate school-reform plans; each calls for extended time. RIDE needs more explanation about the choices made in each plan, about planned activities, and about proposed funding. We are on track right now in Providence. In Central Falls, things are looking brighter: teacher attendance has improved significantly, down from 9% to 4%; only one position still unfilled, and no more long-term substitutes. However: union president declined to participate in ED conference on collaboration, and we have expressed disappointment in that decision.

Commissioner Gist: It is a terrible opportunity to miss.

Deputy Abbott: Every teacher in high school has gone through evaluation; 15 (of 84) teachers are currently on improvement plans. Central Falls' collective-bargaining agreement expires in June; ground rules have not been agreed upon. Regents have an approval role regarding the teachers' contract. Going forward, funding will drop from \$12.3 million to \$2.3 million, over 3 years, for next round of 5 or more identified schools. We expect to identify next round of schools within next 2 or 3 weeks.

Regent Shimberg noted that she wants to ensure that we have the same presence in Providence intervention schools as we have in Central Falls. Deputy Abbott noted that we have a capacity issue and have struggled to hire staff who can work in school transformation.

4. Approval of Appeal – Certain Hope High School Students v. Providence School Board

Regent Beretta recommended that Regents either affirm, remand, or overrule Commissioner’s decision, and that, if it is affirmed, matter be sent back to the Commissioner for action.

Regent Forbes said if decision is not patently arbitrary or unfair, Regents must uphold the decision.

Chairman Flanders said Regents ought to uphold decision because it is based on regulations, which are clear; but, her decision does not deal with implementation. Enforcement of decision would have to occur mid-school-year and disrupt the schedule, as Special Visitor’s report notes, and teachers are against changing schedule. Chairman Flanders suggested upholding decision but deferring implementation till the next school year – especially as the Regents are considering changes to regulations that would obviate the whole need for doing this, i.e., the language prohibiting reducing common planning time may be removed from the regulations. The Chairman said he would hate to have school reconfigure at considerable expense and then next year go back to the old system, again at considerable expense. He recommended upholding the Commissioner’s and deferring enforcement: if regulation stays as is, then the school can implement the change. This way, Regents would do the least harm to the students.

Chairman Flanders made this as a motion. Regent Guida seconded the motion.

Deputy Abbott: Board cannot be arbitrary, but to the extent that it concerns matters the Regents are historically charged with such as the welfare of students, Regents may impose conditions on a decision. There is precedent for doing so.

Vote called; approved unanimously, to affirm but to defer implementation of the compliance till the end of the school year.

5. Review of Regulations Governing Teacher Competency in English

The proposed regulations for teacher competency in English were approved to receive public comment at the November 4, 2010, meeting. These regulations establish requirements to ensure that all educators employed in the public schools of Rhode Island are competent in the English language. These regulations are scheduled for a vote for approval at the February 3, 2011, meeting. RIDE is in the process of conducting a benchmarking study of the Versant test and will present the findings to the Board in April when the Commissioner will recommend that the Board of Regents adopt the test and qualifying score as required under these regulations.

The copy of the regulations given to the Regents includes formatting changes and one change in the content of the regulations from the version approved for public comment. The change in content shifts the responsibility of informing the teacher and the Commissioner of the results of the evaluation from the evaluators to the superintendent.

During the public comment period, we received two responses. The comments include requests that these regulations include a sunset provision and concerns regarding civil rights.

Commissioner noted that these regulations, ensuring that all teachers are competent in English, will go forward for approval at February meeting. RIDE is reviewing a test for competency in English, which will be used only on request by teachers whose competency is questioned by reviewers.

Phyllis Lynch summarized public comment: one comment called for focusing this initiative on the certification process and called for a sunset provision for the regulations. Public comment from RITEL raised concerns about level of training needed to support these regulations and the fact that no specific standard for competency is defined. Ms. Lynch said that RIDE is proceeding with training and with adopting a standard. Mary Ann Snider noted that we share concerns that RITEL has raised.

Regent Shimberg urged RIDE to examine certification and not allow this situation to occur again.

Regent Cano-Morales noted that the majority of concerns were about implementation as opposed to about whether Regents ought to adopt these regulations.

Adjournment:

With unanimous consent, the meeting adjourned at 1:05 p.m.