

1 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
2 CUMBERLAND SCHOOL COMMITTEE

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PROCEEDINGS AT HEARING IN RE:

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CUMBERLAND SCHOOL COMMITTEE

7 SPECIAL EDUCATION STAFFING POLICY
PUBLIC HEARING

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10 Cumberland High School
2600 Mendon Road
11 Cumberland, Rhode Island
March 26, 2009
12 6:30 A.M.

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14 BEFORE:

15 DONALD COSTA, CHAIRMAN
RYAN PEARSON
16 DANIEL PEDRO
BRIAN KELLY

17 LISA BEAULILEU
18 JOSEPH ROTELLA, ESQUIRE
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ALSO PRESENT: Donna A. Morelle, Ed.D, Superintendent
22 Lisa Colwell, Director of Special Ed.

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1 (COMMENCED at 6:32 P.M.)

2 MR. COSTA: I'd like to call the
3 public hearing of the Cumberland School Committee,
4 Thursday, March 26 at 6:30. First item on the
5 agenda is approval of the agenda.

6 MR. PEARSON: Motion to approve.

7 MS. BEAULIEU: Second.

8 MR. COSTA: Motion By Mr. Pearson,
9 seconded by Mrs. Beaulieu. Discussion?

10 (PAUSE)

11 MR. COSTA: Hearing none, all in
12 favor?

13 (VOICE VOTE)

14 MR. COSTA: Ayes have it

15 five/zip -- five/nothing. Next, public hearing,
16 A, special education staffing policy.

17 Mr. Rotella?

18 MR. ROTELLA: Yes. Mr. Chairman,
19 thank you. As we've done in the past, I will
20 moderate this agenda item, and at the end of the
21 public hearing, I will turn it back over to you
22 for adjournment.

23 Just for the record, I'm going to put in the
24 statement, and I believe that we have Mrs. Colwell
25 ready to come in and give some testimony or some

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1 statements regarding the special education
2 staffing policy. Right now, we are dealing with a
3 policy that is in draft form. Justification of
4 this policy is that recent changes to the Rhode
5 Island Board of Regents' regulations governing the
6 education of children with disabilities became
7 effective July 1, 2008. These regulations now
8 require that school districts, also referred to as
9 Local Education Agencies, LEAs, have a staffing
10 policy for special education to guide staffing
11 patterns based upon an assessment of the needs of
12 the students with disabilities, assignment of
13 personnel in accordance with those needs, and an

14 evaluation of the delivery services. The staffing
15 policy must be filed with the Department of --
16 Rhode Island Department of Education.

17 The intent of the policy is this: According
18 to the Rhode Island Department of Education, the
19 intent of the new regulations as they pertain to
20 special education staffing plans is to encourage
21 school districts to exercise flexibility and
22 creativity in the manner in which they assign
23 staff members to address the strengths and needs
24 of students with disabilities and to provide
25 support for all students in need of intervention.

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1 According to RIDE, to comply with this
2 requirement the district must develop its policy
3 through a public process.

4 As of this date, Cumberland Public Schools
5 has taken the following steps to comply with this
6 requirement:

7 On January 6, 2009, the Rules and Regulations
8 Subcommittee convened -- of the Cumberland School
9 Committee convened with Facilitator, Mr. David
10 Kane, from the Center for Education Law and
11 Policy. At that meeting the draft policy was
12 developed.

13 On February 24, 2009 the policy was posted in
14 the Cumberland Public Schools website for public
15 comment for a period of 30 days. Procedures for
16 submitting public comment were also indicated.

17 Number 3, notification for offering public
18 comment was communicated through the Cumberland
19 School Committee E-news, the Local Education
20 Advisory monthly meeting and list-serv and public
21 school committee agendas. So we have taken all of
22 those steps at this point in time.

23 One of the other requirements that RIDE does
24 require, according to this particular directive,
25 is to hold a public hearing. We have advertised

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1 this public hearing and we have convened the same
2 at 6:30 this evening, and if there is anyone in
3 the audience, besides Lisa, who would like to
4 speak, we would entertain all speakers.

5 (PAUSE)

6 MR. ROTELLA: Lisa, would you like to
7 put a statement on the record?

8 MS. COLWELL: Good evening. My name
9 is Lisa Colwell, I'm director of special education
10 for the Cumberland Public Schools. Mr. Chairman
11 and school committee members, the special

12 education staffing policy that you will be hearing
13 testimony on this evening is in response to the
14 changes in regulations that govern the students
15 with disabilities in the State of Rhode Island.
16 Prior to these new regulations, the assignment of
17 students with Individualized Education Plans --
18 the assignment of students with IEPs to special
19 educators was merely based on -- assignments was
20 merely based on number and caseload maximums.
21 Through the adoption of the special education
22 staffing policy, students with disabilities who
23 attend Cumberland's Public Schools will continue
24 to have an available continuum special education
25 and related services. However, the important

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1 point to note is that students -- however, the
2 important point to note is that students will no
3 longer be equated to just simply caseload
4 maximums, and special education providers will
5 be -- assignments will be based simply on student
6 need. The assignment of students based on student
7 need will continue to allow students to have a
8 free and appropriate public education.

9 As the director of the special education
10 department and the leader in special education in

11 the Cumberland Public Schools, I do support the
12 policy that has been developed, because I believe
13 that student needs should be at the core of
14 personnel assignments versus mere numbers. Your
15 support in the adoption of the staffing policy is
16 strongly urged. Thank you.

17 MR. ROTELLA: Is there anyone else
18 present who wants to make a statement with regard
19 to this public hearing and the public policy?

20 SUPERINTENDENT MORELLE: Thank you.
21 Dr. Donna Morelle, superintendent of schools in
22 the Cumberland Public Schools. The draft special
23 education staffing policy that you are hearing
24 testimony about this evening is a pivotal policy
25 for the Cumberland Public Schools because of the

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1 shift that Ms. Colwell spoke to in her previous
2 testimony, specifically, the shift that reiterates
3 that all students who are protected under IDEA
4 will still receive a free, appropriate, public
5 education, known as FAPE. However, it is the
6 responsibility of the school department to analyze
7 student needs and to identify appropriate staffing
8 patterns based on those student needs, which means
9 that using our professional expertise, we will

10 design a staffing plan based on the changing needs
11 of students and/or anticipated student needs
12 rather than rigid case size -- case management or
13 caseloads that are designated without regard for
14 student learning needs.

15 As I know, focus of the entire strategic
16 decision-making patterns in the Cumberland Public
17 Schools over the past many years has been to move
18 our decisions towards meeting the needs of 100
19 percent of the students 100 percent of the time,
20 and I believe that this special education staffing
21 policy supports that strategic direction, and I
22 also strongly urge you to move this policy after
23 taking public testimony.

24 Clearly, if there are any new pieces of
25 information that you hear this evening, then we

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1 will take those back to the Rules and Regulations
2 Subcommittee before bringing them forward to the
3 full committee. Otherwise, I would urge you to
4 consider this policy in the form as it stands now,
5 and I thank you for your consideration of the
6 policy.

7 MR. ROTELLA: Thank you, Dr. Morelle.

8 Is there anyone else who would like to make a

9 statement with regard to the staffing policy for
10 special education?

11 (PAUSE)

12 MR. ROTELLA: Mr. Chairman, at this
13 point in time, I will turn the meeting back over
14 to you to complete the agenda.

15 MR. COSTA: Thank you, Mr. Rotella.
16 Do we have any questions of the committee?

17 MR. KELLY: I would make a motion to
18 close the public hearing.

19 MR. COSTA: Motion to close the
20 public hearing.

21 MR. PEARSON: Second.

22 MR. COSTA: Motion by Mr. Kelly,
23 seconded by Mr. Pearson. Discussion?

24 (PAUSE)

25 MR. COSTA: Hearing none, all in

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1 favor, Aye.

2 (VOICE VOTE)

3 MR. COSTA: Comments strictly to the
4 committee. Mr. Kelly? Does anybody have any
5 comments? Mr. Rotella, the next -- we would have
6 to report this out at the next meeting in April,
7 am I right, to have it read?

8 MR. ROTELLA: Not necessarily.

9 Whenever the committee chooses.

10 MR. COSTA: Does this have to go back
11 to the rules and regs for their endorsement, or
12 they've already lost it? Have you endorsed this
13 policy to your meeting?

14 MR. ROTELLA: The discussion took
15 place that it would go back to the committee and
16 then there would be, I would assume, further
17 discussion there and vote to bring it back out to
18 the full committee.

19 MR. COSTA: That's fine.

20 MR. ROTELLA: Then you have to go
21 through the whole process of first reading, second
22 reading, et cetera.

23 MR. COSTA: Then just take a vote.

24 MR. PEARSON: Make a motion to
25 adjourn.

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1 MR. COSTA: Motion by Mr. Pearson to
2 adjourn -- Mrs. Colwell?

3 MS. COLWELL: I just wanted to let
4 you know that public comment for -- written public
5 comment is still open. So it's still listed on
6 the website, so you know.

7 MR. COSTA: In case anybody wants

8 to --

9 MS. COLWELL: That's correct. There
10 is still the potential for folks to submit written
11 comment.

12 MR. COSTA: Okay, that's fine. Thank
13 you. Motion by Mr. Pearson to adjourn.

14 MR. KELLY: Second.

15 MR. COSTA: Seconded by Mr. Kelly.

16 All in favor?

17 (VOICE VOTE)

18 MR. COSTA: Ayes have it, five to
19 nothing. That concludes our 6:30 public hearing
20 on the special ed policy staffing. Thank you.

21 MR. ROTELLA: Thank you.

22 (HEARING CLOSED AT 6:45 P.M.)

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1 C-E-R-T-I-F-I-C-A-T-E

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I, LINDA L. GUGLIELMO, do hereby certify that

3 the above is a true, accurate and complete

transcript of my notes taken at the time of the

4 above entitled hearing.

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IN WITNESS WHEREOF, I have hereunto set my hand
6 this 1st day of April 2009.

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LINDA L. GUGLIELMO, NOTARY PUBLIC/RPR-RMR

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(MY COMMISSION EXPIRES AUGUST 13, 2009)

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IN RE: CUMBERLAND SCHOOL COMMITTEE - SPECIAL
13 EDUCATION STAFFING POLICY PUBLIC HEARING
DATE: MARCH 26, 2009

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