



Angélica Infante-Green  
Commissioner

State of Rhode Island  
**DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**  
Shepard Building  
255 Westminister Street  
Providence, Rhode Island 02903-3400

January 30, 2024

**TO:** Members of the Council on Elementary and Secondary Education

**FROM:** Angélica Infante-Green, Commissioner

**RE:** Review of Public Comment and Amended Proposed Regulations Pursuant to R.I. Gen. Laws § 16-7.1-5.1

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Attached, please find the amended proposed regulations, required pursuant to R.I. Gen. Laws § 16-7.1-5.1. The proposed amended language has been updated to respond to feedback received during the public comment process.

Overview of the Regulations:

The statewide regulations, legislatively required by R.I. Gen. Laws § 16-7.1-5.1, provide the criteria and a procedure for determining the end of turnaround status for Local Education Agencies (LEAs) subject to intervention and support pursuant to R.I. Gen. Laws § 16-7.1-5, and to return control over the operation of such LEAs from the Council on Elementary and Secondary Education (Council) back to the local school board or committee. The proposed regulations were developed with the consultation of educational experts and best practices from Massachusetts and other states. At the Council's October 24, 2023, meeting, the Council approved the initially proposed regulations for the purpose of public review per Rhode Island General Law § 42-35-2.8.

Overview of Public Comment Process & Amending the Proposed Regulations:

Consistent with best-practices, RIDE conducted an extended 45-day public comment period that lasted from November 3rd, 2023, to December 18th, 2023. As these regulations are statewide regulations and are potentially applicable to any LEA should they come under intervention pursuant to R.I. Gen. Laws § 16-7.1-5 at least one public comment hearing was held in each county of Rhode Island, with two being held in Providence County (Providence and Woonsocket). The public hearings were advertised via RIDE's field memo and social media. RIDE made public comment possible via formal public hearings, mail, and email at any point in time during the public comment process. RIDE received a total of three public comments from six commenters.

RIDE engaged Dr. Kenneth Wong, the Walter and Leonore Annenberg Chair for Education Policy at Brown University, to serve as an external expert advisor to RIDE on the finalization

and implementation of these regulations. Dr. Wong reviewed the public comments and provided RIDE with a written memo with his advisement, aligned with his expertise and national best-practices. RIDE then considered the public comments and Dr. Wong's advisement when finalizing the proposed amended regulations for the Council's consideration.

Enclosure Documents:

Within this enclosure, the Council will find the proposed amended regulations, as well as the additional following documents that provide further detail regarding the proposed amended regulations:

- RIDE's January 30, 2024, presentation to the Council pertaining to the regulations.
- Statutory language from R.I. Gen. Laws § 16-7.1-5.1 requiring the proposed regulations, as well as comparable statutory and regulatory language from Massachusetts.
- Dr. Wong's memo to RIDE, advising RIDE to amend the proposed regulations based on the public comment process.
- Summary of Public Comment Overview document.
- Copies of each of the three submitted written comments, in order of receipt.

(200-RICR-20-05-6)

## **TITLE 200 – BOARD OF EDUCATION**

### **CHAPTER 20 – COUNCIL ON SECONDARY AND ELEMENTARY EDUCATION**

#### **SUBCHAPTER 05 – GENERAL AND SCHOOL OPERATIONS**

##### **PART 6 – Regulations Governing the Intervention and Support for Failing Schools**

### **6.1 Authority**

- A. This Part is promulgated pursuant to R.I. Gen. Laws § 16-7.1-5.1.

### **6.2 Purpose**

- A. The purpose of this Part is to provide criteria and a procedure for determining the end of turnaround status for Local Education Agencies (LEAs) subject to intervention and support pursuant to R.I. Gen. Laws § 16-7.1-5, and to return control over the operation of such LEAs from the Council on Elementary and Secondary Education (Council) back to the local school board or committee.

### **6.3 Definitions**

- A. As used in this Part, the following word and terms have the following meaning unless the context indicates another or different meaning or intent:
  1. “Commissioner” means the commissioner of elementary and secondary education, or her or his designee.
  2. “Council” means the council on elementary and secondary education.
  3. “Crowley Act” means R.I. Gen. Laws §§ 16-7.1-5 and 16-7.1-5.1 regarding intervention and support for failing schools.
  4. “Local education agency” or “LEA” means a public board of education/school committee or other public authority legally constituted within the State for either administrative control or direction of one or more Rhode Island public elementary schools or secondary schools.
  5. “Order” means any order of control and reconstitution issued by the Commissioner that sets forth the terms and conditions of authorization for the Commissioner to assume control over a LEA and its schools, and if necessary, reconstitute the schools of the LEA.
  6. “RIDE” means the Rhode Island Department of Education.

7. “Turnaround Plan” means the plan to improve academic and nonacademic progress measures for LEAs designated as being in Turnaround Status under the Crowley Act, [in alignment with the requirements of the district improvement plan as required by R.I. Gen. Laws § 16-97.1-1](#).
8. “Turnaround Status” means the status of an LEA designated as being under the control of RIDE, pursuant to the Crowley Act.

## 6.4 Recommendation and Report by the Commissioner

A. For any LEA subject to intervention and support pursuant to the Crowley Act, R.I. Gen. Laws § 16-7.1-5, the Commissioner (Commissioner) of the Rhode Island Department of Elementary and Secondary Education (RIDE) shall define within the LEA’s turnaround plan the academic and other progress measures that the LEA must meet to exit turnaround status.

1. Such progress measures shall, at a minimum:
  - a. Be customized to the particular reasons for which the LEA was first entered into turnaround status under the Crowley Act;
  - b. Be informed by input from community and other stakeholder engagement that helped inform the creation of the turnaround plan;
  - c. Include academic measures that align to relevant components of the local education agency accountability system, as identified in R.I. Gen. Laws § 16-97.1-1; and,
  - d. Include any additional progress measures identified for specific LEAs pursuant to R.I. Gen. Laws § 16-7.1-5.1.
2. Other non-academic progress measures may include the successful completion of implementation milestones that address root causes that contributed to the LEA’s entering of turnaround status.

B. Prior to the end of any order under the Crowley Act, and following input from a variety of community and other stakeholders, the Commissioner shall prepare a report and recommendation to the Council regarding the future of the LEA’s turnaround status. [The Commissioner shall:](#)

1. [Seek input from a variety of community and other stakeholders including, but not be limited to, students, families, community members, educators, school leaders, LEA school committee or board members, and municipal entity leaders, as applicable;](#)
2. [Consult with the LEA's school committee or board members prior to the issuance to the Council of any report and recommendation regarding the LEA's continued turnaround status; and,](#)

3. Begin the process to create this report following the release of school and LEA accountability performance data, pursuant to R.I. Gen. Laws § 16-97.1-1, within the last year that the LEA is subject to an order under the Crowley Act.

C. The report accompanying the recommendation of the Commissioner to the Council shall include, but not be limited to, an analysis of the following:

1. If the LEA has:

- a. ~~met the~~ made sufficient progress on the academic and other progress measures identified within its turnaround plan;
- b. the capacity and readiness to continue to make progress on the academic and other progress measures, as identified within the LEAs turnaround plan, without the intervention and support provided pursuant to the Crowley Act.

2. If the LEA's local school committee or board has the capacity and readiness to:

- a. support the LEA's continued progress on academic and other progress measures, as identified within the LEA's turnaround plan, without the intervention and support provided pursuant to the Crowley Act;
- b. provide said support consistent with responsibilities outlined in R.I. Gen. Laws § 16-2-9, as well as other site-based management and governance best practices; and,

3. If the legally responsible municipal entity has the capacity and readiness to:

- a. support the LEA's school committee or board to ensure the LEA's continued progress on academic and other progress measures, as identified within the LEA's turnaround plan, without the intervention and support provided pursuant to the Crowley Act; and,
- b. demonstrate said support through the contribution of sufficient local funding to the local school committee or board necessary to sustain and continue the LEA's progress, including compliance with statutory maintenance of effort requirements as identified in the Crowley Act.

D. Informed by the above analysis, the Commissioner's report shall include a recommendation regarding the future of the LEA's turnaround status. The Commissioner's recommendation shall align to one of the following three options:

1. renew the existing turnaround plan, with potential amendments informed by the above analysis;
  2. create a new turnaround plan; or,
  3. exit the LEA from turnaround status and return control over the LEA to the LEA's respective local school committee or board.
- E. If the Commissioner recommends a continuation of the LEA's turnaround status, the report to the Council shall also include, but not be limited to:
1. the time duration for the renewed or new turnaround plan; and,
  2. an analysis as to whether any additional supports, prerogatives, and/or resources are needed, from either the state and/or local municipality, that could help make the turnaround plan more effective.
    - a. [This analysis may be based on a review of the additional financial resources provided to the LEA caused by the LEA being placed in turnaround status, and the financial impact to the LEA of ending its turnaround status.](#)
- F. If the Commissioner recommends that the LEA be exited from turnaround status and returned to the control of the local school committee or board, the report to the Council shall also include:
1. the date for which the LEA shall officially exit turnaround status and be returned to the control of the local school committee or board, no later than the end of the term of the LEA's relevant order under the Crowley Act; and,
  2. any recommendations by the Commissioner if the LEA's return to the control of the local school committee or board should be made subject to a transitional period pursuant to § 6.5 of this Part, below.

## **6.5 Transitional Periods**

- A. Unless otherwise specified below and approved by the Council, upon a LEA's official exit from turnaround status and return to the control of the local school committee or board, the provisions of the Crowley act shall no longer apply to the LEA.
- B. The LEA may choose to continue to use the turnaround plan in order to continue to improve students' academic performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to the Crowley Act, in contravention of any general or specific law to the contrary, shall be discontinued unless the Council approves, informed by the Commissioner's recommendation and prior to the LEA's exit from turnaround

status, that such feature of the turnaround plan would contribute to the continued improvement of the LEA and should continue for a transitional period after the LEA exits from turnaround status.

- C. For any such feature of the turnaround plan to be continued during a transitional period, the Commissioner shall recommend:
1. the progress measures that the LEA must meet for each continuing feature of the plan to be discontinued;
  2. the progressive levels of control retained by RIDE over the LEA's budget, program, and/or personnel, as well as any reconstitution responsibility, necessary to carry out such retained continued feature of the turnaround plan during the transitional period; and,
  3. if the continued feature of the turnaround plan is applicable to the entire LEA or a subset of schools within the LEA.
- D. For each continued feature of the turnaround plan during the transitional period, upon determination by the Commissioner that the LEA has met the identified progress measures necessary for such continued feature to be discontinued:
1. such feature shall be discontinued; and,
  2. any progressive levels of control or reconstitution responsibility retained by RIDE during the transitional period to enact the continued feature shall cease, as it pertains to that specific continued feature.
- E. Two years (2) after the LEA exits from turnaround status, or after the extension of any subsequent transitional period, if any of the continuing features of the turnaround plan has yet to be discontinued during the transitional period, the Commissioner shall:
1. conduct a review of the LEA to determine whether such continuing feature or features should remain in place or be discontinued; and,
  2. make a recommendation to the Council regarding whether such continuing feature or features should remain in place during an extended transitional period or be discontinued.
- F. If, during or at the conclusion of a transitional period, the Commissioner concludes that the return of control over the operation of the LEA to the local school committee or board would not be in the best interests of the students in the LEA, the Commissioner shall submit a report to the Council in support of the resumption of state control for some additional, legally-permissible period, said report to be substantially in the form of the report to the Council referenced in § 6.4 of this Part, above.

## **6.6 Council Approval**

- A. The recommendations by the Commissioner described in §§ 6.4 and 6.5 of this Part, above, shall be of no force and effect unless and until approved by a majority vote of the Council, which shall act upon any such recommendation promptly. In the event that an order expires and/or a transitional period ends after a recommendation is made to the Council, but prior to the Council's action upon said recommendation, said period of control or transition shall continue in effect until such time as the Council acts upon said recommendation.





Enclosure 5d  
January 30, 2024



RHODE  
ISLAND

## Regulations Required By RIGL §16-7.1-5.1

Council on Elementary and Secondary Education –  
January 30, 2024

# Recap: Legislative Requirement to Promulgate Regulations

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## RIGL § 16-7.1-5.1(d)

Requires the Council to promulgate statewide regulations providing for when a district under RIDE's control exits turnaround status and returns to local control.

- Legislative requirement enacted in 2022
- Statutory language comparable to similar language from MA



# Recap: Promulgation & Implementation Timeline

## State-Level (Regulation Development & Promulgation)

## Providence-Specific (Regulation Implementation)

We are here



**Oct. 2023**

RI Office of Regulatory Reform reviewed regulations and approved RIDE to initiate public comment



**Early Winter 2024**

RIDE evaluates public comment and proposes final version  
Council reviews and approves final regulations



**Summer 2024**

Commissioner issues report and recommendation regarding PPSP's continued turnaround status to the Council for review and approval

**Sept.-Oct 2023**

Council reviewed and approved the draft regulations for public comment



**Nov.-Dec. 2023**

RIDE conducted a robust Statewide public comment process on the regulations



**Spring 2024**

Based on promulgated regulations, RIDE conducts a review focused on the continued intervention in PPSP



# Recap: Guiding Principles for Developing Regulations

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**State-level regulations, applicable to the Council's role for any district under the Crowley Act**



**Leveraged Massachusetts' existing regulations as a model given similarities in statutes**



**After statewide regulations are promulgated, these regulations will then be implemented for PPSD in Spring 2024**



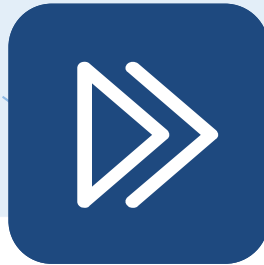
**Engaged local and national experts in school governance to help inform regulation development**

# Recap: Key Regulation Components



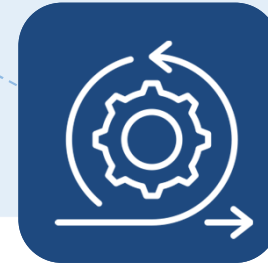
## Recommendation Considerations

Analysis of LEA progress and Local Governance readiness to sustain the LEA's progress



## Commissioner's Recommendation

Recommendation to either extend an intervention or return the LEA to local control



## Potential Transitional Period

RIGL 16-7.1-5.1 (similar to MA) allows a return to local control to have a "transitional period" if a return to local control is recommended



# Statewide Public Comment Process



**RIDE conducted a robust, statewide, transparent public comment process, consistent with best-practices and above regulatory requirements.**

- 45-day public comment period from Nov 3 – Dec. 18
  - Only 30 days are required
- 6 public comment hearings
  - At least one in each Rhode Island County (two in Providence County)
- Consistent promotion of public comment process through field memo, social media, and direct stakeholder engagement
- Implemented new [regspubliccomment@ride.ri.gov](mailto:regspubliccomment@ride.ri.gov) e-mail
- Received a total of 6 public comments
  - Support + Amend (1): Parents Leading for Educational Equity
  - Amend (5): RI Federation of Teachers and Health Professional (RIFTHP), Providence Teachers Union (PTU), City of Providence (Mayor, City Council, School Board)

# Reviewing Public Comment & Updating Regulations

Upon the conclusion of the public comment process, RIDE reviewed public comment and updated the proposed regulations based on the following key guiding principles



## 1) Engage External Expert Advisement

Engaged Dr. Kenneth Wong to provide external expert review and advisement on the public comment and regulation implementation process



## 2) Enhance RI Regulations vs. Massachusetts/Best-Practices

Leverage public comment review to further contextualize and enhance RIDE's regulations, based on comparable MA regulations and best-practices



## 3) Identify Multiple Opportunities to Include Feedback

Identify opportunities to include public comment feedback in the regulations, as well as the subsequent review process



## 4) Ensure Coherence

Ensure coherence between these regulations and other Council regulations and RIDE processes, as well as MA + national best-practices

# External Expert Advisement – Key Takeaways:



Dr. Wong reviewed all submitted public comment and issued RIDE a memo to advise RIDE on finalizing the regulations. His guidance focused on four key themes identified within the public comments:

- 1) Community Input
- 2) Independent Review team
- 3) Review Process and Criteria
- 4) Timeline for the Turnaround



# Comparing MA vs. RI's Final Proposed Regulations

RIDE first leveraged Massachusetts's comparable regulations as a starting model, then enhanced and contextualized the regulations based on public comment and expert feedback

Regulation Component	Massachusetts	Rhode Island
State council has final approval authority over turnaround continuation decisions	✗	✓
Review district capacity and readiness to sustain progress	✓	✓
Review local governance (school committee/municipal-entity) capacity and readiness to sustain the LEA's progress	✗	✓
Community input required to inform progress measures in the turnaround plan	✗	✓
Community input required as part of the review process	✗	✓



# Key Public Comment Topic: Community Input



## Public Comment Overview

PLEE, RIFTHP, and the City of Providence all submitted public comment requesting further specification of how community stakeholders will be engaged as part of the intervention review process.

Further specification included clarification on which stakeholders will be engaged, as well as specific mechanisms for engagement

- Example: town-hall, public hearings

## Impact on the Regulations and Review Process

- 1) **Stakeholder Groups:** Amended regulations to specify stakeholder groups that should be engaged as part of the review process.
- 2) **School Board Consultation:** Amended regulations proposed regulations to include consultation with the LEA's school committee as part of finalizing the Commissioner's recommendation to the Council.
- 3) **Review Process:** Based on public comment feedback and Dr. Wong's guidance, mechanisms for community and stakeholder engagement will be further delineated within the review process.

# Key Public Comment Topic: Independent Review Team



## Public Comment Overview

Establish a three-member independent review team to conduct the review process contemplated within the regulations

- Review team members appointed by the Governor, Speaker, and Senate President

Shifts authority to ultimately make the recommendation on the continuation of an intervention away from the Commissioner to the independent review team

Recommended by RIFTHP/PTU

## Impact on the Regulations and Review Process

1) Consistent with existing RI + MA/national best-practices, RIDE will engage an independent external reviewer as part of the intervention review process, while maintaining the clear role of the Commissioner within the regulations.

- Consistent with RI practices + MA, an independent review will be codified as part of the review process, but not as a revision within the actual regulations.
- Commissioner's role within regulations is consistent with other comparable RIDE regulations
- Consistent with existing practices, the Commissioner will use the independent review to inform the recommendation to the Council.
- Council still maintains ultimate authority for acting on the recommendation.

# Key Public Comment Topic: Review Process & Criteria



## Public Comment Overview

All public commenters provided varying degrees of feedback to revise, clarify, or eliminate review evaluation criteria.

### Academic:

- Eliminate turnaround plan progress metrics / identify new metrics (PVD)

### Fiscal:

- Analyze additional state resources provided during intervention (RIFTHP)
- Eliminating maintenance of effort to evaluate municipal capacity (PVD)

### Capacity and Readiness:

- Clarify capacity/readiness criteria for all local governance levels (PLEE)

## Impact on the Regulations and Review Process

- 1) **Sufficient Progress:** Amended regulations to evaluate if *sufficient* progress has been made on turnaround plan progress measures.
- 2) **State and Local Resources:** Amended regulations to include analyzing the additional state resources, in addition to local resources, that have been provided during the intervention.
- 3) **Developing Review Process:** Consistent with MA's comprehensive district review process, RIDE will develop and publish comparable capacity and readiness standards as part of its review process.

# Key Public Comment Topic: Turnaround Timeline



## Public Comment Overview

Limit that any continuation of an LEA's existing turnaround plan be for a time duration for no more than two years

Eliminate the creation of a new turnaround plan as a potential recommendation of the Commissioner

Eliminate a two-year review process for any potential transitional period

Recommended by RIFTHP/PTU

## Impact on the Regulations and Review Process

No impact on regulations

Keeping of existing language based on guidance from Dr. Wong & maintaining consistency with Massachusetts.

# Regulation Promulgation & Implementation Next Steps



## Regulation Promulgation

- February Council Meeting: Action item on proposed regulations
- Finalize regulation promulgation with Office of Regulatory Reform and Secretary of State

## Regulation Implementation

- Update on review process will be brought to March Council meeting
- Formally implement regulations and launch review of PPSD in late March / early April





# Questions?



## **Supplemental Documentation Pertaining to Pursuing Regulations Required by RIGL § 16-7.1-5.1**

*Authorizing RI statutory language, as well as corresponding MA statutory and regulatory language*

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### **RIGL § 16-7.1-5.1 The Paul W. Crowley Rhode Island Student Investment Initiative**

**(d)(1)** The council shall adopt regulations providing for:

**(i)** The end of turnaround status; and

**(ii)** The transfer of the operation of a school district from the Rhode Island department of elementary and secondary education to the school committee and municipal control.

**(2)** The regulations shall include provisions to allow a district to retain measures adopted in a turnaround plan for a transitional period if, in the judgment of the commissioner, the measures would contribute to the continued improvement of the district. Such regulations shall also include provisions that clearly identify the conditions under which such a transitional period shall end and the powers granted to the commissioner and council under this section shall cease to apply to the district.

**(e)** If, on the basis of the regulations adopted by the council pursuant to subsection (d) of this section, the Providence school district has not improved sufficiently to remove the district from turnaround status, the commissioner may, after consultation with the Providence school board and with the approval of the council:

**(1)** Determine subsequent annual goals for each component of the turnaround plan with the turnaround superintendent, and renew the turnaround plan for an additional period of not more than three (3) years; and

**(2)** Create a new turnaround plan, consistent with the requirements of this section.

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### **MA General Laws – Part I – Title XII – Chapter 69 - Section 1K – Subsections (i)-(j)**

**(i)** After the period of receivership, there shall be a reevaluation of a district's status under this section. The board of elementary and secondary education shall adopt regulations providing for: (1) the removal of a designation of a district as chronically underperforming; and (2) the transfer of the operation of a chronically underperforming district from an external receiver to the superintendent and school committee, based on the improvement of the district. The regulations shall include provisions to allow a district to retain measures adopted in a turnaround plan for a transitional period if, in the judgment of the commissioner, the measures would contribute to the continued improvement of the district. Such regulations shall also include provisions that clearly identify the conditions under which such a transitional period shall end and the powers granted to the commissioner and board under this section shall cease to apply to a district previously designated as chronically underperforming. At any time after a chronically underperforming district has been placed in receivership, the school committee of the district may petition the commissioner for a determination as to whether the turnaround plan adopted under subsection (b) should be modified or eliminated and whether the school district shall no longer be



designated as chronically underperforming. The decision of the commissioner shall be based on regulations adopted by the board. A school committee may seek review by the board of elementary and secondary education of an adverse determination.

(j) If, on the basis of the regulations adopted by the board pursuant to subsection (h), a district has not improved sufficiently to remove the designation of the district as chronically underperforming, the commissioner may: (1) jointly determine subsequent annual goals for each component of the turnaround plan with the receiver and renew the turnaround plan for an additional period of not more than 3 years; or (2) create a new turnaround plan, consistent with the requirements of this section.

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**MA Department of Elementary and Secondary Education Regulations –**

**603 CMR 2.00: Accountability and Assistance for School Districts and Schools,**

**2.06: Accountability and Assistance for Chronically Underperforming Districts and Schools**

**(12) Termination of Receivership and Removal of Chronically Underperforming District Designation.**

(a) The commissioner shall define for each chronically underperforming district the academic and other progress that it must make for it to be removed from chronically underperforming status. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:
  - a. an increase in MCAS scores and an increase in student growth;
  - b. a higher graduation rate; and
  - c. a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely;
2. the implementation of district systems and practices that meet district standards established under 603 CMR 2.03(6); and
3. progress in implementing in the district's schools the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b).

(b) The commissioner, in defining the required progress for the district, shall customize it to the particular reasons the district was designated as chronically underperforming, defining it as any or all of the progress in 603 CMR 2.06(12)(a)1. through 3., or any other progress the commissioner determines appropriate.

(c) The commissioner shall terminate the receivership and remove the district from chronically underperforming status when, at any time, the commissioner determines, based on evidence that may include a report from the district's receiver or a follow-up review, that

1. the district has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(12)(a) and (b) as necessary to allow it to be removed from chronically underperforming status; and
2. the district has the capacity to continue making progress without the accountability and assistance provided by designation as a chronically underperforming district.

(d) At the expiration of the turnaround plan, in reevaluating the district's chronically underperforming status pursuant to M.G.L. c. 69, § 1K(i), the commissioner shall consider whether the conditions described in 603 CMR 2.06(12)(c)1. and 2. exist. If the commissioner determines that both of these conditions exist, he or she shall terminate the receivership and remove the district from chronically underperforming status.

(e) Following his or her review, the commissioner will make a determination as to whether the district has improved sufficiently to be removed from chronically underperforming status, or maintains its designation as chronically underperforming. The commissioner will make the determination in a reasonable period of time, and in any event within two months following the release of MCAS test results. The commissioner may extend this period of time for good cause.

### **(13) Effect of Removal of Chronically Underperforming District Designation; Transitional Period.**

(a) Upon the commissioner's removal of a district from chronically underperforming status, the provisions of M.G.L. c. 69, § 1K, for districts designated as chronically underperforming shall no longer apply to it and the employment of the receiver shall end.

(b) The district may continue to use the turnaround plan in order to continue to improve students' academic performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1K(d), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined, before removing the district from chronically underperforming status, that such feature of the turnaround plan would contribute to the continued improvement of the district and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.

(c) Upon making a determination pursuant to 603 CMR 2.06(13)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the district must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a district review, a report from the district's receiver, or a follow-

up review, that the district has made the progress defined under 603 CMR 2.06(13)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued:

1. such feature shall be discontinued; and
2. any powers granted to the commissioner or Board with respect to the district under M.G.L. c. 69, § 1K, that did not cease on removal of the district from chronically underperforming status, shall cease.

(e) Two years after the removal of the district from chronically underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the district to determine whether such continuing feature or features should remain in place or be discontinued.

January 19, 2024

TO: Commissioner Angélica Infante-Green  
Rhode Island Department of Education

FROM: Dr. Kenneth Wong  
Brown University

RE: Public Comments on regulations to determine the end of turnaround status for  
LEAs: Findings and Advice

On October 24, 2023 the Council on Elementary and Secondary Education approved regulations for public hearings (200-RICR-20-05-6) on determining the end of turnaround status for Local Education Agencies subject to intervention and support pursuant to R.I. Gen. Law 16-7.1-5.1. The public was invited to comment on the regulations during a 45-day period between November 3 and December 18, 2023. Public comment hearings were held in Bristol, Newport, Warwick, Providence, Kingston, and Woonsocket. At the closing of the public comment period, RIDE received three sets of written comments. These included:

- Frank Flynn, President, Rhode Island Federation of Teachers and Health Professionals, with verbal support from Maribeth Calabro, President of Providence Teachers Union;
- Joint feedback from Mayor Brett Smiley and City Council President Rachel Miller of the City of Providence and President Erlin Rogel of the Providence School Board; and
- Ramona Santos Torres, Executive Director, Parents Leading for Educational Equity (PLEE).

I have reviewed the three sets of written comments. I have also considered Rhode Island's regulatory framework, including the Basic Education Program (BEP), Education Accountability Act, and the Crowley Act, as well as Massachusetts' district review process, Massachusetts' regulations for chronically underperforming districts and comprehensive district review process, and pertinent information on the issue of district turnaround status in other states.

Drawing on these sources, I offer the following suggestions and advice for RIDE to consider in revising the regulations pertaining to four issues that were raised in the written public comments:

- Community Input
- Independent Review Team
- Review Process and Criteria
- Timeline for Turnaround

## I. Community Input

### *Key Suggestions from Public Comments:*

- Assess LEA's effort to improve clarity, transparency, equity, and community engagement.
- Transparency aims to improve the level of trust among stakeholders, including educators, parents, and students.
- Call for a comprehensive and inclusive process for gathering and utilizing community input.

### *Findings:*

- The regulations specify that the Commissioner prepare a report and recommendation to the Council regarding the future of the LEA's turnaround status, after reviewing input from a variety of community and other stakeholders.
- As public comments suggested, the regulations can further elaborate on the type of stakeholders to ensure that the review process engages the full range of voices and perspectives across the LEA.
- Promoting a comprehensive and inclusive input process is consistent with LEA responsibility as articulated in existing statutes, such as BEP 1.1.4-B.1.e that focuses on engaging families and community. The inclusive process is also consistent with the development of the Turnaround Plan in Providence, where there was broad community engagement in design teams and working groups.

### *Advice:*

Rhode Island regulations can further specify on the type of stakeholders, such as parents and students, in providing input on the LEA turnaround status.

## II. Independent Review Team

### *Key Suggestions from Public Comments:*

- Create a three-member independent review team to develop a report and make recommendations on the future of the turnaround status of a school district under state control.
- Replace the role of the Commissioner with a three-member independent review team to define LEA progress that the LEA must meet to exit turnaround status.
- The Governor, Speaker of the House, and the Senate President will each appoint a member of the Independent Review Team.

### *Findings:*

- Massachusetts' district review process includes an independent review. Similarly, RIDE engages independent review in district review and school improvement.

- Regarding the specific purpose of conducting a review on the district turnaround status, the role of the Commissioner as defined in the regulations is consistent with the preponderance of practice in other states.
- Of the 16 states with regulations on LEA turnaround status:
  - 3 states grant the Commissioner sole authority for turnaround status: MA, TN, and TX
  - 4 states allow the state board or a designee to report and recommend on turnaround status: AZ, MD, MS, and WV
  - 10 states specify the Commissioner to report/recommend to the state board as part of the review process on turnaround: KY, SC, AR, AL, IA, NJ, OH, OK, MD, and IL. This list can expand to include Rhode Island.
  - Only one state, New Jersey, refers to an “independent review” process in the statute. However, the applicable regulations give the Commissioner the authority to execute the review process and to make recommendations on the LEA turnaround status. The Commissioner may delegate the in-depth review process to a team and appoints a team leader that serves at the Commissioner’s discretion.

*Advice:*

- Based on a review of regulations in other states, I recommend RIDE to maintain the regulations as is as they are consistent with practices in other states and RIDE’s other regulations. Outside of the scope of the regulations, I recommend RIDE to seek an independent evaluator as part of the review process to inform the Commissioner’s recommendation, consistent with other RIDE practices and regulations.

**III. Review Process and Criteria**

*Key Suggestions from Public Comments:*

- Allow for greater flexibility in assessing the LEA and municipal capacity and readiness in gaining local control without the intervention and support provided pursuant to the Crowley Act.
- Concerns on the use of turnaround plan goals to determine progress, in part due to the pandemic and in part due to the aspirational nature of the goals.
- Suggest alternative benchmarks in measuring academic progress.
- Request the removal of references to Maintenance of Effort in local financial support.
- Referring specifically to the context of the Providence School District, concerns on the lack of available and timely data on budgetary and staffing allocation in the district. Without sufficient budgetary and staffing data, Providence’s municipal bodies find it difficult to engage in strategic planning in a timely manner.

*Findings:*

- These public comments do not question the regulations in granting the Commissioner the authority to conduct the LEA review and make recommendation on the turnaround status of the LEA.

- Instead, these comments pertain to the execution of the scope and criteria in the LEA review process. Massachusetts offers a helpful example with its two-step process. Following the approval of regulations, the MA department issues further technical details on the implementation of the review process. This two-step practice is consistent with other RIDE regulations and subsequent review processes, such as charter approval and educator preparation program approval. In other words, following the approval of these regulations, RIDE will be able to provide further technical details of the review process, including the review process mechanics as well as the standards for evaluating LEA, school committee, and municipal entity capacity and readiness.
- The regulations address issues regarding measures of performance progress by stipulating the use of the metric as established in the turnaround plan. To be sure, the review will need to take into consideration the effects of the pandemic and consider placing performance measures in that context.
- The regulations also highlight the capacity and readiness of local governing bodies. Specifically, municipal government is expected to demonstrate efforts in maintaining local fiscal support for the LEA, an expectation aligns with the existing statutes -
  - The Basic Education Program (BEP 1.1.4-B.1.g) identifies that a core responsibility of the LEA is: “Ensure equity and adequacy of *fiscal and human resources*, including effective resource allocation to promote rigorous instruction and student learning.”
  - Further, RIGL 16-7.1-5(a) stated, “If a school or school district is under the board of regents’ control as a result of actions taken by the board pursuant to this section, the local school committee shall be responsible for funding that school or school district at the same level as in the prior academic year increased by the same percentage as the state total of school aid is increased.”

*Advice:*

Rhode Island can follow the two-step practice in Massachusetts. Following the Council’s approval of regulations, RIDE can issue further technical details on the criteria and scope of the review process. Further, it is appropriate for the regulations to align with existing statutes on financial responsibility of local governing entities. It is important for a municipal entity to demonstrate its capacity and readiness to support the LEA’s continued progress on academic and other progress measures as well as to demonstrate the contribution of sufficient local funding to sustain the LEA’s progress.

**IV. Timeline for Turnaround**

*Key Suggestions from Public Comments:*

- Allow LEAs to request for a return to local control prior to the end of the takeover order.
- Place a two-year limit on an extension of the takeover plan.

*Findings:*

- An LEA can petition the Council at any time regarding its turnaround status, so new regulations are not necessary.
- In reviewing the practice in 16 states, only Connecticut places a time limit on LEA under state control. Connecticut established a five-year time frame in its takeover of Hartford during 1997 to 2002. In addition, Connecticut appointed a special master to partner with the school board during a partial takeover of Windham during 2012-14. There was no time limit specified for the end of the special master. The special master was statutorily determined to end one year after Windham achieved AYP, however it concluded by State Board vote in 2014 that granted the Windham school board to conduct a superintendent search.
- All the other states with takeover regulations do not place a time limit. The RI regulations are consistent with practice in other states. The regulations grant the Commissioner the authority to conduct the LEA review in accordance with the conditions established in the Order.
- Not placing a time limit on the turnaround status will enable LEAs, where necessary, to complete their school improvement activities without time constraint. Placing a time limit may undermine LEAs' school improvement efforts, which take time. As shown by district recovery from the pandemic, turnaround efforts need to be put in the proper context and would benefit from flexibility in the time frame.

*Advice:*

- RI regulations appropriately include a 2-year timeframe for a transition period. The 2-year transition is consistent with the Massachusetts regulations. Given the practice in other states and that school improvement takes time, I recommend the regulations not to impose a time limit on the LEA turnaround status.

*Overall Recommendations for RIDE:*

Overall, RI regulations provide clear guidance on the role of the Commissioner and specify the LEA review process that will result in a recommendation on LEA turnaround status. The RI regulations are consistent with the practice in other states that have regulations on district turnaround status. Following Council's approval of the regulations, RIDE will be able to provide further technical details on the scope and criteria of the review process, including an inclusive input process, contextualized measures of progress, and capacity and readiness of LEA and municipal entities in delivering school improvement priorities without the intervention and support provided pursuant to the Crowley Act.



## Summary of Public Comment – RIDE’s Proposed Regulations Pursuant to R.I. Gen. Laws § 16-7.1-5.1

*Public Comment Period: November 3<sup>rd</sup>, 2023, to December 18<sup>th</sup>, 2023*

### Introduction and Public Comment Process:

In 2022, the Rhode Island General Assembly mandated that the Council on Elementary and Secondary Education (Council) create regulations pursuant to R.I. Gen. Law § [16-7.1-5.1](#). These regulations provide the criteria and a procedure for determining the end of turnaround status for Local Education Agencies (LEAs) subject to intervention and support pursuant to R.I. Gen. Laws § 16-7.1-5, and to return control over the operation of such LEAs from the Council back to the local school board or committee. The Rhode Island Department of Education (RIDE) developed the proposed regulations ([200-RICR-20-05-6](#)) pursuant to R.I. Gen. Laws § [16-7.1-5.1](#) with input from public education stakeholders and experts and by examining education policy best practices.

At the Council’s October 24, 2023, meeting, the Council formally approved the proposed regulations for the purpose of public review per Rhode Island General Law § [42-35-2.8](#). The following summary document details an overview of the comments provided, their main themes, the applicable areas where a change was requested, and the ensuing change or rejection of the proposed change.

The public comment period lasted 45-days (longer than the required 30-day period) from November 3<sup>rd</sup>, 2023, to December 18<sup>th</sup>, 2023. RIDE made public comment possible via formal public hearings, mail, and email at any point in time during the public comment process.

### Public Comment Hearings:

Consistent with best-practices, RIDE conducted six (6) public hearings during the public comment hearing window. As these regulations are statewide regulations and applicable to every LEA, at least one public comment hearing was held in each county of Rhode Island, with two being held in Providence County (Providence and Woonsocket). The public hearings were advertised via RIDE’s field memo and social media. At these hearings, a summary document of the proposed regulations, and the regulations in their entirety were made available to attendants. Attendants were able to provide oral testimony at a podium, or written testimony at a laptop station. The public hearing dates and locations are listed below:

- **November 15th** at Rogers Free Library, Herreshoff Community Room 525 Hope Street (Rt 114) Bristol, RI 02809 from 5-6PM
- **November 20th** at Newport Public Library, The Friends Room 300 Spring St. Newport, RI 02840 from 5-6PM
- **November 29th** at Bobby Hackett Auditorium, Knight Campus, CCRI 400 East Avenue, Warwick, RI, 02886 from 5-6PM
- **November 30th** at the Shepard Building, 1st Floor PAFF Auditorium, 80 Washington St, Providence, RI 02903 from 5-6PM
- **December 6th** at Kingston Free Library, Potter Hall 2605 Kingstown Road, Kingston RI 02881 from 5-6PM
- **December 13th** at Woonsocket Harris Public Library, 303 Clinton Street Woonsocket, RI 02895 from 5-6PM

### Summary of Received Public Comments:

RIDE received a total of three (3) public comments from six (6) commenters during the public comment process. In order of receipt:

- The Rhode Island Federation of Teachers and Health Professionals (RIFTHP) provided simultaneous written submission and oral testimony from Frank Flynn, RIFTHP President, with a recommendation of proposed amendments for the regulations. Meribeth Calabro of the Providence Teacher’s Union (PTU) provided subsequent oral testimony in support of the written submission from the RIFTHP.
- Mayor Brett P. Smiley, City Council President Rachel Miller, and Providence School Board President Erlin Rogel (City of Providence) provided joint written submission from the City of Providence with proposed amendments.
- Parents Leading for Educational Equity (PLEE) submitted written testimony, by executive Director Ramona Santos Torres, in support of the regulations, with proposed amendments.

### Themes From Public Comment:

Following these hearings, RIDE engaged Dr. Kenneth Wong, the Walter and Leonore Annenberg Chair for Education Policy at Brown University, to serve as an external expert advisor to RIDE on the finalization and implementation of these regulations. Dr. Wong reviewed the public comment and provided RIDE with a written memo with his advisement, aligned with his expertise and national best-practices. RIDE then considered the public comment and Dr. Wong’s advisement when finalizing the proposed amended regulations for the Council’s consideration. As RIDE and Dr. Wong analyzed the public comments, four key themes emerged across all the comments received. These themes are listed below, while comments that do not fit neatly within any of the four themes are contained in the section titled "Other Comments."

- Theme 1: Community Input
- Theme 2: Independent Review Team
- Theme 3: Review Criteria
- Theme 4: Timeline for Turnaround
- Other Comments

### Understanding the Document:

- The suggested change to language or rationale for no change describes why RIDE did or did not make a change to the proposed regulatory revision based upon the public comment received, categories for change rationale include:
  - **“Change”** meaning that RIDE has made a revision to the final regulatory proposal based upon this public comment.
  - **“No Change”** meaning that RIDE has not made a revision to the final regulatory proposal based upon this comment. The entry will include the rationale for RIDE did not incorporate this revision in the final regulatory proposal. This rationale may be that the comment is unrelated to the Secondary Regulations, that the comment is related to implementation, or that the comment is applicable to the Secondary Regulations, but RIDE has not made a change for a particular or specific reason.
  - **“No Change Requested”** meaning that the comment was in support of RIDE’s proposed regulatory language and therefore no change will be made based upon that public comment.

Summary of Public Comment and Impact on Proposed Regulations:

Theme	Regulation Section (or topic)	Commentors	Summary of Comments	Suggested Change to Language or Rationale for No Change
<b>Theme 1: Community Input</b>	20-10-6.4(B)	PLEE	PLEE recommends that RIDE establish a clear and structured process for collecting and utilizing input including but not limited to, “town hall meetings, surveys, focus groups, or other inclusive methods.”	<p><b>Change—</b> 20-10-6.4(B)(1) is added to include a specific list of stakeholders from whom the Commissioner shall solicit input. This list includes, “students, families, community members, educators, school leaders, LEA school committee or board members, and municipal entity leaders.”</p> <p><b>Rationale—</b> RIDE has amended the regulations to detail explicitly which stakeholders RIDE will engage during the review process. Specifically mentioned are, “students, families, community members, educators, school leaders, LEA school committee or board members, and municipal entity leaders.” Multiple comments received by RIDE noted a desire to have specific processes for gathering community input spelled out in the regulations themselves. It should be noted that the proposed regulations include a requirement for gathering community input which does not exist in comparable regulations in Massachusetts or in any other state. Further, consistent with RI and MA practices, RIDE envisions incorporating public comment feedback when delineating the process mechanics for how community input is gathered when providing subsequent technical details on the review process. This approach, consistent with MA, enables RIDE to contextualize community input mechanics based on the needs of a specific community, rather than ossifying processes in regulations.</p>
	20-10-6.4(A) and (B)	City of Providence	City of Providence recommends providing more precise guidelines pertaining to stakeholder engagement but did not provide specific recommendations on to what the more precise language may include.	
	20-10-6.4(C)	RIFTHP	RIFTHP recommends that the solicitation of community input be specified in the regulations to include at least two public hearings held in public schools located in the affected LEA prior to issuance of the report.	
<b>Theme 2: Independent Review Team</b>	20-10-6.3(3)(A)	RIFTHP	It is recommended that an Independent Review Team replace the Commissioner as the entity that has the authority to review LEAs and make a recommendation to the Council on turnaround status. RIFTHP recommends that members of the Independent Review Team be individuals who are not involved in the operation of the Turnaround District or employed by RIDE. One member of the Independent Review Team shall be appointed by the	<p><b>No Change—</b></p> <p><b>Rationale—</b> RIDE consulted Dr. Kenneth Wong to review the regulations and the comments and suggestions noted by stakeholders. A national policy scan revealed that there is no state that currently delegates review and reporting authority regarding state interventions to an independent committee. Dr. Wong’s recommendation was to retain existing regulatory language given the national policy and best-practice scan, but that RIDE may incorporate an independent review process in the subsequent protocol. This regulatory approach is consistent with how RIDE already incorporate independent reviews in other regulatory required review processes.</p>

Theme	Regulation Section (or topic)	Commentors	Summary of Comments	Suggested Change to Language or Rationale for No Change
			Governor, one shall be appointed by the Speaker of the House, and one shall be appointed by the Senate President.	
	20-10-6.3(4), 20-10-6.4(A), 20-10-6.4(C), 20-10-6.4(F), 20-10-6.5(B) and (C) and (D), 20-10-6.6	RIFTHP	In accordance with the change requested above, RIFTHP recommends replacing Commissioner with Independent Review Team in relevant areas.	<p><b>No Change—</b></p> <p><b>Rationale—</b> See the above section.</p>
	20-10-6.4(G)	RIFTHP	RIFTHP recommends that a draft of the report be provided to the LEA prior to the report being submitted to the Council along with the inclusion of an expedited appeal process to the LEA for any recommendation made in its draft report to the Council that the LEA does not support	<p><b>Change—</b> 20-10-6.4(B)(2) has been updated to note that the Commissioner will consult “with the LEA’s school committee or board members prior to the issuance to the Council of any report and recommendation regarding the LEA’s continued turnaround status.”</p> <p><b>Rationale—</b> RIDE agrees with the principle of this proposed change that that an LEA be given a chance to review a draft report for factual correction prior to finalization. RIDE therefore is including regulatory language that is consistent with R.I. Gen. Law § <a href="#">16-7.1-5.1</a>, ensuring that a school committee is consulted prior to the finalization of any recommendation by the Commissioner to the Council. Furthermore, consistent with existing regulatorily required review processes, specific mechanics regarding draft reviews may be delineated further in the review process’s technical details. Further, nothing in these existing regulations prohibit an LEA or school committee from submitting a written appeal to the Council if they object to the recommendation to the Commissioner’s recommendation.</p>
	20-10-6.4(B)(2)	RIFTHP	RIFTHP recommends that an LEA may submit a request to the Council that the turnaround status of the district end prior to the end of the order under RIGL § 16-7.1-5.1. In that instance, the Independent Review Team shall prepare a report	<p><b>No Change—</b></p> <p><b>Rationale—</b> The recommendation that the regulations contain a provision allowing for an LEA to petition the Council on turnaround status is one that closely mirrors Massachusetts’ regulations. However, the requirement for such regulations was</p>

Theme	Regulation Section (or topic)	Commentors	Summary of Comments	Suggested Change to Language or Rationale for No Change
			and recommendation to the council regarding the future of the LEA's Turnaround Status	required via specific enabling legislative requirement stipulated in Massachusetts ( <a href="#">Mass. Gen. Laws ch. 69, § 1K</a> ). There is no equivalent for this enabling requirement in Rhode Island's General Laws.  Furthermore, from a practical perspective, nothing in the regulations would prohibit an LEA from submitting such a request to the Council to review turnaround status at any time. There is no process for stopping an LEA from petitioning the Council to review turnaround status. As such, there was no change made to the regulations.
<b>Theme 3: Review Process and Criteria</b>	20-10-6.4(C)(3)(b)	City of Providence	The City recommends defining the criteria through which a municipality's financial capacity will be assessed more specifically.	<b>No Change—</b>  <b>Rationale—</b> As the regulations themselves note, the requirement is to assess statutorily required maintenance of effort for the relevant municipal entity. R.I. Gen. Laws § <a href="#">16-7.1-5(a)</a> notes, "The board of regents shall assess the district's capacity and may recommend the provision of additional district, municipal and/or state resources. If a school or school district is under the board of regents' control as a result of actions taken by the board pursuant to this section, the local school committee shall be responsible for funding that school or school district at the same level as in the prior academic year increased by the same percentage as the state total of school aid is increased."  Dr. Wong in his review of public comments notes that maintaining funding for schools is critical, particularly those under turnaround status. RIDE believes accurately assessing the financial circumstances of the LEA as it returns to local control is critical to ensuring that the LEA can maintain and build off the gains and changes made under state intervention. As such, RIDE made no changes based on this recommendation.
	20-10-6.4(C)	City of Providence	The City recommends removing language referencing maintenance of effort from the proposed regulations	
	20-10-6.4(C)(4)	RIFTHP	RIFTHP recommends the Commissioner's report include an assessment of the additional financial resources provided to the LEA caused by the LEA being placed in turnaround status and the financial impact to the LEA of ending turnaround status.	<b>Change—</b> 20-10-6.4(E)(2)(a) is created to reflect the review process may include an assessment of "additional financial resources provided to the LEA caused by the LEA being placed in turnaround status, and the financial impact to the LEA of ending its turnaround status."  <b>Rationale—</b> The comments call for increased specificity for the assessment of fiscal capacity. RIDE agrees that an accurate assessment of financial resources provided to an

Theme	Regulation Section (or topic)	Commentors	Summary of Comments	Suggested Change to Language or Rationale for No Change
				<p>LEA and the relevant municipal entity’s fiscal capacity to support a returning LEA is a vital component of the review process, especially within the context of identifying what additional resources, if any, are needed to further enable the success of the LEA’s turnaround plan. As previously mentioned, Dr. Wong in his review of public comments notes that maintaining funding for schools is critical, particularly those under turnaround status. As such, RIDE has amended the regulations in response to these public comments to require that these relevant financial components be analyzed during the review process.</p>
	20-10-6.4(C)(1)	City of Providence	<p>The proposed regulations currently allow for the Commissioner to determine LEA performance metric progress by using the turnaround action plan as well as other relevant data. The city recommends altering this language to omit the turnaround plan, as the turnaround plan’s growth targets are deemed too high to feasibly be accomplished.</p>	<p><b>Change—</b> 20-10-6.4(C)(1)(a) is amended to change assessment of whether an LEA met turnaround plan goals to whether an LEA made sufficient progress on turnaround plan goals.</p> <p><b>Rationale—</b> The City of Providence notes correctly that the Turnaround Action Plan (TAP) serves as a useful goal and progress measuring device for an LEA under state control. It is important to note that within the context of these regulations (as well as in practice in Providence) the metrics required in the turnaround plan are supposed to be developed with community input. However, if the TAP language is omitted, per the City’s suggestion, then another mode of analysis is needed to assess an LEA’s progress under turnaround status. The creation of a new methodology of analysis for an LEA, separate from the TAP would be as time-consuming as it would be confusing not only for RIDE and the Commissioner but also for an LEA, as well as the community that provided input into the metrics. That being stated, Dr. Wong’s review of the City of Providence’s written public comment speaks to the need to contextualize the progress made with the metrics with external considerations (ex: the pandemic). As such, RIDE has rephrased some of the regulatory language to reflect necessary flexibility in determining an LEA’s progress by evaluating if sufficient progress has been made towards achieving the originally identified performance metrics.</p>
<b>Theme 4: Timeline for Turnaround</b>	20-10-6.4(B)	RIFTHP	<p>The current proposed regulations allow for the report to be sent to the Council at any time before the expiration of an order under RIGL § 16-7.1-5.1. RIFTHP recommends that</p>	<p><b>Change—</b> 20-10-6.4(B)(3) is added to ensure that the review process begins within the last year that an LEA is subject to an order under the Crowley Act.</p>

Theme	Regulation Section (or topic)	Commentors	Summary of Comments	Suggested Change to Language or Rationale for No Change
			<p>this language be changed to require the Commissioner or Independent Review Team submit the report and recommendation at least 9 months prior to the end of any order under RIGL § 16-7.1-5.1.</p>	<p><b>Rationale—</b>  This comment appears to stem from an understandable concern around ensuring that review and recommendation proceedings for an LEA subject to an order under R.I. Gen. Laws § <a href="#">16-7.1-5.1</a> do not drag on indefinitely and proceed posthaste. To address this concern, RIDE has included language within the regulations that specifically call for the review process to begin after the last applicable year of accountability data is released for an LEA subject to review and within the last year that an LEA is subject to an order under the Crowley Act. This ensures that the most relevant performance data is immediately used to then inform the review process.</p> <p>The nine-month period proposed by this comment, however, is not currently feasible to implement as the potential exists for that review process to start prior to the most accountability data being released. Therefore, the proposed regulatory change ensures that the review process commences as soon as feasible.</p>
	<p>20-10-6.4(D), 20-10-6.4(E)(1), 20-10-6.5(E) and (F)</p>	<p>RIFTHP</p>	<p>RIFTHP recommends capping turnaround status at “up to additional two years” post-expiration of an order under RIGL § 16-7.1-5.1. Additionally, this would also remove the ability of the Commissioner to create a new turnaround plan for the LEA under review.</p>	<p><b>No Change—</b></p> <p><b>Rationale—</b>  In reviewing these stakeholder comments, Dr. Wong noted that the proposed public comment is not in line with national practices. Massachusetts nor the preponderance of other states include the proposed time restrictions identified within the public comment. Based on this review, Dr. Wong recommended that RIDE not include a time cap on turnaround status as, “not placing a time limit on the turnaround status will enable LEAs, where necessary, to complete their school improvement activities without time constraint. Placing a time limit may undermine LEAs’ school improvement efforts.” As such, RIDE has not included this requirement in the amended regulations.</p>
	<p>20-10-6.6</p>	<p>City of Providence</p>	<p>The City of Providence recommends establishing a 90-day deadline for the Council on Elementary and Secondary Education to act upon the recommendations by the Commissioner.</p>	<p><b>No Change—</b></p> <p><b>Rationale—</b>  There are no other RIDE regulations, nor are there comparable regulations in other states that include a timeframe that restricts the Council in deliberating to decide an LEA’s turnaround status. As such, this recommendation was not included in the amended proposed regulations.</p>

Theme	Regulation Section (or topic)	Commentors	Summary of Comments	Suggested Change to Language or Rationale for No Change
Other Comments	20-10-6.5(B)	RIFTHP	Amend the regulations to include the District Strategic Plan to be consulted when changing the turnaround plan.	<p><b>Change—</b> 20-10-6.3(A)(7) is amended to include, “in alignment with the requirements of the district improvement plan as required by R.I. Gen. Laws § 16-97.1-1”.</p> <p><b>Rationale—</b> RIDE appreciated the inclusion of the District Strategic Plan language to be included for an LEA undergoing review. To ensure that this inclusion of the District Strategic Plan is woven throughout the document, RIDE included a note in the definition section to specify that the Turnaround Action Plan be aligned to the District Strategic Plan.</p>
	20-10-6.4(C)(2)(b)	RIFTHP	Amend the report mandated by the regulations to specifically assess if School Board has ability to support professional autonomy.	<p><b>No Change—</b></p> <p><b>Rationale—</b> RIDE included within the original proposed regulations in 20-10-6.4(C)(2)(b) language regarding “site-based management and governance best practices.” Included within this language are considerations about teacher and administrator roles within schools. Though potentially ambiguous, the focus of the term “professional autonomy” appears to be included within the existing language. The proposed change would be of uncertain value as there is no specific definition of professional autonomy to be assessed. As such, the proposed revision was not included in the amended proposed regulations.</p>
	Entire Proposal	PLEE	PLEE submitted written comment in support of the regulations, urging the Council approve these regulations. PLEE noted that the readiness evaluation of both the LEA, and the LEA's local school committee or board were useful inclusions to the regulations. Additionally, PLEE applauded the strong equity focus, and stipulation of community stakeholder input to the report and recommendation process.	<b>No Change Requested—</b>
	Throughout proposal	RIFTHP	The regulations use the term “school board or committee” in the regulations. RIFTHP recommends	<p><b>No Change—</b></p> <p><b>Rationale—</b></p>



Theme	Regulation Section (or topic)	Commentors	Summary of Comments	Suggested Change to Language or Rationale for No Change
			that throughout the regulations “board or” be struck from the phrase “school board or committee.”	As this recommended change is primarily aesthetic, given that R.I. Gen. Laws § <a href="#">16-7.1-5.1</a> makes references to both school boards and school committees, RIDE maintained the existing language in regulations as is.

Frank Flynn, President  
Rhode Island Federation of Teachers and Health Professionals  
Suggested Amendments to Proposed Regulations 22-RICR-20-05-6 Governing the Intervention and Support for Failing Schools  
November 29, 2023

200-RICR-20-05-6  
TITLE 200 – BOARD OF EDUCATION  
CHAPTER 20 – COUNCIL ON SECONDARY AND ELEMENTARY EDUCATION  
SUBCHAPTER 05 – GENERAL AND SCHOOL OPERATIONS  
PART 6 – Regulations Governing the Intervention and Support for Failing Schools

#### **20-10-6.1. Authority**

This Part is promulgated pursuant to R.I. Gen. Laws § 16-7.1-5.1.

#### **20-10-6.2. Purpose**

The purpose of this Part is to provide criteria and a procedure for determining the end of turnaround status for Local Education Agencies (LEAs) subject to intervention and support pursuant to R.I. Gen. Laws § 16-7.1-5, and to return control over the operation of such LEAs from the Council on Elementary and Secondary Education (Council) back to the local school board or committee.

#### **20-10-6.3. Definitions**

(A) As used in this Part, the following word and terms have the following meaning unless the context indicates another or different meaning or intent:

- (1) "Commissioner" means the commissioner of elementary and secondary education, or her or his designee.
- (2) "Council" means the council on elementary and secondary education.
- (3) "Crowley Act" means R.I. Gen. Laws § 16-7.1-5 and § 16-7.1-5.1 regarding intervention and support for failing schools.

**(3a) Independent Review Team is a group of three individuals to develop a report on the future of the turnaround status of a school district under state control. Members of the Independent Review Team shall be individuals who are not involved in the operation of the Turnaround District or employed by RIDE. One member of the Independent Review Team shall be appointed by the Governor, One shall be appointed by the Speaker of the House, and One shall be appointed by the Senate President.**

(4) "Local education agency" or "LEA" means a public board of education/school committee or other public authority legally constituted within the State for either administrative control or direction of one or more Rhode Island public elementary schools or secondary schools.

(5) "Order" means any order of control and reconstitution issued by the Commissioner that sets forth the terms and conditions of authorization for the Commissioner to assume control over a LEA and its schools, and if necessary, reconstitute the schools of the LEA.

(6) "RIDE" means the Rhode Island Department of Education.

(7) "Turnaround Plan" means the plan to improve academic and nonacademic progress measures for LEAs designated as being in Turnaround Status under the Crowley Act.

(8) "Turnaround Status" refers to the status of an LEA designated as being under the control of RIDE, pursuant to the Crowley act.

#### **20-10-6.4. Recommendation and Report by the ~~Commissioner~~ Independent Review Team**

(A) For any LEA subject to intervention and support pursuant to the Crowley Act, R.I. Gen. Laws § 16-7.1-5, the ~~Commissioner (Commissioner) of the Rhode Island Department of Elementary and Secondary Education (RIDE)~~ Independent Review Team shall define within the LEA's turnaround plan the academic and other progress measures that the LEA must meet to exit turnaround status.

(1) Such progress measures shall, at a minimum:

(a) Be customized to the particular reasons for which the LEA was first entered into turnaround status under the Crowley Act;

(b) Be informed by input from community and other stakeholder engagement that helped inform the creation of the turnaround plan;

(c) Include academic measures that align to relevant components of the local education agency accountability system, as identified in R.I. Gen. Laws § 16-97.1-1; and,

(d) Include any additional progress measures identified for specific LEAs pursuant to R.I. Gen. Laws § 16-7.1-5.1.

(2) Other non-academic progress measures may include the successful completion of implementation milestones that address root causes that

contributed to the LEA's entering of turnaround status and contained in the Turnaround Plan.

(B)1 At least nine (9) months prior to the end of any order under the Crowley Act, and following input from a variety of community and other stakeholders, the ~~Commissioner~~ Independent Review Team shall prepare a report and recommendation to the Council regarding the future of the LEA's turnaround status.

2 A Local Education Agency may submit a request to the Council on Elementary and Secondary Education that the turnaround status of the district end prior to the end of the order under the Crowley Act. In that instance the Independent Review Team shall prepare a report and recommendation to the Council regarding the future of the LEA's turnaround status.

(C) The Independent Review Team shall conduct at least two public hearings held in public schools located in the affected LEA prior to issuance of the report. The report accompanying the recommendation of the ~~Commissioner~~ Independent Review Team to the Council shall include, but not be limited to, an analysis of the following:

(1) If the LEA has:

- (a) met the academic and other progress measures identified within its turnaround plan;
- (b) the capacity and readiness to continue to make progress on the academic and other progress measures, as identified within the LEAs turnaround plan, without the intervention and support provided pursuant to the Crowley Act.

(2) If the LEA's local school committee ~~or board~~ has the capacity and readiness to:

- (a) support the LEA's continued progress on academic and other progress measures, as identified within the LEA's turnaround plan, without the intervention and support provided pursuant to the Crowley Act;
- (b) provide said support consistent with responsibilities outlined in R.I. Gen. Laws § 16-2-9, as well as other site-based management, professional autonomy and governance best practices; and,

(3) If the legally responsible municipal entity has the capacity and readiness to:

- (a) support the LEA's school committee ~~or board~~ to ensure the LEA's continued progress on academic and other progress measures, as

identified within the LEA's turnaround plan, without the intervention and support provided pursuant to the Crowley Act; and,

(b) demonstrate said support through the contribution of sufficient local funding to the local school committee ~~or board~~ necessary to sustain and continue the LEA's progress, including compliance with statutory maintenance of effort requirements as identified in the Crowley Act.

**(4) The additional financial resources provided to the District caused by the District being placed in turnaround status and the financial impact to the LEA of ending turnaround status.**

(D) Informed by the above analysis, the ~~Commissioner's~~ **Independent Review Team**'s report shall include a recommendation regarding the future of the LEA's turnaround status. The Commissioner's recommendation shall align to one of the following three options:

(1) renew the existing turnaround plan up to an additional two years, with potential amendments informed by the above analysis;

~~(2) create a new turnaround plan; or,~~

~~(3) exit the LEA from turnaround status and return control over the LEA to the LEA's respective local school committee or board.~~

(E) If the ~~Commissioner~~ **Independent Review Team** recommends a continuation of the LEA's turnaround status, the report to the Council shall also include, but not be limited to:

(1) the time duration (no greater than two years) for the renewed or new turnaround plan; and,

(2) an analysis as to whether any additional supports, prerogatives, and/or resources are needed, from either the state and/or local municipality, that could help make the turnaround plan more effective.

(F) If the ~~Commissioner~~ **Independent Review Team** recommends that the LEA be exited from turnaround status and returned to the control of the local school committee or board, the report to the Council shall also include:

(1) the date for which the LEA shall officially exit turnaround status and be returned to the control of the local school committee ~~or board~~, no later than the end of the term of the LEA's relevant order under the Crowley Act; and,

(2) any recommendations by the ~~Commissioner~~ Independent Review Team if the LEA's return to the control of the local school committee or board should be made subject to a transitional period pursuant to 20-10-6.5, below.

(G) The Independent Review Team shall provide a draft of the report to the LEA prior to the report being submitted to the Council. The Independent Review Team shall provide an expedited appeal process to the LEA for any recommendation made in its draft report to the Council that the LEA does not support.

#### 20-10-6.5. Transitional Periods

(A) Unless otherwise specified below and approved by the Council, upon a LEA's official exit from turnaround status and return to the control of the local school committee ~~or board~~, the provisions of the Crowley act shall no longer apply to the LEA.

(B) The LEA may choose to continue to use the turnaround plan in order to continue to improve students' academic performance, renewing or revising it as appropriate in accordance with the District Strategic Plan (16-7.1-2), provided that any feature of the turnaround plan that was adopted pursuant to the Crowley Act, in contravention of any general or specific law to the contrary, shall be discontinued unless the Council approves, informed by the ~~Commissioner's~~ Independent Review Team's recommendation and prior to the LEA's exit from turnaround status, that such feature of the turnaround plan would contribute to the continued improvement of the LEA and should continue for a transitional period after the LEA exits from turnaround status.

(C) For any such feature of the turnaround plan to be continued during a transitional period, the ~~Commissioner~~ Independent Review Team shall recommend:

(1) the progress measures that the LEA must meet for each continuing feature of the plan to be discontinued;

(2) the progressive levels of control retained by RIDE over the LEA's budget, program, and/or personnel, as well as any reconstitution responsibility, necessary to carry out such retained continued feature of the turnaround plan during the transitional period; and,

(3) if the continued feature of the turnaround plan is applicable to the entire LEA or a subset of schools within the LEA.

(D) For each continued feature of the turnaround plan during the transitional period, upon determination by the ~~Commissioner~~ Independent Review Team that the LEA has met the identified progress measures necessary for such continued feature to be discontinued:

(1) such feature shall be discontinued; and,

(2) any progressive levels of control or reconstitution responsibility retained by RIDE during the transitional period to enact the continued feature shall cease, as it pertains to that specific continued feature.

~~(E) Two years (2) after the LEA exits from turnaround status, or after the extension of any subsequent transitional period, if any of the continuing features of the turnaround plan has yet to be discontinued during the transitional period, the Commissioner shall:~~

~~(1) conduct a review of the LEA to determine whether such continuing feature or features should remain in place or be discontinued; and,~~

~~(2) make a recommendation to the Council regarding whether such continuing feature or features should remain in place during an extended transitional period or be discontinued.~~

~~(F) If, during or at the conclusion of a transitional period, the Commissioner concludes that the return of control over the operation of the LEA to the local school committee or board would not be in the best interests of the students in the LEA, the Commissioner shall submit a report to the Council in support of the resumption of state control for some additional, legally permissible period, said report to be substantially in the form of the report to the Council referenced in 20-10-6.4, above.~~

#### **20-10-6.6. Council Approval**

The recommendations by the Independent Review Team described in 20-10-6.4 and 20-10-6.5, above, shall be of no force and effect unless and until approved by a majority vote of the Council, which shall act upon any such recommendation promptly. In the event that an order expires and/or a transitional period ends after a recommendation is made to the Council, but prior to the Council's action upon said recommendation, said period of control or transition shall continue in effect until such time as the Council acts upon said recommendation.

Rhode Island Department of Education  
Commissioner of Education Angélica Infante-Green  
255 Westminster Street  
Providence, RI 02903

Re: 200-RICR-20-05-6 Regulations Governing the Intervention and Support for Failing Schools

To: Commissioner Infante-Green, Chair Patricia DiCenso, and members of the Rhode Island Board of Education

The Office of Mayor Brett P. Smiley, Providence City Council and Providence School Board are excited to provide the following comments on the proposed Regulations Governing the Intervention and Support for Failing Schools. As the local governmental authorities whose capacity and readiness will be assessed within these guidelines, we are grateful to the Rhode Island Department of Elementary and Secondary Education (RIDE) and the Rhode Island Council on Elementary and Secondary Education for providing the opportunity for public comment.

The City of Providence, Providence City Council, and Providence School Board (the City) are committed to ensuring that the process of transitioning Providence Public School District (PPSD) back to local governance maintains strategic continuity with the priorities outlined in the district's turnaround plan, promotes community engagement, and accelerates progress towards improving learning for Providence students.

The City is aligned with many of the guiding principles informing these regulations. We strongly support regular community input, using data to inform decision-making, and establishing progress-based metrics to determine a phased transition of schools rather than a single arbitrary date. There are several areas where the City would recommend revising these regulations to more accurately account for the governance of PPSD during the period of RIDE's intervention.

**The City recommends that RIDE revises these regulations by**

- **eliminating the use of turnaround plan goals in Section 6.4-C-1 in determining the state of the intervention,**
- **defining the criteria through which a municipality's financial capacity will be assessed in Section 6.4-C-3b,**
- **replacing vague and overly broad language regarding stakeholder input with more precise guidelines in Section 6.4-A and Section 6.4-B, and**
- **establishing a 90-day deadline for the Council on Elementary and Secondary Education to act upon the recommendations by the Commissioner in Section 6.6.**

The proposed regulations use the academic and progress measures within the Local Education Authority's turnaround plan as the primary criteria to evaluate the status of the state's intervention in Section 6.4-C-1. The Providence Turnaround Action Plan (TAP) contains 43 benchmark goals across four priority categories to be achieved by the 2024-25 school year. Reviewing both these goals and the 8 progress reports that PPSD has provided, these benchmarks are unrealistically aspirational and unrelated to how progress has been tracked and reported on during this period of intervention.

The TAP goals are not realistic benchmarks to measure the success of RIDE's intervention. Within the TAP category Excellence in Learning, PPSD has either regressed from the initial baseline or shown only



single digit progress in 15 of the 22 goals. Meeting many of these academic progress measures would require unprecedented growth every year. This is an unfeasible expectation even before the learning losses that occurred during the height of the COVID-19 pandemic. The TAP provides excellent areas of priority, but goals such as RICAS scores improving annually by 10% cannot be put forward as realistic or obtainable metrics.

This is supported by the progress reports that PPSD has submitted on the TAP. Only one report since 2020 (the Summary of Progress issued in March 2023) provides a comprehensive update on most of the TAP benchmark goals, while the rest focus on strategies or district highlights that occasionally reference a select metric. The School Board has not received any additional reports on these 43 benchmark goals, and both RIDE and PPSD staff have testified to the General Assembly that tracking and reporting on these goals is excessively burdensome. Since being published in June 2020, the district has only been able to submit 8 of the 16 reports required in Section VI of the TAP. These proposed regulations place more weight on unrealistic and excessively demanding goal metrics.

**The City requests that RIDE considers alternative, realistic goals that could be used to measure the condition of RIDE's intervention and support without forcing the district to create a new turnaround plan.** The City recommends measuring progress against comparable school districts, statewide academic averages, and/or selecting a small subset of goals or metrics that will more accurately account for PPSD's progress under the state intervention.

In Section 6.4-C-3b of the proposed regulations, RIDE's Commissioner will provide an analysis to the Council on Elementary and Secondary Education regarding whether the district receives sufficient local funding necessary to sustain and continue the LEA's progress, including compliance with statutory maintenance of effort requirements as identified in the Crowley Act. The issue of what constitutes compliance with the Crowley Act's maintenance of effort requirements is the subject of active litigation between the City of Providence and RIDE. These regulations should not be used to litigate unsettled disputes, and the City recommends that the Commissioner considers the many alternative and objective methods to assess a municipality's financial capacity.

The City also questions how municipal readiness can be ascertained from the severely limited financial information that has been provided by PPSD. The City does not have a clear understanding of how the administration of PPSD operates in support of the goals established within the TAP, and as such does not know how PPSD staffing relates to continued academic progress. The City has received undetailed and incomplete budget information from PPSD, and there has been a significant lack of transparency on the budget compared to actual spending. The City has yet to receive a full accounting of the allocated and spent federal Elementary and Secondary School Emergency Relief (ESSER) funds. In particular, the City does not know how many positions are currently sustained through ESSER funds and the anticipated impact of these funds expiring. These areas are essential in determining the financial state of the school district.

**The City recommends that RIDE removes references to maintenance of effort, provides criteria through which this financial assessment will occur, and mandate complete financial transparency for the Mayor's Office, City Council and School Board leadership.** The City also recommends that this assessment does not hold the municipality responsible for differing levels of state and federal funds to ensure this remains an accurate assessment of local funding.

As the first Rhode Island school district to undergo this model of state intervention, Providence has faced a recurring issue since 2019 with public confusion in determining their role and power within the new governance of their school district. The amount of public comment or input required has been a conflict point regarding the development of the TAP, school facility decisions, and even the state of the intervention itself. These regulations refer to being “. . . informed by input from community and other stakeholder engagement . . .” (Section 6.4-A-1b.) and “. . . following input from a variety of community and other stakeholders. . .” (Section 6.4-B).

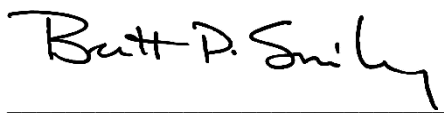
**The City recommends that RIDE considers clarifying this language, defining the scope, weight, and requirement of community input** within these regulations to help avoid the type of confusion that can lead to stakeholder disengagement.

**Finally, the City recommends that Section 6.6 is amended to require the Council on Elementary and Secondary Education to act upon the Commissioner’s recommendation within 90 days rather than “promptly.”** The City recommends that to ensure compliance with this change, if the order expires and/or a transitional period ends after a recommendation is made to the Council, but prior to the Council’s action upon said recommendation, said period of control or transition shall expire.

Transitioning a school or school district from a period of state control is a difficult process. In Providence, Hope High School serves as an unfortunate reminder that it is difficult to sustain the progress made within a period of state intervention. Lawrence Massachusetts, once heralded as an intervention success story, is now entering twelve years under state control without significant progress towards improving standardized testing and graduation rates since 2015. Newark School District was under state control for 25 years before being transitioned back to local governance. The City would like to ensure that PPSD has a more efficient navigation back to local control, by creating its own targets and goals the district must meet.

The work of improving Providence schools will outlast any period of state intervention. The City is eager to actively partner with RIDE and the Council on Elementary and Secondary Education to consider how a collaborative and strategic transition process could build upon the positive strides taken under RIDE’s governance.

Thank you for your consideration,



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Brett P. Smiley, Mayor  
City of Providence



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Rachel M. Miller, Council President  
Providence City Council



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Erlin Rogel, President  
Providence School Board

## **City of Providence Intergovernmental Working Group**

### Mayor's Office:

Emily Ward Crowell, Chief of Staff

Sheila Dormody, Chief of Policy and Resiliency

Michael Napolitano, Deputy Director of Intergovernmental Affairs

Thomas Kerr-Vanderslice, Deputy Director of Policy

### City Council:

Kristina Brown, Chief of Staff

Aaron Easter-Gardner, Senior Director of Policy

Miguel Youngs, Policy and Public Affairs Coordinator

### Providence School Board:

Erlin Rogel, President

Toni Aikins, Member

### Providence City Departments:

Stephen Grace, Director of Recreation

Amanda Pontarelli, Acting Director of Public Property

Krystle Lindberg, Deputy Director of Finance

Anthony Aquino, Director of Community Relations

Wedley Thelemaque, Community Health Coordinator



Parents Leading for Educational Equity  
60 Valley Street, Suite 105  
Providence, Rhode Island, 02909  
[rsantostorres@pleeri.org](mailto:rsantostorres@pleeri.org)

December 18, 2023

Council on Elementary and Secondary Education  
255 Westminster Street  
Providence, RI 02903

Subject: Endorsement of Regulation 200-RICR-20-05-6: Regulations Governing the Intervention and Support for Failing Schools

Dear Esteemed Members of the Council of Elementary and Secondary Education,

My name is Ramona Santos Torres, the Executive Director of Parents Leading for Educational Equity (PLEE), a grassroots family advocacy organization dedicated to ensuring a high-quality education for all students of color in Rhode Island. I am writing to express our support for Regulation 200-RICR-20-05-6, which delineates criteria and procedures for concluding the turnaround status of Local Education Agencies (LEAs) under the Crowley Act. Regulation 200-RICR-20-05-6 holds significant importance in bolstering accountability, transparency, and community involvement within the Rhode Island education system, crucial elements for enhancing educational outcomes across the state. While we support this regulation, we would like to bring attention to key aspects requiring further clarification.

In Section 6.4, the regulation emphasizes the importance of community and stakeholder input in shaping the progress of Local Education Agencies (LEAs). The regulation specifies that this progress should be influenced by insights gathered through community engagement, a process integral to creating the turnaround plan. The involvement of the community in decision-making is crucial for several reasons. Firstly, it ensures a diverse range of perspectives, incorporating the views of parents/caregivers, students, teachers and other stakeholders who have

a direct impact on the educational system. This diversity of input is valuable in capturing the varied needs and aspirations of the community. Moreover, community involvement fosters a sense of shared responsibility for the educational outcomes of the LEA. When the community actively participates in shaping the turnaround plan, it creates a collaborative environment where everyone feels invested in the success of the educational initiatives.

To operationalize this community engagement, it is essential to establish a clear and structured process for collecting and utilizing input. The process for collecting community input should be comprehensive and well-structured. It should include town hall meetings, surveys, focus groups, or other inclusive methods that allow all community members to contribute. By doing so, trust is built, collaboration is promoted, and the resulting turnaround plan becomes a true reflection of the nuanced needs and aspirations of the community. A transparent and inclusive process for gathering and utilizing community input not only enriches the decision-making process but also ensures that the turnaround plan is genuinely aligned with the unique needs and aspirations of the community the turnaround plan seeks to serve.

Additionally, we want to call attention to the capacity and readiness to continue to make progress on the academic and other progress as identified within section 6.4 line C. The clarity, transparency, equity focus, and community input embedded in the metrics used to assess Local Education Agencies (LEAs) under the Crowley Act are crucial elements for fostering a fair and effective way to assess LEAs readiness and provide a straightforward understanding of what is expected from an LEA. When the criteria for success are transparent and easily comprehensible, it promotes accountability and ensures that all stakeholders, including educators, parents, and students, are on the same page regarding the goals and expectations. When the criteria for evaluating an LEA's progress are openly communicated, it builds trust and confidence among the community and stakeholders. Transparency also allows for scrutiny and ensures that the assessment process is fair and unbiased.

An equity-focused approach in defining metrics is essential to address the diverse needs of students and communities. Metrics should go beyond traditional academic measures and encompass indicators that reflect the equitable distribution of resources, opportunities, and

support services among schools. This ensures that the assessment process acknowledges and addresses disparities, working towards a more inclusive anti racist educational system. Community input is invaluable in shaping metrics that resonate with the unique strengths and challenges of each local context. Including the perspectives of parents, teachers, students, and community members ensures that the metrics align with the community's values and aspirations. This collaborative approach not only enriches the evaluation process but also fosters a sense of shared responsibility for the educational outcomes. Non-academic progress measures may involve achieving milestones that address the root causes contributing to the LEA's turnaround status.

The readiness evaluation extends to the LEA's local school committee or board, ensuring they have the capacity to support continued progress, consistent with their responsibilities and governance best practices. Additionally, the legally responsible municipal entity's capacity and readiness are scrutinized to ensure support for the LEA's school committee or board and to contribute sufficient local funding necessary for sustained progress, in compliance with statutory maintenance of effort requirements.

We express our gratitude to the Rhode Island Department of Elementary and Secondary Education (RIDE) and the Council of Elementary and Secondary Education for their commitment to establishing a comprehensive and equitable framework under Regulation 200-RICR-20-05-6. The dedication to clarity, transparency, equity, and community engagement in the assessment of Local Education Agencies under the Crowley Act is encouraging. We believe that a thoughtful approach will not only enhance educational outcomes for all student but also foster a sense of shared responsibility and collaboration within our communities.

Sincerely,

Ramona Santos Torres

Executive Director

Parents Leading for Educational Equity (PLEE)