

2013 -- H 5277

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LC01009  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO EDUCATION - THE PAUL W. CROWLEY RHODE ISLAND STUDENT  
INVESTMENT INITIATIVE - NOTICE PROVISIONS

Introduced By: Representatives Naughton, E Coderre, Slater, Diaz, and Palumbo

Date Introduced: February 06, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7.1-13 of the General Laws in Chapter 16-7.1 entitled "The Paul  
2 W. Crowley Rhode Island Student Investment Initiative" is hereby amended to read as follows:

3 **16-7.1-13. State leadership in conducting annual assessments of student**  
4 **performance.** – (a) Setting high standards for student performance must be paired with related  
5 assessments that will determine what progress the state is making toward bringing all children to  
6 high levels of achievement. A state assessment program shall be continued and expanded in core  
7 areas (mathematics, reading, writing and health). The program shall include performance  
8 standards and an annual report that disaggregates performance by race, poverty, native language  
9 and gender. The general assembly shall annually appropriate funds to support the programs, and  
10 the amount shall be recalculated annually. The commissioner of education shall implement the  
11 state assessment program.

12 (b) No state assessment conducted pursuant to this chapter, and no other standardized  
13 testing program or assessment, shall be used to determine a student's eligibility to graduate from  
14 high school. Any such assessments shall instead be used to promote school and district  
15 accountability and improvement and to target early and intensive remediation to individual  
16 students and to at-risk student subgroups.

17 (c) Any student identified as "significantly below proficient" on any state assessment in  
18 Rhode Island shall be provided intervention assistance that is research-based and offered with

1 [sufficient intensity to close the gap between the student's performance and the proficiency level](#)  
2 [as quickly as feasible. The parent or guardian of the student shall be notified in writing \(in the](#)  
3 [native language of the parent or guardian\) as follows:](#)

4 [\(1\) That the student is significantly below proficiency;](#)

5 [\(2\) What intervention\(s\) are being provided;](#)

6 [\(3\) On at least a quarterly basis, what progress towards closing the gap is being made as a](#)  
7 [result of such intervention\(s\); and](#)

8 [\(4\) What changes to the nature or intensity of intervention will be provided if the](#)  
9 [progress within a quarter is not achieving sufficient results.](#)

10 SECTION 2. Section 16-54-3 of the General Laws in Chapter 16-54 entitled "Education  
11 of Limited English Proficient Students" is hereby amended to read as follows:

12 **16-54-3. Regulation of the board of regents for elementary and secondary education.**

13 -- It shall be the duty of the board of regents for elementary and secondary education to establish  
14 and promulgate regulations for the purpose of carrying out the intent of this chapter. These  
15 regulations shall include, but are not limited to:

16 (1) Criteria for the identification, assessment, placement, and exiting of eligible students,  
17 [including, but not limited to, compliance with the requirements of section 16-7.1-13;](#)

18 (2) Criteria for an appropriate educational program or service;

19 (3) Criteria for the monitoring and evaluation of educational programs;

20 (4) Administrative procedures for state reimbursement of approved programs and  
21 services;

22 (5) Definitions of responsibilities of the local school committees and the department of  
23 elementary and secondary education;

24 (6) Criteria for parent involvement;

25 (7) Time line for phasing in services and programs to assure that the process begins and  
26 that all eligible children are served.

27 SECTION 3. Section 16-67-3 of the General Laws in Chapter 16-67 entitled "Rhode  
28 Island Literacy and Dropout Prevention Act" is hereby amended to read as follows:

29 **16-67-3. Coordination with programs for special populations.** -- It is required that

30 programs serving special population students be coordinated with the requirements of this  
31 chapter. All these programs shall focus on literacy objectives to the extent appropriate for each  
32 special population. All coordinating efforts shall not absolve participating school districts from  
33 meeting all requirements of state and/or federal laws, regulations, and mandates. In particular,  
34 programs for supplementary literacy instruction for educationally disadvantaged students in

1 kindergarten through grade twelve (12) shall meet the following criteria which shall be included  
2 in a plan submitted annually and reviewed and approved by the department of elementary and  
3 secondary education:

4 (1) Services shall be based on an annual assessment of need;

5 (2) Programs shall have performance objectives evaluated annually;

6 (3) Programs must provide supplementary services;

7 (4) Programs must be monitored by the department of elementary and secondary  
8 education; ~~and~~

9 (5) School districts must keep records on the above and afford access to the records by  
10 the department of elementary and secondary education; ~~and~~

11 [\(6\) Information demonstrating compliance with the requirements of section 16-7.1-13.](#)

12 SECTION 4. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would provide for certain notifications that would need to be provided to parents  
2 or guardians of students identified as performing “significantly below proficient” on any state  
3 assessment. This act would also provide that no state assessment or standardized testing would be  
4 used to determine a student’s eligibility to graduate from high school.

5           This act would take effect upon passage.

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