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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO EDUCATION - THE RHODE ISLAND BOARD OF EDUCATION ACT

Introduced By: Senators Felag, Pearson, Algiere, Gallo, and Lynch

Date Introduced: January 30, 2014

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-97-1 of the General Laws in Chapter 16-97 entitled "The Rhode  
2 Island Board of Education Act" is hereby amended to read as follows:

3 **16-97-1. Rhode Island board of education established.** -- (a) Effective January 1, 2013,  
4 there is created a board of education which shall be and is constituted a public corporation,  
5 empowered to sue and be sued in its own name, to have a corporate seal, and to be vested with all  
6 the powers and duties currently vested in the board of governors for higher education established  
7 in chapter 16-59 and the board of regents for elementary and secondary education established in  
8 chapter 16-60.

9 (b) Upon its organization, the board of education shall be vested with the legal title (in  
10 trust for the state) to all property, real and personal, now owned by and/or under the control or in  
11 the custody of the board of governors for higher education and the board of regents for  
12 elementary and secondary education, for the use of the board of education. The board of  
13 education is hereby-designated successor to all powers, rights, duties, and privileges pertaining to  
14 the board of regents for elementary and secondary education and the board of governors for  
15 higher education.

16 (c) The board of education shall consist of ~~eleven (11)~~ twelve (12) public members  
17 appointed by the governor with the advice and consent of the senate. One of the members shall be  
18 an employer community member of the state workforce investment board as established in §28-  
19 45.1-2. Four (4) of the members initially appointed pursuant to this section shall serve terms of

1 three (3) years; four (4) members initially appointed pursuant to this section shall serve terms of  
2 two (2) years; and, three (3) members initially appointed pursuant to this section shall serve terms  
3 of one year. Thereafter, all members appointed pursuant to this section shall serve terms of three  
4 (3) years. No board member shall be appointed to serve more than two (2) three (3) year terms.

5 (d) The governor shall select from the appointed members a chairperson and vice  
6 chairperson. A quorum shall consist of six (6) members of the board. A majority vote of those  
7 present shall be required for action.

8 (e) The statutory responsibilities of the department of elementary and secondary  
9 education, the commissioner of elementary and secondary education, and the commissioner of  
10 higher education shall remain unchanged. No later than July 1, 2013, the board of education shall  
11 submit to the governor and the general assembly its final plan for the permanent administrative  
12 structure for higher education. As a requisite element of the administrative structure for higher  
13 education, the board of education shall establish a plan for distributing the assets, responsibilities,  
14 powers, authorities, and duties of the office of higher education to the three (3) higher education  
15 institutions and appropriate state agencies. Said distribution shall be done in a manner designed to  
16 maximize efficiency, provide greater articulation of the respective responsibilities of elementary  
17 and secondary and higher education, and ensure that students are prepared to succeed in school,  
18 college, careers, and life. The permanent governance structure for higher education shall, at a  
19 minimum: (1) Provide clear guidance on statutory, legal, financial and contractual obligations; (2)  
20 Establish a policy framework that furthers the goals of this chapter; and (3) Establish appropriate  
21 administrative structures, support, policies and procedures. Effective July 1, 2014, the office of  
22 higher education shall be abolished.

23 (f) The board shall prepare a plan that ensures that career and technical education, adult  
24 education and the community college of Rhode Island are given due consideration as important  
25 components of the state's public education system as well as its workforce development efforts.  
26 The plan shall be developed with input from Rhode Island-based employers and shall be  
27 submitted to the governor, the speaker of the house and the president of the senate no later than  
28 January 12, 2015.

29 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION - THE RHODE ISLAND BOARD OF EDUCATION ACT

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1           This act would expand the board of education membership from eleven (11) members to  
2 twelve (12) by adding an employer community member of the state workforce investment board.  
3 The act would also require the board to prepare a plan that ensures that career and technical  
4 education, adult education and the community college of Rhode Island are given due  
5 consideration as important components of the state's public education system.

6           This act would take effect upon passage.

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