AN ACT
RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS

Introduced By: Representatives Lombardi, Williams, McKiernan, Abney, and Costantino
Date Introduced: February 11, 2015
Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

SECTION 1. Section 16-2-17 of the General Laws in Chapter 16-2 entitled "School Committees and Superintendents [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended to read as follows:

16-2-17. Right to a safe school. -- (a) Each student, staff member, teacher, and administrator has a right to attend and/or work at a school which is safe and secure, and which is conducive to learning, and which is free from the threat, actual or implied, of physical harm by a disruptive student. A disruptive student is a person who is subject to compulsory school attendance who exhibits persistent conduct which substantially impedes the ability of other students to learn or otherwise substantially interferes with the rights stated above, and who has failed to respond to corrective and rehabilitative measures presented by staff, teachers, or administrators.

(b) The school committee, or a school principal as designated by the school committee, may suspend all pupils found guilty of this conduct or of violation of those school regulations which relate to the rights set forth in subsection (a), or where a student represents a threat to those rights of students, teachers or administrators, as described in subsection (a). Nothing in this section shall relieve the school committee or school principals from following all procedures required by state and federal law regarding discipline of students with disabilities.

(c) A student suspended under this section may appeal the action of the school committee, or a school principal as designee, to the commissioner of elementary and secondary
education who, after notice to the parties interested of the time and place of hearing, shall
examine and decide the appeal without cost to the parties involved. Any decision of the
commissioner in these matters shall be subject to appeal by the student to the board of regents for
elementary and secondary education and any decision of the board of regents may be appealed by
the student to the family court for the county in which the school is located as provided in § 42-35-15.
(d) All school superintendents, or their designees, shall review annually, the discipline
data for their school district, collected in accordance with the specifications set forth in § 16-60-4(21), to determine whether the discipline imposed has a disproportionate impact on students
based on race, ethnicity or disability status and to appropriately respond to any such disparity. In
addition to the data submitted, every school district shall submit an annual report to the council
on elementary and secondary education describing what action, if any, has been taken to address
the disparity. The reports shall be deemed to be public records for purposes of title 38.

SECTION 2. Chapter 16-2 of the General Laws entitled “School Committees and
Superintendents [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]” is hereby
amended by adding thereto the following section:

16-2-17.1. In school suspensions. – Suspensions issued shall not be served out of school
unless the student's conduct meets the standards set forth in § 16-2-17(a).

SECTION 3. This act shall take effect upon passage.
This act would direct all school superintendents to review discipline data for their school district, to decide whether there is an unequal impact on students based on race, ethnicity, or disability status, and to respond to any disparity. Every school district would submit a report to the council on elementary and secondary education describing any action taken on the disparity. All such reports shall be public records. Also, student suspensions will not be served out of school unless the student's conduct meets certain standards.

This act would take effect upon passage.