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LC002812

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO EDUCATION -- RHODE ISLAND CERTIFICATION STANDARDS BOARD

Introduced By: Representatives O'Brien, Marshall, Keable, Slater, and Craven

Date Introduced: June 08, 2017

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-11.4-4 of the General Laws in Chapter 16-11.4 entitled "Rhode
2 Island Certification Standards Board [See Title 16 Chapter 97 - The Rhode Island Board of
3 Education Act]" is hereby amended to read as follows:

4 **16-11.4-4. Policy advisory board on teacher and administrative certification --**

5 **General powers and duties.**

6 The advisory board shall:

7 (1) Recommend to the ~~commissioners~~ commissioner of elementary and secondary
8 education and to the ~~board of regents for~~ council on elementary and secondary education
9 standards for obtaining and maintaining a certificate of qualifications;

10 (2) Recommend to the ~~commissioners~~ commissioner of elementary and secondary
11 education and to the ~~board of regents for~~ council on elementary and secondary education
12 standards for the revocation or suspension of a certificate of qualifications and the standards for
13 the reinstatement of a suspended or revoked certificate of qualifications;

14 (3) Recommend to the ~~commissioners~~ commissioner of elementary and secondary
15 education and to the ~~board of regents for~~ council on elementary and secondary education the
16 adoption or revision of rules and regulations consistent with law as may be necessary to regulate
17 teacher and administrator certification pursuant to chapter 11 of this title;

18 (4) Recommend to the ~~commissioners~~ commissioner of elementary and secondary
19 education, commissioner of postsecondary education and to the ~~board of regents for~~ councils on

1 elementary and secondary education [and postsecondary education](#) standards for teacher and
2 administrator preparation programs in this state and standards for the evaluation of teacher and
3 administrator preparation programs in this state. [The commissioner of elementary and secondary
4 education and the commissioner of postsecondary education shall provide a report to the
5 presidents of the University of Rhode Island and Rhode Island College, the president of the senate
6 and the speaker of the house of representatives that outlines the recommendations of the advisory
7 board and what, if any, action was taken by October 31, 2017.](#)

8 SECTION 2. Section 16-60-4 of the General Laws in Chapter 16-60 entitled "Board of
9 Regents for Elementary and Secondary Education [See Title 16 Chapter 97 - The Rhode Island
10 Board of Education Act]" is hereby amended to read as follows:

11 **16-60-4. Council on elementary and secondary education -- Powers and duties.**

12 [\(a\)](#) The Council on Elementary and Secondary Education shall have in addition to those
13 enumerated in § 16-60-1, the following powers and duties:

14 (1) To approve a systematic program of information gathering, processing, and analysis
15 addressed to every aspect of elementary and secondary education in this state especially as that
16 information relates to current and future educational needs so that current needs may be met with
17 reasonable promptness and plans formulated to meet future needs as they arise in the most
18 efficient and economical manner possible.

19 (2) To approve a master plan implementing the broad goals and objectives for elementary
20 and secondary education in the state that have been established by the board of education. These
21 goals and objectives shall be expressed in terms of what men and women should know and be
22 able to do as a result of their educational experience. The council on elementary and secondary
23 education shall continually evaluate the efforts and results of education in the light of these
24 objectives.

25 (3) To adopt standards and require enforcement and to exercise general supervision over
26 all elementary and secondary public and nonpublic education in the state as provided in
27 subdivision (8) of this section. The council on elementary and secondary education shall not
28 engage in the operation or administration of any subordinate committee, local school district,
29 school, school service, or school program, except its own department of elementary and
30 secondary education, and except as specifically authorized by an act of the general assembly. The
31 adoption and submittal of the budget and the allocation of appropriations, the acquisition,
32 holding, disposition, and general management of property shall not be construed to come within
33 the purview of the preceding prohibition. The council on elementary and secondary education
34 shall communicate with and seek the advice of the commissioner of elementary and secondary

1 education and all those concerned with and affected by its determinations as a regular procedure
2 in arriving at its conclusions and in setting its policy.

3 (4) To allocate and coordinate the various educational functions among the educational
4 agencies of the state and local school districts and to promote cooperation among them so that
5 maximum efficiency and economy shall be achieved.

6 (5) (i) To prepare with the assistance of the commissioner of elementary and secondary
7 education and to present annually to the state budget officer, in accordance with § 35-3-4, a total
8 educational budget for the elementary and secondary sector which shall include, but not be
9 limited to, the budgets of the department of elementary and secondary education, subordinate
10 boards and agencies, and state aid to local school districts. Prior to submitting the budget as
11 required by the budget office instructions and this subsection the council shall present the budget
12 to the board of education for review and approval.

13 (ii) In the preparation of the budget, the council on elementary and secondary education
14 shall implement the priorities established by the board of education of expenditures for
15 elementary and secondary education purposes of state revenues and other public resources made
16 available for the support of public elementary and secondary education among the various
17 education agencies of the state. Nothing contained in this section shall authorize any individual or
18 group of individuals to reallocate resources in a manner other than that prescribed in the budget as
19 appropriations by the general assembly.

20 (6) To maintain a department of elementary and secondary education, to provide for its
21 staffing and organization and to appoint a commissioner of elementary and secondary education
22 pursuant to § 16-60-6 who shall serve at its pleasure. The commissioner of elementary and
23 secondary education and the department of elementary and secondary education shall have any
24 duties and responsibilities as defined in §§ 16-60-6 and 16-60-7.

25 (7) To establish other educational agencies or subcommittees necessary or desirable for
26 the conduct of any or all aspects of elementary and secondary education and to determine all
27 powers, functions, and composition of any agencies or subcommittees and to dissolve them when
28 their purpose shall have been fulfilled; provided that nothing contained in this subdivision shall
29 be construed to grant the council the power to establish subcommittees or agencies performing
30 the duties and functions of local school committees except as provided in § 16-1-10.

31 (8) To exercise the authority previously vested in the board of regents for education with
32 relation to secondary nonpublic educational institutions within the state under the terms of
33 chapter 40 of this title and other laws affecting nonpublic education in the state, and to cause the
34 department of elementary and secondary education to administer the provisions of that section.

1 (9) To exercise all the functions, powers and duties which previously were vested in the
2 board of regents for education, under the provisions of former § 16-49-4(9), including but not
3 limited to the following specific functions:

4 (i) To approve the basic subjects and courses of study to be taught and instructional
5 standards required to be maintained in the public elementary and secondary schools of the state.

6 (ii) To adopt standards and qualifications for the certification of teachers and to provide
7 for the issuance of certificates, and to establish fees for the certification of teachers. The fees
8 collected for the certification of teachers along with various education licensing and testing fees
9 shall be deposited by the council on elementary and secondary education as general revenues.
10 The funds appropriated by the general assembly shall be utilized by the department of elementary
11 and secondary education to establish and support programs which enhance the quality and
12 diversity of the teaching profession. The commissioner of elementary and secondary education
13 shall regularly make recommendations to the board about specific programs and projects to be
14 supported by those funds. The commissioner shall oversee the funds, assess the effectiveness of
15 its programs and projects, and make recommendations about the general use and operation of the
16 funds to the board.

17 (iii) To be responsible for the distribution of state school funds.

18 (iv) To determine the necessity of school construction and to approve standards for
19 design and construction of school buildings throughout the state.

20 (v) To set standards for school libraries and school library services.

21 (vi) To make recommendations relative to transportation of pupils to school, school bus
22 routes, time schedules, and other matters relating to pupil transportation.

23 (vii) To enforce the provisions of all laws relating to elementary and secondary
24 education.

25 (viii) To decide and determine appeals from decisions of the commissioner.

26 (ix) To prescribe forms for the use of local school committees and local officers when
27 reporting to the department of elementary and secondary education.

28 (x) To adopt and require standard accounting procedures for local school districts, except
29 as provided for in subdivision (3) of § 16-24-2.

30 (xi) To adopt and require standard uniform operating and capital budgeting procedures
31 for local school districts.

32 (10) To establish rules for the approval and accrediting of elementary and secondary
33 schools.

34 (11) To recommend to the general assembly changes in the size and number of the school

1 districts within the state; and to make any further and other recommendations to the general
2 assembly as the council on elementary and secondary education may determine to be necessary
3 or desirable, including, but not limited to, proposals for incentives for the coordination of services
4 and facilities of certain school districts and the feasibility of granting taxing authority to local
5 school committees upon their request, and the impact upon the quality of education within that
6 particular community by granting the request. In carrying out this duty, the council on elementary
7 and secondary education shall periodically issue reports in school district organizations for
8 selected regions and school districts.

9 (12) To exercise all other powers with relation to the field of elementary and secondary
10 education within this state not specifically granted to any other department, board, or agency, and
11 not incompatible with law, which the council on elementary and secondary education may deem
12 advisable.

13 (13) To exercise the authority previously vested in the board of regents for education with
14 relation to adult education as defined in § 16-58-2 and to establish definitive goals for and operate
15 a comprehensive delivery system for adult education programs and services, including the
16 counseling and testing of persons interested in obtaining high school equivalency diplomas, the
17 issuance of diplomas, and the maintenance of a permanent record of applications, tests, and
18 equivalency diplomas.

19 (14) To promote maximum efficiency and economy in the delivery of elementary and
20 secondary educational services in the state.

21 (15) To approve a training program for school committee members to enhance their
22 individual skills and their effectiveness as a corporate body. The training program should include,
23 but not be limited to, the following roles and responsibilities of school committees: strategic
24 planning, human and community relations, and school finance and budgeting.

25 (16) Within ninety (90) days after the end of each fiscal year, the board shall submit an
26 annual report to the governor, the speaker of the house of representatives, and the president of the
27 senate of its activities during that fiscal year. The report shall provide: an operating statement
28 summarizing meetings or hearings held, subjects addressed, decisions rendered, rules or
29 regulations promulgated, studies conducted, policies and plans developed, approved, or modified,
30 and programs administered or initiated; a consolidated financial statement of all funds received
31 and expended including the source of the funds, a listing of any staff supported by these funds,
32 and a summary of any clerical, administrative or technical support received; a summary of
33 performance during the previous fiscal year including accomplishments, shortcomings and
34 remedies; a synopsis of hearings, complaints, suspensions, or other legal matters related to the

1 authority of the council; a briefing on anticipated activities in the upcoming fiscal year; and
2 findings and recommendations for improvements. The director of the department of
3 administration shall be responsible for the enforcement of the provisions of this subsection.

4 (17) To prepare with the assistance of the commissioner a multi-year plan of priority
5 educational goals and objectives. This plan should recommend policy objectives, implementation
6 strategies, and a timetable for major policy initiatives.

7 (18) Each year the governor shall by writing notify the council on elementary and
8 secondary education concerning broad economic, cultural, and social needs that the education
9 system needs to consider which the board shall address in developing educational plans and
10 programs.

11 (19) Appoint a standing committee that will develop a schedule to systematically review
12 all council policies over a three (3) year period.

13 (20) To prepare with the assistance of the commissioner a statement of regulatory policy.
14 This policy should set forth the goals and objectives of state regulations which are expressed in
15 terms of what educational inputs and outputs the board expects regulations to address.

16 (21) (i) To prepare with the assistance of the commissioner of elementary and secondary
17 education and to present annually to the general assembly by January 1 a report on school
18 discipline in Rhode Island schools. This report shall include:

19 (A) Expulsions by district, including duration and the reason for each action.

20 (B) Suspensions by district, including duration and the reason for each action.

21 (C) Placements to alternative programs for disciplinary reasons.

22 (D) Assaults of teachers, students, and school staff by students.

23 (E) Incidents involving possession of weapons on school property. For the purpose of this
24 section, a weapon shall be considered any of those weapons described in §§ 11-47-2 and 11-47-
25 42.

26 (F) Incidents of the sale of controlled substances by students.

27 (G) Incidents of the possession with the intent to sell controlled substances by students.

28 (H) Additional demographic information including, but not limited to, the ethnic and
29 racial classifications, age, and gender, as prescribed by the commissioner, of each of the students
30 involved in the incidents, events or actions described in subparagraphs (A) through (G) of this
31 subdivision.

32 (I) A description of the education program provided to each student suspended for over
33 ten (10) consecutive school days in a school year.

34 (ii) All school superintendents shall supply the necessary information on forms

1 established by the commissioner of elementary and secondary education to the council on
2 elementary and secondary education to assist in the preparation of the council's report on school
3 discipline.

4 (22) To prepare and promulgate a uniform statewide school reporting system which
5 would provide information including, but not limited to, the following:

6 (i) Student and teacher attendance rates;

7 (ii) Standardized test scores;

8 (iii) Demographic profiles;

9 (iv) Results of polls of students, parents, and teachers;

10 (v) Descriptions of goals, initiatives, and achievements;

11 (vi) Best teaching practices;

12 (vii) Alternative student assessments;

13 (viii) Special programs;

14 (ix) Number of student suspensions and teacher grievances and the amount of parental
15 involvement.

16 (23) [Deleted by P.L. 2014, ch. 145, art. 20, § 7].

17 [\(b\) The council shall identify the benefit to students regarding the action that is taken in](#)
18 [executing its duties.](#)

19 SECTION 3. 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 -- RHODE ISLAND CERTIFICATION STANDARDS BOARD

1 This act would require the commission of elementary and secondary education and the
2 commissioner of postsecondary education to report to URI, RIC, the president of the senate and
3 the speaker of the house recommendations regarding teacher and administrator preparation
4 programs by October 31, 2017. The act would also require the council on elementary and
5 secondary education to identify the benefit to students regarding the action that is taken in
6 executing their duties.

7 This act would take effect upon passage.

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