

2017 -- H 6325

LC002832

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO EDUCATION - ESTABLISHMENT OF PUBLIC CHARTER SCHOOLS

Introduced By: Representatives Amore, Barros, and Serpa

Date Introduced: June 09, 2017

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-77-5.1 of the General Laws in Chapter 16-77 entitled
2 "Establishment of Charter Public Schools [See Title 16 Chapter 97 - The Rhode Island Board of
3 Education Act]" is hereby amended to read as follows:

4 **16-77-5.1. Oversight by commissioner.**

5 (a) Individuals or groups may complain to a charter public school's governing body
6 concerning any claimed violation of the provisions of this chapter by the school. If, after
7 presenting their complaint to the governing body, the individuals or groups believe their
8 complaint has not been adequately addressed, they may submit their complaint to the
9 commissioner who shall hear and decide the issue pursuant to §§ 16-39-1 and 16-39-2.

10 (b) Charter public school approval for establishment or continuation shall be for up to a
11 five-year (5) period. In either case, council on elementary and secondary education approval is
12 required.

13 (c) Local, written support shall be required for a proposed charter that is a network
14 charter school as defined herein. "Written support" means a resolution or ordinance granted by
15 the town or city council for each proposed sending district where the council considers the fiscal
16 and educational welfare of the municipality and students after at least one public hearing.

17 (d) A charter public school, as defined in § 16-77-2.1, shall be considered a network
18 charter school if the charter public school encompasses, or will encompass, elementary and
19 secondary schools or multiple elementary or multiple secondary schools. [A charter public school](#)

1 that operates or will operate elementary school grades and middle school grades or operates or
2 will operate middle school grades and high school grades shall be considered a network charter
3 school notwithstanding the facility or administration of the school.

4 (e) Charter public schools, as defined in § 16-77-2.1(4) and authorized as of the effective
5 date of this act [July 13, 2016] shall be exempt from subsection (c) of this section and shall not
6 require local, written support under subsection (c) for any proposed expansion or charter renewal.

7 (f) A proposed charter, or amendment to a charter for expansion, may proceed through
8 the approval process by removing districts that have not provided written support, in accordance
9 with this section, from the catchment area and may be approved with the remaining districts in
10 the catchment area, provided that the application satisfies the requirements of regulations and
11 law.

12 However, the charter may be revoked at any time if the school:

13 (1) Materially violates provisions contained in the charter;

14 (2) Fails to meet or pursue the educational objectives contained in the charter;

15 (3) Fails to comply with fiscal accountability procedures as specified in the charter;

16 (4) Violates provisions of law that have not been granted variance by the council on
17 elementary and secondary education; or

18 (5) After three (3) consecutive years of operation, is not a "high-performing charter
19 school", defined as a charter public school that has demonstrated overall success, including: (i)
20 Substantial progress in improving student achievement; and (ii) The management and leadership
21 necessary to establish a thriving, financially viable charter public school.

22 (g) After denying, or prior to non-renewing or revoking a charter, the department of
23 elementary and secondary education will hold a hearing on the issues in controversy under § 16-
24 39-1.

25 (h) The establishment of new charter public schools shall be contingent upon state
26 approval and appropriation.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION - ESTABLISHMENT OF PUBLIC CHARTER SCHOOLS

1 This act would provide that a charter public school that operates or will operate
2 elementary school grades, middle school grades or high school grades shall be considered a
3 network charter school notwithstanding the facility or the administration of the school.

4 This act would take effect upon passage.

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