

2024 -- H 7726

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives Morales, Caldwell, McNamara, Biah, Kislak, Batista,
Casimiro, Sanchez, DeSimone, and Donovan

Date Introduced: February 28, 2024

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils" is
2 hereby amended by adding thereto the following section:

3 **16-21-42. Standards for closure or phase-out of a public school building.**

4 (a) As used in this section:

5 (1) "Closure of a public school" means the temporary or permanent ending, concluding,
6 and finishing of use of a building as a public school building within which education services are
7 provided, and includes the cessation of all public school related activities therein;

8 (2) "Phase-out of a public school" means a gradual process designed to lead up to the
9 closure of a public school. "Phase-out of a public school" includes provisions for continued
10 education during the time of the process, as well as a transition plan for staff at the public school;

11 (3) "School merger" means the consolidation of two (2) or more public schools into one
12 school, including, but not limited to, school redesign initiatives or any activities identified as 'more
13 rigorous interventions' in the state's Every Student Succeeds Act state plan.

14 (4) "Staff" means and includes teachers, department heads, administrators, maintenance
15 personnel, food and cafeteria personnel, athletic and team personnel, and any other individuals
16 employed by the school district subject to the provisions of this section.

17 (b) Public school districts and the department of elementary and secondary education shall
18 be required to adhere to the following process outlined in this chapter.

19 (c) Nothing found in § 16-7.1-5 or any other section of state law shall make a school district

1 or the department of elementary and secondary education exempt from these requirements.

2 (d) Public school districts and the department of elementary and secondary education shall
3 be required to announce their proposal to initiate either a closure of a public school building, school
4 merger, or a phase-out of a public school building.

5 (e) Within seven (7) calendar days after a public school district or the department of
6 elementary and secondary education announces their proposal to initiate either a closure of a public
7 school building, school merger, or a phase-out of a public school building, the following
8 information shall be provided on the district website's homepage, online communication used by
9 the school, via email and a written notice with information on how to access the report, sent to a
10 responsible adult in their preferred language for each student attending school within the building
11 being phased-out, merged or closed:

12 (1) A public, detailed, quantitative and qualitative report regarding building facility
13 conditions, the estimated cost to repair the building, identification of possible uses of space for the
14 building once it has been closed, including, but not limited to, lease, sale, and demolition, RICAS
15 data, the school's report card, the school's improvement plan, student enrollment trends, attendance
16 data, existing classroom sizes, special education services and programs offered at the school, the
17 proposed timeline of the proposed closure, phase-out or school merger, and an explanation
18 describing the reasons for the proposed closure or merger of the public school;

19 (2) A contingency transition plan regarding enrollment and transportation options for
20 families and students who would be impacted by the closure, phase-out or merger of the school;

21 (3) A contingency transition plan regarding services for students on an individualized
22 educational plan (IEP), 504 plan, or enrolled in special education who would be impacted by the
23 closure, phase-out or merger of the school. The contingency transition plan for students on an
24 individualized educational plan (IEP), 504 plan, or enrolled in special education must adhere to the
25 Individuals with Disabilities Education Act (IDEA) and Section 504 of the U.S. Rehabilitation Act;
26 and

27 (4) A contingency transition plan for staff who will be impacted by the closure, merger, or
28 phase-out of the school.

29 (f) Within thirty-five (35) days following the release of the report and contingency plans
30 required pursuant to subsection (d) of this section, the district or the department of elementary and
31 secondary education shall hold and host at least four (4) meetings in the following order:

32 (1) A meeting with staff to share details of the proposed public school closure, phase-out
33 or merger. The meeting shall be advertised at least five (5) school days in advance and
34 communicated via an email and written notice;

1 (2) A meeting with students, the school's parent-teacher association, special education local
2 advisory group, and any other parents or responsible adults with students enrolled in the school.
3 The meeting shall be advertised at least five (5) school days in advance and communicated via the
4 school's website, an email, and written notice;

5 (3) A virtual meeting with the students, school's parent-teacher association, special
6 education local advisory group, and any other parents or responsible adults with students enrolled
7 in the school. The meeting shall be advertised at least five (5) school days in advance and
8 communicated via the school's website, an email, and written notice;

9 (4) A public forum hosted in a venue with a capacity of two hundred (200) or more to
10 share, discuss, and receive public comment around the closure or merger proposal with students,
11 families, community members, and staff with the requirement that the district superintendent or
12 commissioner of the department of elementary and secondary education be in attendance for the
13 duration of the forum along with administrative staff that can answer questions relevant to the report
14 and contingency transition plans referenced in this section. The forum shall be advertised at least
15 five (5) school days in advance and communicated via the school's website, an email, and written
16 notice;

17 (g) After fourteen (14) days of hosting the public forum, the district or the department of
18 elementary and secondary education shall share their final decision around the proposed closure,
19 merger, or-phase out. If a decision is made to move forward with the proposed closure, merger, or-
20 phase out, the district or the department of elementary and secondary education shall share revised
21 contingency plans that incorporates feedback from the community meetings referenced in
22 subsection (f) of this section with impacted staff, students, and families.

23 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 -- HEALTH AND SAFETY OF PUPILS

1 This act would require specific actions and procedures that a public school district and the
2 department of elementary and secondary education would follow as a part of their proposal to phase
3 out, merge or close a public school.

4 This act would take effect upon passage.

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