

2021 -- H 6021

LC001870

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO EDUCATION

Introduced By: Representatives Ajello, McNamara, Kislak, Felix, Williams, Barros, Amore, C Lima, O'Brien, and Morales

Date Introduced: February 26, 2021

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-77.2-1 of the General Laws in Chapter 16-77.2 entitled "District
2 Charter School [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby
3 amended to read as follows:

4 **16-77.2-1. Entities eligible to apply to become district charter schools.**

5 (a) Persons or entities eligible to submit an application to establish a district charter school
6 shall be limited to:

- 7 (1) Existing public schools;
8 (2) Groups of public school personnel;
9 (3) Public school districts; or
10 (4) A group of school districts.

11 (b) No existing public school shall be converted into a district charter school unless a
12 majority of the parents and/or guardians of the students currently assigned to the school and two-
13 thirds (2/3) of the certified teaching personnel currently assigned to the school approve the
14 proposed charter, as provided in § 16-77.2-2.

15 (c) School professionals employed by a local or regional school committee or the State of
16 Rhode Island shall be entitled to a two (2) year leave of absence, without compensation, in order to
17 be employed in a district charter school, provided this leave shall be extended upon request for an
18 additional two (2) years. At any time during or upon completion of this leave of absence, a school
19 professional may return to work in the school district in the position in which he or she was

1 previously employed or a comparable position. This leave of absence shall not be deemed to be an
2 interruption of service for purposes of seniority and teachers' retirement.

3 (d) No child shall be required to attend a district charter school nor shall any teacher be
4 required to teach in a district charter school. The school committee shall make accommodations to
5 facilitate the transfer of students who do not wish to participate in the district charter school into
6 other public schools. It shall also make accommodations for those students who wish to participate
7 to transfer into the district charter school as space permits. ~~If the total number of students who are~~
8 ~~eligible to attend and apply to a district charter school is greater than the number of spaces available,~~
9 ~~the charter school shall conduct a lottery to determine which students shall be admitted.~~ In selecting
10 students for enrollment in a district charter school, said district charter school shall make
11 randomized offers to public school students utilizing a confidential process set forth in subsection
12 (e) of this section.

13 (e) The department of education and public schools shall coordinate with the district charter
14 school so that all eligible public school students are assigned a number, and the district charter
15 school shall select eligible public school students according to numbers. The name and identity of
16 the students shall not be provided to the district charter school. The district charter school shall
17 utilize a process that randomly selects eligible public school students, and inform the applicable
18 public school of the selection. The district charter school shall issue invitations to said students to
19 enroll in the district charter school, and these invitations shall be forwarded to the public school,
20 which school shall then forward the invitations to the students. The parent, guardian or caretaker
21 of the student may choose to accept the offer, or reject said invitation. In the event the parent,
22 guardian or caretaker of the student rejects the invitation to enroll, another student shall be selected
23 using the same process, until all available slots for students are filled; provided, that the district
24 charter school shall offer an equal number of enrollments to students from urban and non-urban
25 communities.

26 (f) The parent, guardian or caretaker of a student may inform the public school that they
27 do not want their child considered for placement in a district charter school. In such event, the
28 public school shall inform the district charter school of the parent, guardian or caretaker's decision,
29 and said student shall not be included in the selection process.

30 SECTION 2. Section 16-77.3-1 of the General Laws in Chapter 16-77.3 entitled
31 "Independent Charter Schools [See Title 16 Chapter 97 - The Rhode Island Board of Education
32 Act]" is hereby amended to read as follows:

33 **16-77.3-1. Entities eligible to apply to become independent charter schools.**

34 (a) Persons or entities eligible to submit an application to establish an independent charter

1 school shall be limited to:

2 (1) Rhode Island nonprofit organizations provided that these nonprofit organizations shall
3 have existed for at least two (2) years and must exist for a substantial reason other than to operate
4 a school; or

5 (2) Colleges or universities within the State of Rhode Island.

6 (b) No child shall be required to attend an independent charter school nor shall any teacher
7 be required to teach in an independent charter school. The sending school district shall make
8 accommodations for those students who wish to participate to transfer into an independent charter
9 school as space permits. ~~If the total number of students who are eligible to attend and apply to an~~
10 ~~independent charter school is greater than the number of spaces available, the independent charter~~
11 ~~school shall conduct a lottery to determine which students shall be admitted.~~ In selecting students
12 for enrollment in an independent charter school, said independent charter school shall make
13 randomized offers to public school students utilizing a confidential process set forth in subsection
14 (e) of this section.

15 (e) The department of education and public schools shall coordinate with the independent
16 charter school so that all eligible public school students are assigned a number, and the independent
17 charter school shall select eligible public school students according to numbers. The name and
18 identity of the students shall not be provided to the independent charter school. The independent
19 charter school shall utilize a process that randomly selects eligible public school students, and
20 inform the applicable public school of the selection. The independent charter school shall issue
21 invitations to said students to enroll in the independent charter school, and these invitations shall
22 be forwarded to the public school, which school shall then forward the invitations to the students.
23 The parent, guardian or caretaker of the student may choose to accept the offer, or reject said
24 invitation. In the event the parent, guardian or caretaker of the student rejects the invitation to enroll,
25 another student shall be selected using the same process, until all available slots for students are
26 filled; provided, that the independent charter school shall offer an equal number of enrollments to
27 students from urban and non-urban communities.

28 (f) The parent, guardian or caretaker of a student may inform the public school that they
29 do not want their child considered for placement in an independent charter school. In such event,
30 the public school shall inform the independent charter school of the parent, guardian or caretaker's
31 decision, and said student shall not be included in the selection process.

32 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION

- 1 This act would require district and independent charter schools to use a random selection
- 2 process to select eligible public school students who would be invited to attend the charter school.
- 3 The parent, guardian or caretaker of the student may decline the invitation if they so choose.
- 4 This act would take effect upon passage.

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