AN ACT
RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS

Introduced By: Representatives Shanley, McNamara, Vella-Wilkinson, and Solomon

Date Introduced: May 27, 2022

Referred To: House Education

It is enacted by the General Assembly as follows:

SECTION 1. Section 16-2-9 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:

16-2-9. General powers and duties of school committees.

(a) Unless the responsibility is otherwise delegated by this chapter, the entire care, control, and management of all public school interests of the several cities and towns shall be vested in the school committees of the several cities and towns. School committees shall have, in addition to those enumerated in this title, the following powers and duties:

(1) To identify educational needs in the community.

(2) To develop education policies to meet the needs of the community.

(3) To provide for and ensure the implementation of federal and state laws, the regulations of the council on elementary and secondary education, and local school policies, programs, and directives.

(4) To provide for the evaluation of the performance of the school system.

(5) To have responsibility for the care and control of local schools.

(6) To have overall policy responsibility for the employment and discipline of school department personnel.

(7) To approve a master plan defining goals and objectives of the school system. These goals and objectives shall be expressed in terms of what men and women should know and be able
to do as a result of their educational experience. The committee shall periodically evaluate the
efforts and results of education in light of these objectives.

(8) To provide for the location, care, control, and management of school facilities and
equipment.

(9) To adopt a school budget to submit to the local appropriating authority.

(10) To adopt any changes in the school budget during the course of the school year.

(11) To approve expenditures in the absence of a budget, consistent with state law.

(12) To employ a superintendent of schools and assign any compensation and other terms
and conditions as the school committee and superintendent shall agree, provided that in no event
shall the term of employment of the superintendent exceed three (3) years. Nothing contained in
this chapter shall be construed as invalidating or impairing a contract of a school committee with a
school superintendent in force on May 12, 1978.


(14) To establish minimum standards for personnel, to adopt personnel policies, and to
approve a table of organization.

(15) To establish standards for the evaluation of personnel.

(16) To establish standards for conduct in the schools and for disciplinary actions.

(17) To hear appeals from disciplinary actions.

(18) To enter into contracts; provided, however, that notwithstanding any other provision
of the general or public laws, whether of specific or general application, and notwithstanding the
provisions of any charter of any municipality where the school committee is appointed and not
elected, but not including, the Central Falls school district board of trustees established by § 16-2-
34, the power and duty to enter into collective bargaining agreements shall be vested in the chief
executive officer of the municipality and not in the school committee.

(19) To publish policy manuals that shall include all school committee policies.

(20) To establish policies governing curriculum, courses of instruction, and text books.

(21) To provide for transportation services that meet or exceed standards of the council on
elementary and secondary education.

(22) To make any reports to the department of education as are required by the council on
elementary and secondary education.

(23) To delegate, consistent with law, any responsibilities to the superintendent as the
committee may deem appropriate.

(24) To address the health and wellness of students and employees.

(25) To establish a subcommittee of the school board or committee to decrease obesity and
address school health and wellness policies for students and employees consistent with § 16-21-28.

(26) To annually undertake a minimum of six (6) hours of professional development as set forth and described in § 16-2-5.1.

(27) To establish policies governing the implementation of the incorporation of career and technical education programs into the kindergarten through grade twelve (K-12) curricula that include knowledge of careers and all types of employment opportunities, including, but not limited to, registered apprenticeships in accordance with chapter 45 of title 28, and emphasizing the advantages of completing school with marketable skills.

(b) Nothing in this section shall be deemed to limit or interfere with the rights of teachers and other school employees to collectively bargain pursuant to chapters 9.3 and 9.4 of title 28 or to allow any school committee to abrogate any agreement reached by collective bargaining.

(c) The elected school committees of each city, town, or regional school district, or the chief executive officer of any municipality having an appointed school committee, shall have the power to bind their successors and successor committees by entering into contracts of employment in the exercise of their governmental functions.

(d) Notwithstanding any provisions of the general laws to the contrary, the requirement defined in subsections (d) through (f) of this section shall apply. The school committee of each school district shall be responsible for maintaining a school budget that does not result in a debt.

(e) The school committee shall, within thirty (30) days after the close of the first and second quarters of the state's fiscal year, adopt a budget as may be necessary to enable it to operate without incurring a debt, as described in subsection (d).

(f) In the event that any obligation, encumbrance, or expenditure by a superintendent of schools or a school committee is in excess of the amount budgeted or that any revenue is less than the amount budgeted, the school committee shall within five (5) working days of its discovery of potential or actual over expenditure or revenue deficiency submit a written statement of the amount of and cause for the over obligation or over expenditure or revenue deficiency to the city or town council president and any other person who by local charter or statute serves as the city or town's executive officer; the statement shall further include a statement of the school committee's plan for corrective actions necessary to meet the requirements of subsection (d). The plan shall be approved by the auditor general and also submitted to the division of municipal finance.

(g) Notwithstanding any other provision of law, whether of general or specific application, and notwithstanding any contrary provision of any city or town charter or ordinance, the elected school committee of any city, town, and regional school district shall be, and is hereby authorized to retain, the services of independent legal counsel as it may deem necessary and convenient. Any
counsel so retained shall be compensated out of funds duly appropriated to the school committee, and in no event shall the independent counsel be deemed to be an employee of the pertinent city or town for any purpose.

SECTION 2. Chapter 16-22 of the General Laws entitled "Curriculum [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended by adding thereto the following section:

16-22-36. Career and technical education programs.

The school committees of the several cities, towns, and school districts shall provide for pupils in the public schools in kindergarten through grade twelve (K-12) to be taught and be required to study courses which include instruction in career and technical education programs that include knowledge of careers and all types of employment opportunities, including, but not limited to, registered apprenticeships in accordance with chapter 45 of title 28, and emphasizing the advantages of completing school with marketable skills.

SECTION 3. This act shall take effect January 1, 2023.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS

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1 This act would establish courses that include instruction in career and technical education programs, including knowledge of careers and all types of employment opportunities, including, but not limited to, registered apprenticeships with the emphasizes on the advantages of completing school with marketable skills.

5 This act would take effect January 1, 2023.

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