

2010 -- H 7668

LC01748

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS

Introduced By: Representatives Gablinske, Corvese, Gallison, and Silva

Date Introduced: February 25, 2010

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-3.1 of the General Laws entitled "Cooperative Service Among  
2 School Districts" is hereby amended by adding thereto the following sections:

3 **16-3.1-14. Short title.** – This chapter shall be known and may be cited as the  
4 "Cooperative Service Among School Districts Act of 2010."

5 **16-3.1-15. Declaration of purpose.** – (a) A collaborative approach to the dual mission of  
6 educational effectiveness and business efficiency is the purpose of this educational collaborative  
7 act. The goal is to maximize both educational effectiveness and business services which will lead  
8 to cost savings. The educational collaborative system will allow school districts to more  
9 appropriately concentrate on educating at the most local level, which should be their prime  
10 mission. This system can be defined as including not only the regional educational collaboratives  
11 and their boards, local district school committees and district superintendents, operating as  
12 private, nonprofit educational service agencies, but also the board of regents and the  
13 commissioner of the Rhode Island department of elementary and secondary education.

14 (b) As used herein, the terms "collaborative," "educational collaborative," "regional  
15 collaborative," and combinations thereof, shall be deemed to refer to the collaboratives  
16 established pursuant to this chapter, and recognized as 501(c)3 nonprofit corporations  
17 incorporated pursuant to the Rhode Island Nonprofit Corporation Act, Rhode Island general laws  
18 section 7-6-1, et seq. Nothing in this legislation is intended to erode the legal status of the  
19 regional collaboratives as 501(c)3's and their boards of directors must be cognizant to their legal

1 and fiduciary responsibilities to these enterprises.

2 (c) The purpose of this act is also to bring the efforts of the members of the educational  
3 collaborative system, listed in subsection (a) above, into appropriate and productive dialogue and  
4 relationship with one another, in order to bring about the business efficiencies and quality  
5 instructional practice the legislature desires.

6 **16-3.1-16. Financial incentives.** – The board of regents for elementary and secondary  
7 education may provide for special grants that it may deem necessary to stimulate and encourage  
8 the development of cooperative service agreements that would be administered by the area  
9 educational collaborative. The regents may also establish an ongoing level of subsidy that it  
10 deems appropriate to continue the operation of any cooperative service area.

11 **16-3.1-17. Rules and regulations.** – (a) The board of regents for elementary and  
12 secondary education shall adopt rules and regulations regarding all aspects of the educational  
13 collaboratives mission and goals.

14 (b) Instructional education programs and/or administrative and/or best business practice  
15 plans will be submitted to, and approved by, the commissioner of elementary and secondary  
16 education.

17 (c) Each educational collaborative will submit a plan to the board of regents for approval  
18 by the commissioner of elementary and secondary education, that will increase efficiencies and  
19 economies of scale in providing instructional services. The plan will incorporate best practices  
20 from business, reflect a regional approach and accompanying volume increase, and shall include,  
21 but not be limited to, measures concerning:

22 (1) Teacher training programs and staff development;

23 (2) Special education programs and diagnostic services required by law or regulation and  
24 related functions;

25 (3) Programs for the gifted and talented;

26 (4) Programs for students who are at risk of suspension or expulsion;

27 (5) Development of shared instructional services;

28 (6) Act as regional or statewide administrative unit, or enabling unit, or as a participant of  
29 a joint purchasing agreement or agreements established pursuant to section 16-2-9.2, for such  
30 functions as transportation, cooperative purchasing of food, and other noninstructional support  
31 services, such as the purchasing of oil, gas, electricity, health care contracts, supplies, payroll and  
32 other business operations, as may be appropriate;

33 (7) Any other consolidation of services and purchasing that achieves efficiencies and cost  
34 savings.

1           (d) An educational collaborative may contract with a school district that is not a  
2 participating member, or another educational collaborative. Districts may contract any of their  
3 functions, individually and collectively, in whole or in part, to a regional collaborative when such  
4 contracting will increase efficiencies and economies of scale in providing instructional and  
5 business services.

6           (e) The board of regents should consider the progress made or planned as reported and  
7 provide for special grants to stimulate the formation of cooperative service arrangements, or a  
8 level of subsidy appropriate to launch or continue the operation of any cooperative service area.

9           **16-3.1-18. Board of directors.** – Each educational collaborative's board of directors will  
10 set policies and programs consistent with the aims and intents of this legislation for approval by  
11 the department of education and developed in conjunction with educational collaborative staff.  
12 Each participating school committee will appoint one member to the respective governing board.  
13 The board of directors will include an odd number of members. In the case of educational  
14 collaboratives with an even number of participating school districts, regional school districts may  
15 appoint two (2) members. School committees can appoint anyone they choose to the board of  
16 directors from their membership.

17           **16-3.1-19. Collective bargaining agreements unaffected.** – Nothing in this chapter  
18 shall allow any school district to abrogate any agreement reached by collective bargaining.

19           **16-3.1-20. Building ownership.** – Nothing in this chapter shall limit any of the five (5)  
20 educational collaboratives from purchasing, leasing, taking by gift, or otherwise acquiring, own,  
21 hold, mortgage, finance, improve, and use real estate for purposes of furthering their mission and  
22 goals to meet their administrative and operational needs. An affirmative majority of the  
23 educational collaborative's board of directors will be needed to purchase, lease, mortgage or  
24 finance real estate. Such real estate may be exempt from local property taxes as described in  
25 Rhode Island general laws section 44-3-3.

26           SECTION 2. This act shall take effect on December 31, 2010.

=====  
LC01748  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS

\*\*\*

- 1 This act would define the mission of the educational collaboratives in this state.
- 2 This act would take effect on December 31, 2010.

=====  
LC01748  
=====