

2011 -- S 0289

LC01005

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO EDUCATION

Introduced By: Senators DiPalma, Gallo, Felag, Miller, and Maher

Date Introduced: February 16, 2011

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 16-60-6 of the General Laws in Chapter 16-60 entitled "Board of  
2 Regents for Elementary and Secondary Education" is hereby amended to read as follows:  
3           **16-60-6. Commissioner of elementary and secondary education.** – The regents shall  
4 appoint, [with the advice and consent of the senate](#), a commissioner of elementary and secondary  
5 education who shall serve at the pleasure of the regents, provided that the commissioner's initial  
6 engagement by the regents shall be for a period of not more than three (3) years. ~~For the purpose  
7 of appointing, retaining, or dismissing a commissioner, the governor shall serve as an additional  
8 voting member of the board of regents, and provided that in the case of a tie, the president of the  
9 senate shall cast the deciding vote.~~ The position of commissioner shall be in the unclassified  
10 service of the state and he or she shall serve as the chief executive officer of the board of regents  
11 and as the chief administrative officer of the department of elementary and secondary education.  
12 The commissioner of elementary and secondary education shall have the duties that are defined in  
13 this section and in this title and any other additional duties that may be determined by the regents,  
14 and shall perform any other duties that may be vested in the commissioner by law. In addition to  
15 the general supervision of the department of elementary and secondary education and the  
16 appointment of the several officers and employees of the department, it shall be the duty of the  
17 commissioner of elementary and secondary education:  
18           (1) To develop and implement a systematic program of information gathering,  
19 processing, and analysis addressed to every aspect of elementary and secondary education in the

1 state, especially as that information relates to current and future educational needs.

2 (2) To prepare a master plan for elementary and secondary education in the state; to  
3 coordinate the goals and objectives of the public elementary and secondary education sector with  
4 the activities of the nonpublic elementary and secondary education sector where feasible.

5 (3) To communicate with and seek the advice of those concerned with and affected by  
6 the board of regents' determinations.

7 (4) To implement broad policy as it pertains to the goals and objectives established by  
8 the regents; to enforce standards and to exercise general supervision over public elementary and  
9 secondary education in the state and over all elementary and secondary nonpublic education in  
10 the state as provided in subdivision (8) of this section; to assist in the preparation of the budget  
11 for elementary and secondary education and to be responsible upon direction of the regents for  
12 the allocation of appropriations, the acquisition, holding, disposition, and general management of  
13 property.

14 (5) To be responsible for the coordination of the various elementary and secondary  
15 educational functions among the educational agencies of the state including local school districts  
16 and to encourage and to assist in the cooperation among them so that maximum efficiency and  
17 economy may be achieved.

18 (6) To assist the regents in the preparation and presentation annually to the state budget  
19 officer, in accordance with § 35-3-4, of a total state elementary and secondary educational budget  
20 which shall include, but not be limited to, the budget of the department of elementary and  
21 secondary education, subcommittees and agencies, and state aid to local school districts.

22 (7) To supervise the operation of the department of elementary and secondary  
23 education, to have the duties as defined in § 16-1-5 and in this title or in law wherever outlined,  
24 and other additional duties and responsibilities that may be assigned by the regents.

25 (8) To perform the duties vested in the board of regents with relation to nonpublic  
26 elementary and secondary educational institutions within the state under the terms of chapter 40  
27 of this title, and other laws that affect nonpublic elementary and secondary education in the state.

28 (9) To supervise the following specific functions:

29 (i) To recommend the basic subjects and courses of study to be taught and instructional  
30 standards to be maintained in the public elementary and secondary schools in the state.

31 (ii) To recommend standards and qualifications of teachers and to issue certificates  
32 upon approval of standards and qualifications by the regents.

33 (iii) To distribute state school funds in accordance with law and regulations of the  
34 board of regents.

1 (iv) To certify as to the necessity of school construction and that standards and design  
2 are in accordance with law and regulations of the regents and to approve a design for school  
3 construction throughout the state.

4 (v) To certify that school library standards and services are in accordance with law and  
5 regulations of the board of regents.

6 (vi) To recommend to the board of regents matters relating to the transportation of  
7 pupils to school.

8 (vii) To require the observance of all laws relating to elementary and secondary schools  
9 and education.

10 (viii) To interpret school law and to decide any controversies that may be appealed to  
11 him or her from decisions of local school committees.

12 (ix) To prepare and recommend standard forms for the use of local schools when  
13 reporting to the department of elementary and secondary education.

14 (x) To prepare standard accounting and auditing procedures for local school districts,  
15 except for the purposes of subdivision (3) of § 16-24-2 which shall be done in conjunction with  
16 the auditor general.

17 (xi) To prepare uniform budgeting procedures for local school districts.

18 (xii) To determine when special purpose grants made to local school districts shall be  
19 eligible for reimbursement through the school operations aid formula in accordance with chapter  
20 7 of this title, and to designate the purpose(s) for which the local school district may use the  
21 school operations aid reimbursement, including reimbursement on local matching funds used to  
22 support the special purpose grant. The commissioner shall promulgate and adopt rules and  
23 regulations to carry out the intent of this subsection.

24 (10) To approve and accredit elementary and secondary schools in accordance with the  
25 policy and regulations of the board of regents.

26 (11) To be responsible for the administration of policies, rules, and regulations of the  
27 board of regents with relation to the entire field of elementary and secondary education within the  
28 state not specifically granted to any other department, board, or agency and not incompatible with  
29 law.

30 (12) To receive from law enforcement agencies a list periodically of the names of  
31 Rhode Island missing children and to disseminate these lists to local school districts.

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

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION

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1           This act would require the advice and consent of the Senate on the appointment of the  
2 commissioner of elementary and secondary education. The act would also delete certain language  
3 regarding the governor serving as an additional member of the board of regents in certain  
4 instances.

5           This act would take effect upon passage.

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