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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO EDUCATION

Introduced By: Senator Gayle L. Goldin

Date Introduced: April 09, 2015

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 [See Title 16 Chapter 97 - The Rhode Island
3 Board of Education Act]" is hereby amended to read as follows:
4 **16-60-6. Commissioner of elementary and secondary education.** -- The council on
5 elementary and secondary education, with the advice and consent of the board of education, shall
6 make a preliminary appointment of ~~appoint~~ a commissioner of elementary and secondary
7 education. Upon such approval and preliminary appointment by the council on elementary and
8 secondary education, the successful candidate's name shall be submitted to the senate for advice
9 and consent. The commissioner shall not be deemed to be fully appointed until successful
10 approval through advice and consent by the senate. Upon such approval by the senate, the
11 commissioner ~~who~~ shall be deemed to be fully appointed and shall serve at the pleasure of the
12 council on elementary and secondary education, provided that the commissioner's initial
13 engagement by the council shall be for a period of not more than three (3) years from the date he
14 or she is fully appointed. For the purpose of appointing, retaining, or dismissing a commissioner,
15 the governor shall serve as an additional voting member of the council on elementary and
16 secondary education. The position of commissioner shall be in the unclassified service of the state
17 and he or she shall serve as the chief executive officer of the council on elementary and
18 secondary education and as the chief administrative officer of the department of elementary and
19 secondary education. The commissioner of elementary and secondary education shall have the

1 duties that are defined in this section and in this title and any other additional duties that may be
2 determined by the council on elementary and secondary education, and shall perform any other
3 duties that may be vested in the commissioner by law. In addition to the general supervision of
4 the department of elementary and secondary education and the appointment of the several officers
5 and employees of the department, it shall be the duty of the commissioner of elementary and
6 secondary education:

7 (1) To develop and implement a systematic program of information gathering,
8 processing, and analysis addressed to every aspect of elementary and secondary education in the
9 state, especially as that information relates to current and future educational needs.

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

13 (3) To communicate with and seek the advice of those concerned with and affected by
14 the board of education's and the council's determinations.

15 (4) To implement broad policy as it pertains to the goals and objectives established by
16 the board of education; to enforce standards and to exercise general supervision over public
17 elementary and secondary education in the state and over all elementary and secondary nonpublic
18 education in the state as provided in subdivision (8) of this section; to assist in the preparation of
19 the budget for elementary and secondary education and to be responsible upon direction of the
20 council on elementary and secondary education for the allocation of appropriations, the
21 acquisition, holding, disposition, and general management of property.

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

26 (6) To assist the council on elementary and secondary education in the preparation and
27 presentation annually to the state budget officer, in accordance with § 35-3-4, of a total state
28 elementary and secondary educational budget which shall include, but not be limited to, the
29 budget of the department of elementary and secondary education, subcommittees and agencies,
30 and state aid to local school districts.

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

1 (8) To perform the duties vested in the board of education and council on elementary and
2 secondary education with relation to nonpublic elementary and secondary educational institutions
3 within the state under the terms of chapter 40 of this title, and other laws that affect nonpublic
4 elementary and secondary education in the state.

5 (9) To supervise the following specific functions:

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

8 (ii) To recommend standards and qualifications of teachers and to issue certificates upon
9 approval of standards and qualifications by the council on elementary and secondary education.

10 (iii) To distribute state school funds in accordance with law and regulations of the
11 council on elementary and secondary education.

12 (iv) To certify as to the necessity of school construction and that standards and design
13 are in accordance with law and regulations of the council on elementary and secondary education
14 and to approve a design for school construction throughout the state.

15 (v) To certify that school library standards and services are in accordance with law and
16 regulations of the council on elementary and secondary education.

17 (vi) To recommend to the council on elementary and secondary education relating to the
18 transportation of pupils to school.

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

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

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

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

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

29 (xii) To determine when special purpose grants made to local school districts shall be
30 eligible for reimbursement through the school operations aid formula in accordance with chapter
31 7 of this title, and to designate the purpose(s) for which the local school district may use the
32 school operations aid reimbursement, including reimbursement on local matching funds used to
33 support the special purpose grant. The commissioner shall promulgate and adopt rules and
34 regulations to carry out the intent of this subsection.

1 (10) To approve and accredit elementary and secondary schools in accordance with the
2 policy and regulations of the council on elementary and secondary education.

3 (11) To be responsible for the administration of policies, rules, and regulations of the
4 board of education and the council on elementary and secondary education with relation to the
5 entire field of elementary and secondary education within the state not specifically granted to any
6 other department, board, or agency and not incompatible with law.

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

9 SECTION 2. Section 16-97-1.2 of the General Laws in Chapter 16-97 entitled "The
10 Rhode Island Board of Education Act" is hereby amended to read as follows:

11 **16-97-1.2. Powers and duties of the board of education.** -- The board of education
12 shall have the following powers and duties:

13 (a) To develop and adopt a strategic plan defining broad goals and objectives for
14 education in the state. These goals and objectives shall be expressed in terms of the future
15 educational attainment of the population, quality of life and economy of Rhode Island, including
16 but not limited to what children, men and women should know and be able to do as a result of
17 their educational experience and the contributions of education to meeting the workforce and
18 economic development needs of Rhode Island. The board shall approve the strategic plans for
19 elementary and secondary education and postsecondary education in terms of the alignment of
20 these strategic plans with the overall strategic plan of the board of education. The board shall
21 continuously evaluate the efforts of the council on elementary and secondary education and the
22 council on postsecondary education to implement the strategic plans and shall review the results
23 of education in the light of these objectives;

24 (b) To prepare and maintain a five (5) year strategic funding plan for all levels of
25 education in Rhode Island. The board shall determine priorities of expenditures for public
26 education purposes of state revenues and other public resources made available for the support of
27 public education and direct the council on elementary and secondary education and the council on
28 postsecondary education to implement those priorities when developing the annual budget for
29 elementary and secondary education and higher education. The councils shall present their annual
30 budgets to the board for its review and approval. Nothing contained in this subdivision shall
31 authorize the board to alter the allocation of grants or aid otherwise provided by law;

32 (c) To develop and submit to the general assembly for approval a performance funding
33 formula for public higher education that furthers the purposes of the board and ensures that all
34 students may achieve educational excellence;

1 (d) To develop policies that maximize the potential of collaboration from elementary and
2 secondary education through higher education systems and that improve efficiencies at all levels
3 of the education system through improved coordination of activities;

4 (e) To embrace the legislative findings regarding virtual education established by § 16-
5 22.1-2 of the general laws and adopt goals and policies that address these findings and to
6 encourage the council on elementary and secondary education and the council for postsecondary
7 education to develop and or improve virtual learning experiences for Rhode Island students;

8 (f) To approve, with the advice and consent of the senate provided for in § 16-60-6, the
9 appointment of a commissioner of elementary and secondary education.

10 (g) To approve the appointment of a commissioner of postsecondary education.

11 (h) To conduct a training course for newly appointed and qualified board members
12 within six (6) months of their qualification. The course shall be developed by the chairperson of
13 the board, approved by the board, and conducted by the chairperson of the board. The board may
14 approve the use of any board or staff members or other individuals to assist with training. The
15 training course shall include instruction in the following areas: the provisions of chapters 42-46,
16 36-14, and 38-2; and the board's own rules.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would require the advice and consent of the senate, in addition to approvals by
2 the board of education and the council on elementary and secondary education, for the
3 appointment of the commissioner of elementary and secondary education.

4 This act would take effect upon passage.

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