

2025 -- H 5839

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING EDUCATION -- COUNCIL ON ELEMENTARY AND SECONDARY  
EDUCATION

Introduced By: Representatives Morales, Ajello, Potter, Stewart, Casimiro, Caldwell,  
Batista, Handy, Tanzi, and McNamara

Date Introduced: February 28, 2025

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-60-2 of the General Laws in Chapter 16-60 entitled "Council on  
2 Elementary and Secondary Education [See Title 16 Chapter 97 — The Rhode Island Board of  
3 Education Act]" is hereby amended to read as follows:

4 **16-60-2. Appointment of board members.**

5 (a) The governor shall establish the council on elementary and secondary education by  
6 appointing ~~eight (8)~~ ten (10) members of the board of education established pursuant to chapter 97  
7 of this title to serve as members of the council until the expiration of their term and appointment of  
8 their successor as a member of the board of education. The chair of the board of education shall  
9 serve on the council in a voting, ex-officio capacity. ~~Five (5)~~ Six (6) voting members of the council  
10 shall constitute a quorum and the vote of the majority of those present and voting shall be required  
11 for action. The governor shall appoint the chair of the council on an annual basis from among the  
12 ~~eight (8)~~ ten (10) council members.

13 (b) In addition to the ~~eight (8)~~ ten (10) members appointed by the governor, the Rhode  
14 Island teacher of the year shall serve as an ex-officio and voting member on the council on  
15 elementary and secondary education pursuant to § ~~16-97-1(e) and (d)~~ 16-97-1(d).

16 (c) No person shall be eligible for appointment to the board after the effective date of this  
17 act [March 24, 2006] unless he or she is a resident of this state, with the exception of the individual  
18 serving in the ex officio seat as Rhode Island teacher of the year.

1 (d) There is hereby established a student advisory council to the council on elementary and  
2 secondary education, consisting of one elected high school student representative from each public  
3 secondary school in the state of Rhode Island.

4 (1) Each public secondary school shall hold elections for its representative to the student  
5 advisory council no earlier than the first (1st) day of March and no later than the end of the second  
6 (2nd) full week of April. Each school shall elect only one representative. Elected members shall be  
7 notified of their election on or before the Friday of the third (3rd) week of April of the year of their  
8 election. No person shall be eligible to be elected to the student advisory council unless at the time  
9 of his or her election he or she is enrolled as a student in a secondary school between the grades of  
10 nine (9) and eleven (11) within the state of Rhode Island. No person shall be allowed to vote if they  
11 are not currently enrolled in a Rhode Island public secondary school between the grades of nine (9)  
12 and eleven (11). If at any time during his or her term of office a member of the student advisory  
13 council ceases to be so enrolled, his or her membership shall be terminated and his or her position  
14 shall be deemed vacant. This vacancy shall be filled by the public secondary school within thirty  
15 (30) school days of the opening of the vacancy.

16 (2) The student advisory council will serve from the first (1st) day of May of the year it is  
17 elected until the last day of April of the following year. A student may serve no more than three (3)  
18 terms.

19 (3) Said student advisory council shall meet ~~from time to time~~ quarterly, at a minimum,  
20 and shall consider such matters as it deems appropriate.

21 (4) Prior to the first (1st) day of June of each annual session the student advisory council  
22 shall adopt a set of bylaws.

23 (5) Members of the council shall not be compensated for service in attending meetings  
24 except that they shall be reimbursed for necessary expenses incurred in traveling to and from  
25 meetings.

26 (6) The members of said student advisory council shall, by majority vote prior to the first  
27 (1st) day of June in each year, elect from their members a chairperson who shall serve for a term  
28 of one year beginning on the first (1st) day of June. Said chairperson shall serve as an ex officio  
29 and ~~nonvoting~~ voting member of the council for a term of one year, unless the student advisory  
30 council removes said chairperson from his or her position in a manner described within the bylaws  
31 of that council.

32 SECTION 2. Section 16-97-1 of the General Laws in Chapter 16-97 entitled "The Rhode  
33 Island Board of Education Act" is hereby amended to read as follows:

34 **16-97-1. Rhode Island board of education established.**

1 (a) Effective January 1, 2013, there is created a board of education that shall be responsible  
2 for and shall exercise the purposes, powers, and duties of, this chapter and chapters 59 and 60 of  
3 this title. The board is responsible for the coordination of education from pre-K through higher  
4 education and shall set goals and policies for the effective coordination of these public education  
5 systems.

6 (b) The board of education shall consist of ~~seventeen (17)~~ nineteen (19) public members  
7 appointed by the governor with the advice and consent of the senate, eight (8) of whom shall be  
8 designated to serve on the council on elementary and secondary education and eight (8) of whom  
9 shall be designated to serve on the council on postsecondary education. The two (2) members of  
10 the board not directly appointed by the governor shall be the Rhode Island teacher of the year and  
11 the chairperson of the student advisory council whom shall be designated to serve on the council  
12 on elementary and secondary education, each of whom shall be limited to one term and would have  
13 to receive advise and consent from the senate. The chairperson of the board shall serve as a member  
14 of both councils. Six (6) of the members initially appointed pursuant to this section shall serve  
15 terms of three (3) years; six (6) members initially appointed pursuant to this section shall serve  
16 terms of two (2) years; and, four (4) members initially appointed pursuant to this section shall serve  
17 terms of one year. To the greatest extent possible, the initial staggered terms shall be equitably  
18 divided among the councils so as to protect against sudden changes in membership and reversal of  
19 policy. Thereafter, all members appointed pursuant to this section shall serve terms of three (3)  
20 years. At the expiration of their terms, members shall remain and continue in their official capacity  
21 until their successor is appointed and qualified. Members shall not be appointed to more than three  
22 (3), successive three-year (3) terms each; provided that the chair of the board shall have no term  
23 and shall serve at the pleasure of the governor. Any vacancy among the members of the board shall  
24 be filled by appointment of the governor for the remainder of the unexpired term. In the selection  
25 and appointment of the board, the governor shall seek persons who best serve the needs of the entire  
26 state. No person shall be eligible for appointment to the board after the effective date of this act  
27 unless a resident of this state. Members of the board shall not be compensated for their service in  
28 attending board or council meetings.

29 (c) The chair of the Governor's workforce board, or designee; the chair of the Rhode Island  
30 commerce corporation, or designee; the chair of the university of Rhode Island board of trustees,  
31 or designee; ~~and the Rhode Island teacher of the year~~ shall serve as non-voting, ex-officio members  
32 of the board.

33 (d) The Rhode Island teacher of the year shall serve on the board for one year, beginning  
34 after their term as teacher of the year has expired. If the teacher of the year is unable or unwilling

1 to serve, a former Rhode Island teacher of the year may be selected to serve on the board by the  
2 commissioner of elementary and secondary education; provided that, the individual is still teaching  
3 in Rhode Island public schools.

4 (e) The governor shall select from the appointed members a chairperson and vice  
5 chairperson. A quorum shall consist of nine (9) members of the board. A majority vote of those  
6 present shall be required for action.

7 (f) Except as provided by subsection (b) of this section, members of the board shall be  
8 removable by the governor for cause only. Removal solely for partisan or personal reasons  
9 unrelated to performance, capacity, or fitness for the office shall be unlawful.

10 (g) The statutory responsibilities of the department of elementary and secondary education,  
11 the commissioner of elementary and secondary education, and the commissioner of postsecondary  
12 education shall remain unchanged.

13 (h) The chair of the board of education shall consult with the chairs of the council on  
14 elementary and secondary education, the council on postsecondary education, the commissioner of  
15 elementary and secondary education, and the commissioner of postsecondary education in  
16 developing agendas, goals, policies, and strategic plans for the board.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING EDUCATION -- COUNCIL ON ELEMENTARY AND SECONDARY  
EDUCATION

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1           This act would expand the council on elementary and secondary education to ten (10)  
2 members; make six (6) members a quorum; would make the teacher of the year a voting member;  
3 would require the student advisory council to meet at least quarterly; would make the chair of the  
4 student advisory council a voting member of the council; would expand the board of education  
5 from seventeen (17) to nineteen (19) members and would include the Rhode Island teacher of the  
6 year and the chairperson of the student advisory council and would also be voting members to the  
7 board.

8           This act would take effect upon passage.

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