

2025 -- S 0242

LC000955

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO TOWNS AND CITIES -- WARWICK PUBLIC SCHOOLS BUDGET  
COMMISSION

Introduced By: Senator Mark P. McKenney

Date Introduced: February 13, 2025

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 45 of the General Laws entitled "TOWNS AND CITIES" is hereby  
2 amended by adding thereto the following chapter:

3 CHAPTER 9.1

4 Warwick Public Schools Budget Commission

5 **45-9.1-1. Declaration of policy and legal standard.**

6 Pursuant to article XII of the Rhode Island constitution, it is the duty of the general  
7 assembly to promote public schools, and to adopt all means which it may deem necessary and  
8 proper to secure to the people the advantages and opportunities of education. It shall be the policy  
9 of the state to provide a mechanism for the state to work with a city when its school district is  
10 undergoing financial distress that threatens the fiscal well-being, public safety, and welfare of such  
11 city and school district. The powers delegated by the general assembly in this chapter shall be  
12 carried out having due regard for the needs of the citizens of the state and of the city of Warwick,  
13 including the city's school district, and in such manner as will best preserve the education and  
14 welfare of citizens of the state and the city of Warwick, including the city's school district, all to  
15 the public benefit and good.

16 **45-9.1-2. Establishment.**

17 (a) There is hereby created the Warwick public schools budget commission (hereinafter  
18 sometimes referred to as the "commission").

1           **(b) The Warwick public schools budget commission shall be subject to the provisions of**  
2 **chapter 2 of title 38 ("access to public records"), chapter 14 of title 36 ("code of ethics"), and chapter**  
3 **46 of title 42 ("open meetings").**

4           **(c) Notwithstanding any other provision of law to the contrary, action by the Warwick**  
5 **public schools budget commission under this chapter shall constitute action by the school district**  
6 **for all purposes under the general laws, under any special law, and under the Warwick city charter.**  
7 **References in this chapter to "school district" shall mean and include the Warwick school**  
8 **committee, the Warwick school department, the Warwick school district and the Warwick local**  
9 **education agency.**

10           **45-9.1-3. Composition.**

11           **The Warwick public schools budget commission shall consist of five (5) members: three**  
12 **(3) of whom shall be designees of the mayor with the advice and consent of the city council; one**  
13 **of whom shall be the designee of the Warwick superintendent of schools; and one of whom shall**  
14 **be the designee of the chair of the Warwick school committee. One of the mayoral designees shall**  
15 **serve as the chairperson by vote of the entire commission. No member of the commission shall be**  
16 **an appointor or a Warwick elected official. Any vacancy that occurs in the commission membership**  
17 **shall be filled in the same manner and process as which the person creating the vacancy was**  
18 **appointed.**

19           **45-9.1-4. Authority - Powers - Duties.**

20           **(a) Subject to the provisions of § 45-9.1-6, during the term of the Warwick public schools**  
21 **budget commission, no appropriations, allocations or expenditures for school purposes shall occur**  
22 **unless approved by the commission, or in the case of an emergency, by the city finance director**  
23 **only to the extent to cure such emergency. For purposes of the chapter, an emergency is defined as**  
24 **a pressing need for public expenditure, for other than a regular or recurring requirement, in order**  
25 **to protect the public health, safety, or welfare or otherwise avoid unnecessary cost and expense to**  
26 **the city or the school district.**

27           **(b) The Warwick public schools budget commission shall have the power to:**

28           **(1) Amend, formulate, and execute the annual school budget;**

29           **(2) Implement and maintain uniform budget guidelines and procedures for the school**  
30 **system as a whole;**

31           **(3) Amortize operational deficits in an amount as the city finance director approves and for**  
32 **a term not longer than five (5) years;**

33           **(4) Develop and maintain a uniform system for all financial planning for the Warwick**  
34 **school district;**

1           (5) Employ, retain, and supervise such managerial, professional, and clerical staff as are  
2 necessary to carry out its responsibilities; provided, however, that such employment, retention and  
3 supervisory decisions are subject to the approval of the city finance director;

4           (6) Adopt rules and regulations governing the operation and administration of the school  
5 district that permit the budget commission to effectively carry out its duties; and

6           (7) Compel operational, financial performance, or forensic audits, or any other similar  
7 assessments.

8           (c) Within one hundred twenty (120) days of being appointed, the Warwick public schools  
9 budget commission shall develop a three (3) year operating and capital financial plan to achieve  
10 fiscal stability in the school district. The plan shall include a preliminary analysis of the school  
11 district's financial situation and the Warwick public schools budget commission's initial  
12 recommendations to immediately begin to address the operating and structural deficits.

13           **45-9.1-5. Expiration.**

14           The Warwick public schools budget commission shall cease to exist upon completion of  
15 two (2) events as follows:

16           (1) Approval of the FY 2025-2026 Warwick school budget as recommended by the mayor  
17 and approved by the city council; and

18           (2) Adoption of a deficit reduction plan by the commission as approved by the auditor  
19 general.

20           **45-9.1-6. Exemptions.**

21           Nothing in this chapter shall authorize the Warwick public schools budget commission to:

22           (1) Reject or alter any collective bargaining agreement or any obligations thereunder  
23 including, but not limited to, payment of wages and benefits;

24           (2) Eliminate or alter any rights or obligations, as provided in chapter 9.3 of title 28  
25 ("certified school teachers' arbitration") or 9.4 of title 28 ("municipal employees' arbitration")  
26 including, but not limited to, the duty to bargain;

27           (3) Hire or terminate school department personnel; or

28           (4) Impact projects funded by bond proceeds or make any decisions related thereto,  
29 including, but not limited to, construction of new high schools.

30           **45-9.1-7. Conflicts with other laws.**

31           Notwithstanding any general or special law to the contrary, unless otherwise specified, the  
32 provisions of this chapter shall supersede and shall control over any conflicting or inconsistent  
33 provisions of the Warwick city charter or ordinances, other laws, including general laws, special  
34 laws, or local laws, or of any rule or regulation of the state or the city including, but not limited to,

1 [title 16 and any state rule or regulation promulgated thereunder.](#)

2 **45-9.1-8. Liberal construction.**

3 [This chapter, being necessary for the welfare of the state, the city of Warwick and their](#)  
4 [inhabitants, shall be liberally construed in order to effectuate its purposes.](#)

5 **45-9.1-9. Severability.**

6 [The provisions of this chapter are severable, and if any of its provisions are held](#)  
7 [unconstitutional or invalid for any reason by any court of competent jurisdiction, the decision of](#)  
8 [the court shall not affect or impair any of the remaining provisions. In carrying out the purposes](#)  
9 [and provisions of this chapter, all steps shall be taken which are necessary to meet constitutional](#)  
10 [requirements whether or not the steps are required by this chapter.](#)

11 **45-9.1-10. Exemption from liability and prosecution.**

12 [Notwithstanding any general or special law to the contrary, no budget commission member](#)  
13 [or any managerial, professional or clerical staff hired, retained or employed by the budget](#)  
14 [commission under this chapter shall have any civil liability for any actions taken or omitted in the](#)  
15 [course of performing their official duties.](#)

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO TOWNS AND CITIES -- WARWICK PUBLIC SCHOOLS BUDGET  
COMMISSION

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1           This act would create a budget commission to oversee the Warwick schools district until  
2 such time as the fiscal year 2025 - 2026 Warwick school budget is approved as recommended by  
3 the mayor and approved by the city council, and the budget commission adopts a deficit reduction  
4 plan approved by the auditor general.

5           This act would take effect upon passage.

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