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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 TO EDUCATION -- THE PAUL W. CROWLEY RHODE ISLAND STUDENT
INVESTMENT INITIATIVE

Introduced By: Senator Samuel D. Zurier

Date Introduced: March 21, 2025

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7.1-5.2 of the General Laws in Chapter 16-7.1 entitled "The Paul
2 W. Crowley Rhode Island Student Investment Initiative [See Title 16 Chapter 97 — The Rhode
3 Island Board of Education Act]" is hereby amended to read as follows:

4 **16-7.1-5.2. State intervention in the Providence public school district — Additional**
5 **requirements.**

6 (a) For the duration of the effective period of the order of reconstitution and control, any
7 collective bargaining agreement entered into on behalf of the Providence public school district shall
8 not take effect until ratified by the council on elementary and secondary education at a public
9 hearing held no earlier than seven (7) days after the terms of a tentative agreement ratified by the
10 union are made public.

11 (b) When authorized by the board of regents, the commissioner shall designate a receiver
12 for the Providence public school district with all the powers of the superintendent and school
13 committee. The receiver shall be a nonprofit entity or an individual with a demonstrated record of
14 success in improving low-performing schools or districts or the academic performance of
15 disadvantaged students who shall report directly to the commissioner. An external receiver
16 designated by the board to operate a district under this subsection shall have full managerial and
17 operational control over such district; provided, however, that the school district shall remain the
18 employer of record for all other purposes. A receiver shall be subject to chapter 2 of title 38 ("access

1 to public records”) and the Rhode Island code of ethics. A receiver for a chronically
2 underperforming district shall not be required by contract to indemnify and hold harmless the state
3 against any and all claims, liabilities and costs which arise out of the receiver's performance of its
4 role in the creation or implementation of the turnaround plan. In connection with the performance
5 of its role in the creation or implementation of the turnaround plan, the receiver may:

6 (1) Sue and be sued only to the same extent and upon the same conditions that a
7 municipality may be sued;

8 (2) Receive and disburse funds for the chronically underperforming district; and

9 (3) Solicit and accept grants or gifts for the district.

10 Not more than two and one-half percent (2.5%) of the total number of school districts may
11 be designated for management by a receiver at any given time.

12 (c) The commissioner and the receiver shall jointly create a turnaround plan to promote the
13 rapid improvement of the chronically underperforming district. The plan shall specifically focus on
14 the school or schools in the district that have been designated as chronically underperforming under
15 subsection (m) of this section and the district policies or practices that have contributed to chronic
16 underperformance. Before creating the turnaround plan required in this subsection, the
17 commissioner and receiver shall convene a local stakeholder group of not more than thirteen (13)
18 individuals for the purpose of soliciting recommendations on the content of such plan in order to
19 maximize the rapid improvement of the academic achievement of students. The commissioner shall
20 provide due consideration to the recommendations of the local stakeholder group. The group shall
21 include:

22 (1) The superintendent, or designee;

23 (2) The chair of the school committee, or designee;

24 (3) The president of the local teacher's union, or designee;

25 (4) A selection of administrators from the district, chosen by the commissioner from among
26 volunteers from the district;

27 (5) A selection of teachers from the district, chosen by the local teacher's union;

28 (6) A selection of parents from the district chosen by the local parent organization;

29 (7) Representatives of applicable state and local social service, health, and child welfare
30 agencies chosen by the commissioner;

31 (8) As appropriate, representatives of state and local workforce development agencies
32 chosen by the commissioner;

33 (9) A representative of an early education and care provider chosen by the commissioner
34 of the department of early education and care, or for middle or high schools, a representative of the

1 higher education community selected by the secretary of education; and

2 (10) A member of the community appointed by the chief executive of the city or town. If
3 the district does not have a parent organization or if the organization does not select a parent, the
4 commissioner shall select a volunteer parent of a student from the district. The commissioner and
5 receiver shall convene the group within thirty (30) days of the board designating a district as
6 chronically underperforming and the group shall make its recommendations to the commissioner
7 and receiver within forty-five (45) days of its initial meetings. Meetings of the local stakeholder
8 group shall be open to the public and the recommendations submitted to the commissioner and
9 receiver shall be publicly available immediately upon their submission.

10 (d) In creating the turnaround plan, the commissioner and receiver shall include measures
11 intended to maximize the rapid improvement of the academic achievement of students in the district
12 and shall, to the extent practicable, base the plan on student outcome data including, but not limited
13 to:

14 (1) Student achievement on the Rhode Island comprehensive assessment system;

15 (2) Other measures of student achievement, approved by the commissioner;

16 (3) Student promotion and graduation rates;

17 (4) Achievement data for different subgroups of students, including low-income students
18 as provided in chapter 70 of title 16, English learners and students receiving special education; and

19 (5) Student attendance, dismissal rates and exclusion rates.

20 (e) In creating the turnaround plan required in subsection (c) of this section, the
21 commissioner and receiver shall include, after considering the recommendations of the local
22 stakeholder group, the following:

23 (1) Steps to address social service and health needs of students in the district and their
24 families in order to help students arrive and remain at school ready to learn; provided, however,
25 that this may include mental health and substance abuse screening;

26 (2) Steps to improve or expand child welfare services and, as appropriate, law enforcement
27 services in the school district community, in order to promote a safe and secure learning
28 environment;

29 (3) As applicable, steps to improve workforce development services provided to students
30 in the district and their families in order to provide students and families with meaningful
31 employment skills and opportunities;

32 (4) Steps to address achievement gaps for English learners, special education students and
33 low-income, as applicable;

34 (5) English language acquisition programs for English learners; and

1 (6) A budget for the district including any additional funds to be provided by the state of
2 Rhode Island, federal government or other sources. The secretaries of health and human services,
3 public safety labor and training and other applicable state and local social service, health and child
4 welfare officials shall coordinate with the commissioner regarding the implementation of strategies
5 pursuant to subsections (e)(1) to (e)(3), inclusive, of this subsection that are included in an
6 turnaround plan and shall, subject to appropriation, reasonably support the implementation
7 consistent with the requirements of state and federal law applicable to the relevant programs that
8 each such official is responsible for administering.

9 (f) In order to assess the district across multiple measures of district performance and
10 student success, the turnaround plan shall include measurable annual goals including, but not
11 limited to, the following:

12 (1) Student attendance, dismissal rates and exclusion rates;

13 (2) Student safety and discipline;

14 (3) Student promotion and graduation and dropout rates;

15 (4) Student achievement on the Rhode Island comprehensive assessment system;

16 (5) Progress in areas of academic underperformance;

17 (6) Progress among subgroups of students, including low-income students, English learners
18 and students receiving special education;

19 (7) Reduction of achievement gaps among different groups of students;

20 (8) Student acquisition and mastery of 21st-century skills;

21 (9) Development of college readiness, including at the elementary and middle school
22 levels;

23 (10) Parent and family engagement;

24 (11) Building a culture of academic success among students;

25 (12) Building a culture of student support and success among faculty and staff; and

26 (13) Developmentally appropriate child assessments from pre-kindergarten through third
27 grade, if applicable.

28 (g) Notwithstanding any general or special law to the contrary, in creating the turnaround
29 plan under subsection (c) of this section, the commissioner and the receiver may, after considering
30 the recommendations of the group of stakeholders:

31 (1) Expand, alter or replace the curriculum and program offerings of the district or of a
32 school in the district, including the implementation of research-based early literacy programs, early
33 interventions for struggling readers and the teaching of advanced placement courses or other
34 rigorous nationally or internationally recognized courses, if the district or schools in the district do

- 1 not already have such programs or courses;
- 2 (2) Reallocate the uses of the existing budget of the district;
- 3 (3) Provide funds, subject to appropriation, to increase the salary of an administrator, or
4 teacher in the district working in an underperforming or chronically underperforming school, in
5 order to attract or retain highly-qualified administrators, or teachers or to reward administrators or
6 teachers who work in chronically underperforming districts that achieve the annual goals set forth
7 in the turnaround plan;
- 8 (4) Expand the school day or school year or both of schools in the district;
- 9 (5) Limit, suspend or change one or more provisions of any contract or collective
10 bargaining agreement in the district, including the adoption of model provisions identified by the
11 commissioner from among existing contracts or collective bargaining agreements in the state;
12 provided, however, that the commissioner shall not reduce the compensation of an administrator,
13 teacher or staff member unless the hours of the person are proportionately reduced;
- 14 (6) Add pre-kindergarten and full-day kindergarten classes, if the district does not already
15 have the classes;
- 16 (7) Following consultation with applicable local unions, require the principal and all
17 administrators, teachers and staff to reapply for their positions in the district, with full discretion
18 vested in the receiver regarding any such reapplications turnaround plan;
- 19 (8) Limit, suspend or change one or more school district policies or practices, as such
20 policies or practices relate to the underperforming schools in the district;
- 21 (9) Include a provision of job-embedded professional development for teachers in the
22 district, with an emphasis on strategies that involve teacher input and feedback;
- 23 (10) Provide for increased opportunities for teacher planning time and collaboration
24 focused on improving student instruction;
- 25 (11) Establish a plan for professional development for administrators in the district, with
26 an emphasis on strategies that develop leadership skills and use the principles of distributive
27 leadership;
- 28 (12) Establish steps to ensure a continuum of high expertise teachers by aligning the
29 following processes with the common core of professional knowledge and skill: hiring, induction,
30 teacher evaluation, professional development, teacher advancement, school culture and
31 organizational structure;
- 32 (13) Develop a strategy to search for and study best practices in areas of demonstrated
33 deficiency in the district;
- 34 (14) Establish strategies to address mobility and transiency among the student population

1 of the district; and

2 (15) Include additional components, at the discretion of the commissioner and the receiver,
3 based on the reasons the district was designated as chronically underperforming and based on the
4 recommendations of the local stakeholder group in subsection (c) of this section.

5 (i) If the commissioner does not approve a reapplication submitted by an employee
6 pursuant to subsection (g)(7) of this section for a position in a school or if an employee does not
7 submit a reapplication for a position in a school, the employee shall retain such rights as may be
8 provided under law or any applicable collective bargaining agreement in relation to the employee's
9 ability to fill another position in the district; provided, however, the employee shall not have the
10 right to displace any teacher with professional teacher status in any other school during a school
11 year.

12 (ii) A teacher with professional teacher status in a school declared underperforming or
13 chronically underperforming may be dismissed for good cause; provided, however, the teacher
14 receives five (5) days written notice of the decision to terminate which shall include, without
15 limitation, an explanation of the reason why the commissioner/superintendent is not retaining the
16 teacher in the school; provided, further, that the teacher may seek review of a termination decision
17 within five (5) days after receiving notice of the teacher's termination by filing a petition for
18 expedited arbitration with the commissioner; provided, further, that except as otherwise provided
19 in, § 16-13-4 shall apply to a petition filed pursuant to this section; provided, further, that the
20 commissioner shall cause an arbitrator to be selected pursuant to the procedures in § 16-13-4 within
21 three (3) days of receipt of petition and shall conduct and complete a hearing within ten (10) days
22 of receipt of the petition; provided, further, that in reviewing dismissal decisions, the arbitrator shall
23 consider the components of the turnaround plan and shall also consider any personnel evaluations;
24 and provided, further, that the arbitrator's decision shall be issued within ten (10) days from the
25 completion of the hearing.

26 (iii) For a district with English language learners, the professional development and
27 planning time for teachers and administrators as provided in subsections (g)(9) through (g)(11) of
28 this section shall include specific strategies and content designed to maximize the rapid academic
29 achievement of English language learners in the district.

30 (h) If, after considering the recommendations of the group of stakeholders, pursuant to
31 subsection (g) of this section, the commissioner considers it necessary to maximize the rapid
32 academic achievement of students at an underperforming or chronically underperforming school
33 by altering the compensation, hours and working conditions of the administrators, teachers,
34 principals and staff at the school or by altering other provisions of a contract or collective

1 bargaining agreement applicable to the administrators, teachers, principals and staff, the
2 commissioner may request that the school committee and any union bargain or reopen the
3 bargaining of the relevant collective bargaining agreements to facilitate such achievement. The
4 bargaining shall be conducted in good faith and completed not later than thirty (30) days from the
5 point at which the commissioner requested that the parties bargain. The agreement shall be subject
6 to ratification within ten (10) business days by the bargaining unit members in the school. If the
7 parties are unable to reach an agreement within thirty (30) days or if the agreement is not ratified
8 within ten (10) business days by the bargaining unit members of the school, the parties shall submit
9 remaining unresolved issues to a joint resolution committee for dispute resolution process on the
10 next business day following the end of the thirty (30) day bargaining period or failure to ratify. The
11 joint resolution committee shall be comprised of three (3) members, one of whom shall be
12 appointed by the employee organization within three (3) business days following the submission
13 of unresolved issues to the joint resolution committee, one of whom shall be appointed by the board
14 of regents within three (3) business days following the submission of unresolved issues to the joint
15 resolution committee and one who shall be selected through the American Arbitration Association
16 who shall forthwith forward to the parties a list of three (3) conciliators, each of whom shall have
17 professional experience in elementary and secondary education, from which the parties may agree
18 upon a single conciliator; provided, however, that if the parties cannot select a conciliator from
19 among the three (3) within three (3) business days, the American Arbitration Association shall
20 select a conciliator from the remaining names. The joint resolution committee shall conduct a
21 dispute resolution process to be concluded within ten (10) business days of selection. This process
22 shall be conducted in accordance with the rules of the American Arbitration Association and
23 consistent with this section; provided however, that all members of the joint resolution committee
24 must agree to any resolution. The fee for the process shall be shared equally between the two (2)
25 parties involved. The joint resolution committee shall consider the positions of the parties, the
26 designation of the school as underperforming or chronically underperforming, the designation of
27 the district as chronically underperforming, and the needs of the students in the school.
28 Notwithstanding any other provision of this chapter, the unanimous decision of the joint resolution
29 committee shall be dispositive of all the issues in dispute and shall be submitted to the parties within
30 ten (10) business days of the close of the hearing. Under no circumstance, shall a time extension be
31 granted beyond ten (10) business days of the close of the hearing. In the event that a unanimous
32 decision is not submitted to the parties within ten (10) business days, the commissioner shall resolve
33 all outstanding issues.

34 (i) The turnaround plan shall be authorized for a period of not more than three (3) years,

1 subject to subsection (k) of this section. The commissioner and receiver may jointly develop
2 additional components of the plan and shall jointly develop annual goals for each component of the
3 plan in a manner consistent with the provisions of subsection (g) of this section. The receiver shall
4 be responsible for meeting the goals of the turnaround plan.

5 (j) The commissioner and receiver shall provide a written report to the school committee
6 on a quarterly basis to provide specific information about the progress being made on the
7 implementation of the district's turnaround plan. One of the quarterly reports shall be the annual
8 evaluation required in subsection (g) of this section.

9 (k)(1) The commissioner shall evaluate the performance of the receiver on not less than an
10 annual basis. The purpose of such evaluation shall be to assess the implementation of the
11 turnaround plan and determine whether the district has met the annual goals contained in the
12 turnaround plan. The evaluation shall be in writing and submitted to the board and the local school
13 committee no later than July 1 for the preceding school year.

14 (2) If the commissioner determines that the district has met the annual performance goals
15 stated in the turnaround plan, the evaluation shall be considered sufficient and the implementation
16 of the turnaround plan shall continue.

17 (3) If the commissioner determines that the receiver has not met one or more goals in the
18 plan and the failure to meet the goals may be corrected through reasonable modification of the plan,
19 the commissioner may amend the turnaround plan, as necessary. After assessing the
20 implementation of the turnaround plan in the district, the commissioner may amend the plan if the
21 commissioner determines that the amendment is necessary in view of subsequent changes in the
22 district that affect one or more components of the plan including, but not limited to, changes to
23 contracts, collective bargaining agreements, or school district policies, in a manner consistent with
24 the provisions of subsection (g) of this section. If the commissioner determines that the receiver
25 has substantially failed to meet multiple goals in the turnaround plan, the commissioner may
26 terminate such receiver; provided, however, that the termination shall not occur before the
27 completion of the first full school year of the receivership of the district.

28 (l) After the period of receivership, there shall be a reevaluation of a district's status under
29 this section. The board of elementary and secondary education shall adopt regulations providing
30 for:

31 (1) The removal of a designation of a district as chronically underperforming; and

32 (2) The transfer of the operation of a chronically underperforming district from an external
33 receiver to the superintendent and school committee, based on the improvement of the district. The
34 regulations shall include provisions to allow a district to retain measures adopted in a turnaround

1 plan for a transitional period if, in the judgment of the commissioner, the measures would contribute
2 to the continued improvement of the district. Such regulations shall also include provisions that
3 clearly identify the conditions under which such a transitional period shall end and the powers
4 granted to the commissioner and board under this section shall cease to apply to a district previously
5 designated as chronically underperforming. At any time after a chronically underperforming district
6 has been placed in receivership, the school committee of the district may petition the commissioner
7 for a determination as to whether the turnaround plan adopted under subsection (c) of this section
8 should be modified or eliminated and whether the school district shall no longer be designated as
9 chronically underperforming. The decision of the commissioner shall be based on regulations
10 adopted by the board. A school committee may seek review by the board of elementary and
11 secondary education of an adverse determination.

12 (m) If, on the basis of the regulations adopted by the board pursuant to subsection (l) of
13 this section, a district has not improved sufficiently to remove the designation of the district as
14 chronically underperforming, the commissioner may jointly determine subsequent annual goals for
15 each component of the turnaround plan with the receiver and renew the turnaround plan for an
16 additional period of not more than three (3) years, or create a new turnaround plan, consistent with
17 the requirements of this section.

18 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 EDUCATION -- THE PAUL W. CROWLEY RHODE ISLAND STUDENT
INVESTMENT INITIATIVE

1 This act would allow the education commissioner, when authorized by the board of regents,
2 to designate a receiver for the Providence public school district with all the powers of the
3 superintendent and school committee.

4 This act would take effect upon passage.

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