

2026 -- H 8248

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO EDUCATION -- ESTABLISHMENT OF CHARTER PUBLIC SCHOOLS

Introduced By: Representatives DeSimone, and Biah

Date Introduced: March 06, 2026

Referred To: House Labor

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 16-77-5.1 of the General Laws in Chapter 16-77 entitled  
2 "Establishment of Charter Public Schools [See Title 16 Chapter 97 — The Rhode Island Board of  
3 Education Act]" is hereby amended to read as follows:

4           **16-77-5.1. Oversight by commissioner.**

5           (a) Individuals or groups may complain to a charter public school's governing body  
6 concerning any claimed violation of the provisions of this chapter by the school. If, after presenting  
7 their complaint to the governing body, the individuals or groups believe their complaint has not  
8 been adequately addressed, they may submit their complaint to the commissioner who shall hear  
9 and decide the issue pursuant to §§ 16-39-1 and 16-39-2.

10           (b) Charter public school approval for establishment or continuation shall be for up to a  
11 five-year (5) period. In either case, council on elementary and secondary education approval is  
12 required.

13           (c) Local, written support shall be required for a proposed charter that is a network charter  
14 school as defined herein. "Written support" means a resolution or ordinance granted by the town  
15 or city council for each proposed sending district where the council considers the fiscal and  
16 educational welfare of the municipality and students after at least one public hearing.

17           (d) A charter public school, as defined in § 16-77-2.1, shall be considered a network  
18 charter school if the charter public school encompasses, or will encompass, elementary and  
19 secondary schools or multiple elementary or multiple secondary schools.

1 (e) Charter public schools, as defined in § 16-77-2.1(4) and authorized as of the effective  
2 date of this act [July 13, 2016], shall be exempt from subsection (c) of this section and shall not  
3 require local, written support under subsection (c) for any proposed expansion or charter renewal.

4 (f) A proposed charter, or amendment to a charter for expansion, may proceed through the  
5 approval process by removing districts that have not provided written support, in accordance with  
6 this section, from the catchment area and may be approved with the remaining districts in the  
7 catchment area, provided that the application satisfies the requirements of regulations and law.

8 However, the charter may be revoked at any time if the school:

9 (1) Materially violates provisions contained in the charter;

10 (2) Fails to meet or pursue the educational objectives contained in the charter;

11 (3) Fails to comply with fiscal accountability procedures as specified in the charter;

12 (4) Violates provisions of law that have not been granted variance by the council on  
13 elementary and secondary education; or

14 (5) After three (3) consecutive years of operation, is not a “high-performing charter  
15 school,” defined as a charter public school that has demonstrated overall success, including: (i)  
16 Substantial progress in improving student achievement; and (ii) The management and leadership  
17 necessary to establish a thriving, financially viable charter public school.

18 (g) After denying, or prior to non-renewing or revoking a charter, the department of  
19 elementary and secondary education will hold a hearing on the issues in controversy under § 16-  
20 39-1.

21 (h) The establishment of new charter public schools shall be contingent upon state approval  
22 and appropriation.

23 (i) The commissioner shall be responsible for administering and enforcing compliance with  
24 prevailing wage and benefit requirements for teachers and administrators employed in charter  
25 public schools.

26 (1) The department shall determine and publish, no later than July 1 of each year, the  
27 prevailing wage and benefit rates of all teacher and administrator positions at each charter school.

28 (2) Charter public schools shall provide teacher and administrator compensation data to the  
29 department for compliance monitoring.

30 (3) The department shall be authorized to investigate complaints, conduct audits, and issue  
31 corrective orders, including payment of back wages and benefits owed.

32 (4) Charter public schools found to be in violation shall:

33 (i) Provide full restitution of unpaid wages and benefits to affected teachers and  
34 administrators;

1 [\(ii\) Be subject to civil penalties of up to five hundred dollars \(\\$500\) per affected teacher or](#)  
2 [administrator, per day of violation; and](#)

3 [\(iii\) Have any documented noncompliance considered during charter renewal, oversight,](#)  
4 [or state funding determinations.](#)

5 SECTION 2. Section 16-77.4-2 of the General Laws in Chapter 16-77.4 entitled "Mayoral  
6 Academies [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is hereby  
7 amended to read as follows:

8 **16-77.4-2. Procedure for creation and expansion of a mayoral academy.**

9 (a) Any persons or entities eligible to establish a mayoral academy may submit a proposed  
10 charter, or an amendment to a charter for an expansion, to the commissioner. For purposes of this  
11 chapter, "expansion" shall be an increase in total enrollment; an increase in the grade levels  
12 previously authorized in the charter; or the addition of a school district to the catchment area. The  
13 proposed charter shall:

14 (1) Be submitted to the commissioner no later than December 1st of the school year before  
15 the school year in which the mayoral academy is to be established;

16 (2) Describe a plan for education, including the mission, objective, method of providing a  
17 basic education, measurable student academic goals that the mayoral academy will meet, and  
18 process for improving student learning and fulfilling the charter and fulfilling state and national  
19 educational goals and standards;

20 (3) Provide a minimum of one hundred eighty (180) days of instruction to students per  
21 year;

22 (4) Indicate performance criteria that will be used to measure student learning and to  
23 comply with the charter, state, and national educational goals and standards;

24 (5) Include an agreement to provide a yearly report to parents, the community, the school  
25 committee of the sending districts, and the commissioner, that indicates the progress made by the  
26 mayoral academy during the previous year in meeting the charter objectives;

27 (6) Present a plan for the governance, administration, and operation of the mayoral  
28 academy, including the manner in which the governing board of the school will be chosen, the  
29 nature and extent of parental, professional educator, and community involvement in the governance  
30 and operation of the mayoral academy, and the means of ensuring accountability to the  
31 commissioner, the sending school district(s), and the council on elementary and secondary  
32 education;

33 (7) Identify the building that will house the mayoral academy and from whom and under  
34 what terms and conditions it is to be provided;

1 (8) Describe what support services will be provided by the sending school district(s) and  
2 under what terms and conditions those services are to be provided, and describe what support  
3 services the mayoral academy will obtain directly from third parties and, to the extent known, under  
4 what terms and conditions those services are to be provided;

5 (9) Explain the procedures that will be followed to ensure the health and safety of pupils  
6 and staff;

7 (10) Describe enrollment procedures, including the permissible criteria for admission in  
8 accordance with applicable state and federal law, along with a policy, or policies, that outline  
9 outreach and recruitment programs to encourage the enrollment of a diverse student population;

10 (11) Explain the student discipline procedures;

11 (12) Explain the relationship that will exist between the proposed mayoral academy and its  
12 employees, including the terms and conditions of employment and the qualifications that the  
13 employees must meet. Teachers and administrators in mayoral academies must be certified  
14 pursuant to state law and regulation. [Teachers and administrators in a mayoral academy shall be](#)  
15 [entitled to prevailing wages and benefits as enjoyed by other Rhode Island public school teachers](#)  
16 [and administrators.](#)

17 (13) Each mayoral academy established pursuant to this chapter may, by written notice to  
18 the commissioner of elementary and secondary education, elect to have this subsection apply (or  
19 not apply) to its teachers, administrators, and employees:

20 (i) ~~Teachers and administrators in a mayoral academy shall be entitled to prevailing wages~~  
21 ~~and benefits as enjoyed by other public school teachers and administrators;~~

22 (ii) Teachers and administrators in a mayoral academy shall be entitled to participate in the  
23 state teachers' retirement system under chapter 8 of title 36;

24 (iii) Employment in a mayoral academy shall be considered "service" as that term is  
25 defined in chapter 16 of this title.

26 (14) Identify, with particularity, the state laws, state regulations, and school district rules  
27 from which variances are sought in order to facilitate operation of the mayoral academy. Explain  
28 the reasons for each variance and the alternative method by which the concern that gave rise to the  
29 regulation or provision will be addressed;

30 (15) Provide a financial plan, including a proposed budget for the term of the charter, and  
31 an annual audit of the financial and administrative operations of the mayoral academy, and the  
32 manner in which the funds allocated to the mayoral academy will be managed and disbursed;

33 (16) Provide procedures by which teaching personnel and parents can legally challenge  
34 decisions of the governing board of the mayoral academy that do not conform to the mayoral

1 academy's charter;

2 (17) Provide a copy of the proposed bylaws of the mayoral academy; and

3 (18) Provide written support from the town or city council(s) in the proposed catchment

4 area if required pursuant to § 16-77-5.1.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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RELATING TO EDUCATION -- ESTABLISHMENT OF CHARTER PUBLIC SCHOOLS

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1           This act would provide educators and administrators employed in a charter public school  
2 or mayoral academy with prevailing wage and benefits oversight and recourse if found in violation  
3 of the same.

4           This act would take effect upon passage.

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