

2013 -- H 5649

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LC01404
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO EDUCATION - THE RHODE ISLAND BOARD OF EDUCATION ACT

Introduced By: Representatives MacBeth, McLaughlin, McNamara, and Marshall

Date Introduced: February 27, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-97 of the General Laws entitled "The Rhode Island Board of
2 Education Act" is hereby amended by adding thereto the following section:

3 **16-97-7. Education due process and special education due process study commission**
4 **established.** – (a) Commission established. There is hereby established a special joint legislative
5 study commission on educational due process and special education due process. Said
6 commission shall consist of twelve (12) members: six (6) members shall be appointed by the
7 speaker of the house of representatives from among the members of the house of representatives,
8 not more than five (5) of whom shall be from the same political party; and six (6) members shall
9 be appointed by the president of the senate from among the members of the senate, not more than
10 five (5) of whom shall be from the same political party.

11 (b) Purpose. The purpose of the commission shall be to study all education hearings at the
12 Rhode Island department of elementary and secondary education, including commissioner
13 hearings and special education due process hearings, and to make recommendations on improving
14 these systems. More specifically, the focus of the commission shall be to insure that the hearing
15 process balances the rights and needs of the individuals involved, especially students with
16 disabilities, while also maintaining educational and academic integrity, discipline, and authority.
17 The commission shall elect from among their membership a chairperson and a vice-chairperson.

18 (c) The membership of the commission shall receive no compensation for their services.

19 (d) All departments and agencies of the state shall furnish any advice and information,

1 documentary and otherwise, to the commission and its agents that is deemed necessary or
2 desirable by the commission to facilitate the purposes of this section.

3 (e) The speaker of the house is hereby authorized and directed to provide suitable
4 quarters for the commission. The commission shall report its findings and recommendations to
5 the general assembly on or before January 24, 2014 and the commission shall expire on March
6 24, 2014.

7 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 RHODE ISLAND BOARD OF EDUCATION ACT

1 This act would establish a joint legislative study commission to study commissioner
2 hearings and special education due process hearings at the department of elementary and
3 secondary education.

4 This act would take effect upon passage.

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