

2013 -- H 6159

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LC02589
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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 STATE AFFAIRS AND GOVERNMENT - THE RHODE ISLAND
TRAINING SCHOOL FOR YOUTH COMPREHENSIVE EDUCATIONAL PROGRAMMING
ACT

Introduced By: Representatives Dickinson, and McNamara

Date Introduced: May 23, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-72.6 of the General Laws entitled "The Rhode Island Training
2 School for Youth Comprehensive Educational Programming Act" is hereby amended by adding
3 thereto the following section:

4 **42-72.6-4. Dual enrollment status and education of students in Rhode Island**
5 **training school for youth.** – (a) No school district shall un-enroll or remove a student from its
6 roster when that student is ordered or directed to the Rhode Island Training School for Youth
7 (RITSY). Such student shall remain enrolled in his or her municipal system of origin or
8 “sending district” for purposes of this section. Said student shall also be deemed to be a student
9 of the RITSY for purposes of the educational programming services provided there, so that the
10 student shall be in a dual enrollment status in both their sending district and the educational
11 programming at the RITSY.

12 (b) Students who do not hold high school diplomas and who are of high school age at the
13 time of their incarceration, and who are not enrolled in a municipal or private education system,
14 shall be deemed to be enrolled in the municipal school system of their last known residence. This
15 provision shall also apply to students enrolled in alternative school systems, parochial school
16 systems, or in home schooling.

17 (c) While in the education programs at the RITSY, the students shall take the same
18 standardized tests and assessments administered in the student’s sending district. Provided, that

1 this shall not prohibit or limit the ability of the teaching staff at the RITSY from administering
2 additional testing and making modifications as said staff deems academically appropriate as part
3 of the curriculum at the RITSY. The teaching staff at the RITSY shall retain academic freedom
4 to modify the student's program in the best interests of the child, to the same extent as the
5 teaching staff in the student's sending district.

6 (d) To the best extent possible through technological, on-line, video-conferencing, and
7 other methods, the student at the RITSY shall participate in educational programs in his or
8 sending district. This shall not prohibit the RITSY from modifying curriculum based upon the
9 educational status or progress of the student in the RITSY curriculum. School districts are
10 directed to work with the RITSY in establishing lines of communication and in facilitating such
11 participation by the student.

12 (e) A student who completes all requirements for a high school diploma while enrolled in
13 the education programs at the RITSY shall receive a diploma from the sending district.

14 (f) As to any student who is to be released from the RITSY prior to completing their
15 educational requirements for a diploma, the principal or chief educational officer at the RITSY
16 shall notify the principal of the appropriate school of the sending district of the impending release
17 of the student and coordinate a plan for the student to transition from the RITSY back into the
18 sending district school, at an academically appropriate grade level. Provided, if due to the
19 movement of parents or guardians, or other circumstances, a student shall no longer be considered
20 a resident of his or her original sending district, the principal or chief educational officer at the
21 RITSY shall coordinate with the new appropriate district. School districts are directed to work
22 with the RITSY in establishing such transition plans for students being released from the RITSY.

23 (g) The general assembly recognizes that the amount of notice available may vary
24 depending upon the circumstances of the student's release from the RITSY. To that end, the
25 RITSY is directed to use its best efforts to provide as much notice as reasonably possible to the
26 receiving district. The general assembly re-emphasizes that the goal is the return of the student to
27 an academically appropriate educational setting upon release from the RITSY for those students
28 who have not graduated as of their release.

29 (h) A sentencing authority shall consider school continuity when sentencing children to
30 the RITSY and address school continuity as part of the authority's deliberations. A sentencing
31 authority or other court of competent jurisdiction may include within their adjudications specific
32 orders or requirements regarding the student's education and return to the sending district.

33 (i) A court of competent jurisdiction may order a variation from the provisions of this
34 section, including, but not limited to, an order restraining and enjoining the student from

1 [returning to his or her sending district, provided that the court does so for good cause and states](#)
2 [specific findings and reasons for making such order.](#)

3 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 STATE AFFAIRS AND GOVERNMENT - THE RHODE ISLAND
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ACT

1 This act would require that students who are sentenced to the Rhode Island Training
2 School for Youth (RITSY) remain enrolled in their last educational district. This act would also
3 provide that such students are also deemed enrolled in the RITSY, thus setting up a dual
4 enrollment program. The act would further direct the RITSY and the sending district to work on
5 the transition of students from the RITSY back to their sending district, upon the student's release
6 from the RITSY.

7 This act would take effect upon passage.

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