

2013 -- S 0312 SUBSTITUTE A

LC01226/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

A N A C T

RELATING TO EDUCATION - MAYORAL ACADEMIES

Introduced By: Senators Lombardi, Miller, McCaffrey, Jabour, and Crowley

Date Introduced: February 13, 2013

Referred To: Senate Education

It is enacted by the General Assembly as follows:

SECTION 1. Section 16-77.4-1 of the General Laws in Chapter 16-77.4 entitled "Mayoral Academies" is hereby amended to read as follows:

**16-77.4-1. Entities eligible to apply to become a mayoral academy. --** (a) A "mayoral academy" means a charter school created by a mayor of any city or town within the State of Rhode Island, acting by or through a nonprofit organization established for said purpose (regardless of the time said nonprofit organization is in existence), which enrolls students from more than one city or town including both urban and non-urban communities and which offers an equal number of enrollments to students on a lottery basis; provided, further, that such mayoral academies shall have a board of trustees or directors which is comprised of representatives from each included city or town and is chaired by a mayor of an included city or town. For purposes of this chapter the term "mayor" shall include any elected town administrator.

(b) No child shall be required to attend a mayoral academy nor shall any teacher be required to teach in a mayoral academy. The school committee of the district in which a mayoral academy is located shall make accommodations to facilitate the transfer of students who do not wish to participate in a mayoral academy into other public schools. It shall also make accommodations for those students who wish to transfer into the mayoral academy as space permits. If the total number of students who are eligible to attend and apply to a mayoral academy is greater than the number of spaces available, the mayoral academy shall conduct a lottery to determine which students shall be admitted.

1        (c) A "mayoral academy" charter school's application shall not be approved by the board  
2 of education unless the board considers the position, if any, of the host community's town or city  
3 council and the position of the residents of the communities to be served by the mayoral academy  
4 charter school. The host community's town or city council shall indicate support or lack thereof  
5 by resolution after at least one public hearing. Prior to the decision on the application, the  
6 department of education shall provide the board of education with a summary of the written and  
7 oral testimony indicating the position regarding said school's application. The board of education  
8 shall accept all public testimony regarding the application at no fewer than one regularly  
9 scheduled meeting prior to determining approval or denial of the mayoral academy charter  
10 school's application. This section shall not apply to a mayoral academy charter school's renewal  
11 application.

12        SECTION 2. Section 16-77.3-1 of the General Laws in Chapter 16-77.3 entitled  
13 "Independent Charter Schools" is hereby amended to read as follows:

14        **16-77.3-1. Entities eligible to apply to become independent charter schools. --** (a)

15        Persons or entities eligible to submit an application to establish an independent charter school  
16 shall be limited to:

17        (1) Rhode Island nonprofit organizations provided that these nonprofit organizations  
18 shall have existed for at least two (2) years and must exist for a substantial reason other than to  
19 operate a school; or

20        (2) Colleges or universities within the State of Rhode Island.

21        (b) No child shall be required to attend an independent charter school nor shall any  
22 teacher be required to teach in an independent charter school. The sending school district shall  
23 make accommodations for those students who wish to participate to transfer into an independent  
24 charter school as space permits. If the total number of students who are eligible to attend and  
25 apply to an independent charter school is greater than the number of spaces available, the  
26 independent charter school shall conduct a lottery to determine which students shall be admitted.

27        (c) An independent charter school's application shall not be approved by the board of  
28 education unless the board considers the position, if any, of the host community's town or city  
29 council and the position of residents of the communities to be served by the independent charter  
30 school. The host community's town or city council shall indicate support or lack thereof by  
31 resolution after at least one public hearing. Prior to the decision on the application, the  
32 department of education shall provide the board of education with a summary of the written and  
33 oral testimony indicating the position regarding said school's application. The board of education  
34 shall accept all public testimony regarding the application at no fewer than one regularly

1 [scheduled meeting prior to determining approval or denial of the independent charter school's](#)  
2 [application. This section shall not apply to an independent charter school's renewal application.](#)

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

=====  
LC01226/SUB A/2  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION - MAYORAL ACADEMIES

\*\*\*

1           This act would provide that in considering the application of a mayoral charter school or  
2   of an independent charter school, the board of education would consider the positions, if any, of  
3   the host community's city or town council, and also of the residents of the communities to be  
4   served by the new school.

5           This act would take effect upon passage.

=====  
LC01226/SUB A/2  
=====