

2017 -- S 0246

LC001252

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO EDUCATION-COMPULSORY ATTENDANCE

Introduced By: Senator Roger Picard

Date Introduced: February 15, 2017

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-19-2 of the General Laws in Chapter 16-19 entitled
2 "Compulsory Attendance [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]"
3 is hereby amended to read as follows:

4 **16-19-2. Approval of private schools -- Requirements -- Review.**

5 (a) For the purposes of this chapter a private school or at-home instruction shall be
6 approved only when it complies with the following requirements: (1) that the period of attendance
7 of the pupils in the school or in the home instruction is substantially equal to that required by law
8 in public schools; (2) that registers are kept and returned to the school committee, the
9 superintendent of schools, truant officers, and the department of elementary and secondary
10 education in relation to the attendance of pupils, and are made the same as registers kept by the
11 public schools; (3) that reading, writing, geography, arithmetic, the history of the United States,
12 the history of Rhode Island, and the principles of American government shall be taught in the
13 English language substantially to the same extent as these subjects are required to be taught in the
14 public schools, and that the teaching of the English language and of other subjects indicated in
15 this section shall be thorough and efficient; (4) that students receiving at-home instruction shall
16 be annually evaluated via grade level standardized assessment as approved by the school district
17 in which the child resides to measure satisfactory progress or growth from the previous year, or
18 that an annual written narrative evaluation shall be conducted by a certified teacher or other
19 professional as recommended by the superintendent and approved by the school committee for

1 the purpose of measuring satisfactory progress or growth from the previous year; provided,
2 however, that nothing contained in this section shall be construed or operate to deny the right to
3 teach in private schools or in at-home instruction any of the subjects or any other subject in any
4 other language in addition to the teaching in English as prescribed in this section; provided,
5 further, that any interested person resident in any city or town aggrieved by the action of the
6 school committee of the city or town either in approving or refusing to approve at-home
7 instruction may appeal the action to the department of elementary and secondary education. The
8 department of elementary and secondary education, after notice to the parties interested of the
9 time and place of a hearing, shall examine and decide the appeal without cost to the parties. The
10 commissioner of elementary and secondary education shall also grant a hearing to any party
11 aggrieved by a refusal to approve a private school pursuant to § 16-60-6(10). The decision of the
12 board of regents for elementary and secondary education shall, if an appeal is made to the board,
13 be final.

14 (b) For a child who has been absent from school such that if said pattern of absences
15 continued, the child would be absent from school for ten (10%) percent or more of the school
16 year, during the current or previous school year at the time of the request for approval for at-home
17 instruction, at least two (2) grade-level standardized assessments shall be required annually to
18 evaluate progress or growth at intervals as recommended by the superintendent and approved by
19 the school committee. A parent or guardian may request that at least two (2) annual written
20 narrative evaluations be conducted in lieu of the standardized assessments by a certified teacher
21 or other professional as recommended by the superintendent and approved by the school
22 committee for the purpose of measuring satisfactory progress or growth.

23 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would require that students who are home schooled be evaluated via grade level
2 standardized assessment to measure satisfactory progress or growth from the previous year, or
3 that an annual written narrative evaluation be conducted by a certified teacher or other
4 professional for the purpose of measuring satisfactory progress or growth from the previous year.
5 More testing would be required in cases of excessive absenteeism.
- 6 This act would take effect upon passage.

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