

2018 -- S 2646

LC005242

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO EDUCATION - COUNCIL ON ELEMENTARY AND SECONDARY  
EDUCATION [SEE TITLE 16 CHAPTER 97 - THE RHODE ISLAND BOARD OF  
EDUCATION]

Introduced By: Senators Pearson, Gallo, Lynch Prata, McCaffrey, and Goodwin

Date Introduced: March 20, 2018

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-60-6 of the General Laws in Chapter 16-60 entitled "Council on  
2 Elementary and Secondary Education [See Title 16 Chapter 97 - The Rhode Island Board of  
3 Education Act]" is hereby amended to read as follows:

4 **16-60-6. Commissioner of elementary and secondary education.**

5 ~~The council on elementary and secondary education, with the advice and consent of the~~  
6 ~~board of education~~ The governor, with the advice and consent of the senate, shall appoint a  
7 commissioner of elementary and secondary education who shall serve at the pleasure of the  
8 ~~council on elementary and secondary education~~ governor, provided that the commissioner's initial  
9 engagement by the ~~council~~ governor shall be for a period of not more than three (3) years. ~~For the~~  
10 ~~purpose of appointing, retaining, or dismissing a commissioner, the governor shall serve as an~~  
11 ~~additional voting member of the council on elementary and secondary education.~~ The position of  
12 commissioner shall be in the unclassified service of the state and he or she shall serve as the chief  
13 executive officer of the council on elementary and secondary education and as the chief  
14 administrative officer of the department of elementary and secondary education. The  
15 commissioner of elementary and secondary education shall have the duties that are defined in this  
16 section and in this title and any other additional duties that may be determined by the council on  
17 elementary and secondary education, and shall perform any other duties that may be vested in the  
18 commissioner by law. In addition to the general supervision of the department of elementary and

1 secondary education and the appointment of the several officers and employees of the  
2 department, it shall be the duty of the commissioner of elementary and secondary education:

3 (1) To develop and implement a systematic program of information gathering,  
4 processing, and analysis addressed to every aspect of elementary and secondary education in the  
5 state, especially as that information relates to current and future educational needs.

6 (2) To prepare a master plan for elementary and secondary education in the state; to  
7 coordinate the goals and objectives of the public elementary and secondary education sector with  
8 the activities of the nonpublic elementary and secondary education sector where feasible.

9 (3) To communicate with and seek the advice of those concerned with and affected by the  
10 board of education's and the council's determinations.

11 (4) To implement broad policy as it pertains to the goals and objectives established by the  
12 board of education; to enforce standards and to exercise general supervision over public  
13 elementary and secondary education in the state and over all elementary and secondary nonpublic  
14 education in the state as provided in subdivision (8) of this section; to assist in the preparation of  
15 the budget for elementary and secondary education and to be responsible upon direction of the  
16 council on elementary and secondary education for the allocation of appropriations, the  
17 acquisition, holding, disposition, and general management of property.

18 (5) To be responsible for the coordination of the various elementary and secondary  
19 educational functions among the educational agencies of the state including local school districts  
20 and to encourage and to assist in the cooperation among them so that maximum efficiency and  
21 economy may be achieved.

22 (6) To assist the council on elementary and secondary education in the preparation and  
23 presentation annually to the state budget officer, in accordance with § 35-3-4, of a total state  
24 elementary and secondary educational budget which shall include, but not be limited to, the  
25 budget of the department of elementary and secondary education, subcommittees and agencies,  
26 and state aid to local school districts.

27 (7) To supervise the operation of the department of elementary and secondary education,  
28 to have the duties as defined in § 16-1-5 and in this title or in law wherever outlined, and other  
29 additional duties and responsibilities that may be assigned by the council on elementary and  
30 secondary education.

31 (8) To perform the duties vested in the board of education and council on elementary and  
32 secondary education with relation to nonpublic elementary and secondary educational institutions  
33 within the state under the terms of chapter 40 of this title, and other laws that affect nonpublic  
34 elementary and secondary education in the state.

- 1 (9) To supervise the following specific functions:
- 2 (i) To recommend the basic subjects and courses of study to be taught and instructional  
3 standards to be maintained in the public elementary and secondary schools in the state.
- 4 (ii) To recommend standards and qualifications of teachers and to issue certificates upon  
5 approval of standards and qualifications by the council on elementary and secondary education.
- 6 (iii) To distribute state school funds in accordance with law and regulations of the council  
7 on elementary and secondary education.
- 8 (iv) To certify as to the necessity of school construction and that standards and design are  
9 in accordance with law and regulations of the council on elementary and secondary education and  
10 to approve a design for school construction throughout the state.
- 11 (v) To certify that school library standards and services are in accordance with law and  
12 regulations of the council on elementary and secondary education.
- 13 (vi) To recommend to the council on elementary and secondary education relating to the  
14 transportation of pupils to school.
- 15 (vii) To require the observance of all laws relating to elementary and secondary schools  
16 and education.
- 17 (viii) To interpret school law and to decide any controversies that may be appealed to him  
18 or her from decisions of local school committees.
- 19 (ix) To prepare and recommend standard forms for the use of local schools when  
20 reporting to the department of elementary and secondary education.
- 21 (x) To prepare standard accounting and auditing procedures for local school districts,  
22 except for the purposes of subdivision (3) of § 16-24-2 which shall be done in conjunction with  
23 the auditor general.
- 24 (xi) To prepare uniform budgeting procedures for local school districts.
- 25 (xii) To determine when special purpose grants made to local school districts shall be  
26 eligible for reimbursement through the school operations aid formula in accordance with chapter  
27 7 of this title, and to designate the purpose(s) for which the local school district may use the  
28 school operations aid reimbursement, including reimbursement on local matching funds used to  
29 support the special purpose grant. The commissioner shall promulgate and adopt rules and  
30 regulations to carry out the intent of this subsection.
- 31 (10) To approve and accredit elementary and secondary schools in accordance with the  
32 policy and regulations of the council on elementary and secondary education.
- 33 (11) To be responsible for the administration of policies, rules, and regulations of the  
34 board of education and the council on elementary and secondary education with relation to the

1 entire field of elementary and secondary education within the state not specifically granted to any  
2 other department, board, or agency and not incompatible with law.

3 (12) To receive from law enforcement agencies a list periodically of the names of Rhode  
4 Island missing children and to disseminate these lists to local school districts.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO EDUCATION - COUNCIL ON ELEMENTARY AND SECONDARY  
EDUCATION [SEE TITLE 16 CHAPTER 97 - THE RHODE ISLAND BOARD OF  
EDUCATION]

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1           This act would provide that the commissioner of elementary and secondary education  
2 would be appointed by the governor with the advice and consent of the senate. The commissioner  
3 of elementary and secondary education would serve at the pleasure of the governor.

4           This act would take effect upon passage.

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