

2021 -- H 5352

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO EDUCATION -- CHILDREN WITH DISABILITIES [SEE TITLE 16
CHAPTER 97 -- THE RHODE ISLAND BOARD OF EDUCATION ACT]

Introduced By: Representatives Cortvriend, Carson, Amore, Henries, Kazarian,
Donovan, and Kislak

Date Introduced: February 05, 2021

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-24 of the General Laws entitled "Children With Disabilities [See
2 Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended by adding
3 thereto the following section:

4 **16-24-19. Local Advisory Committee on Special Education.**

5 (a) There is hereby authorized, created and established a local advisory committee ("the
6 committee") of each local education or regional special education program. The governing school
7 committee or committees, as applicable, shall approve the by-laws of the advisory committee.

8 (b)(1) The committee, local or regional, shall consist of persons involved in or concerned
9 with the education of students with disabilities or students whom are differentially abled. Parents,
10 guardians or caretakers of students with disabilities or students whom are differentially abled shall
11 compose a majority of the local committee membership. Parents, guardians or caretakers of
12 students with disabilities or students whom are differentially abled shall consist of a majority of the
13 local committee and at least fifty percent (50%) of this majority shall be selected by the parents,
14 guardians or caretakers of children with disabilities or students whom are differentially abled.

15 (2) A regional committee shall reflect an equal distribution of representatives from each of
16 the school districts that comprise the regional program. The members shall be as follows:

17 (i) One of whom is an individual with a disability or differentially abled;

18 (ii) One of whom is a public school administrator, or designee;

1 (iii) One of whom is a special education teacher, or designee;
2 (iv) One of whom is a general education teacher, or designee; and
3 (v) Other members of the community may be appointed to the committee at the discretion
4 of the committee and school board.

5 (c) The committee shall advise the school district or regional program on matters
6 concerning the unmet needs of students with disabilities or students whom are differentially abled,
7 comment on improvement plans including school support plans resulting from the federal
8 Individuals with Disabilities Education Act (IDEA) Part B compliance reports, local compliance
9 with state and federal laws pertaining to the education of students with disabilities or students whom
10 are differentially abled, comment on applications for federal and state funds and serve as advocates
11 in partnership with parents, guardians or caretakers of students with disabilities or students whom
12 are differentially abled to ensure that they receive the entitlements provided to them under state and
13 federal laws.

14 (d) The local or regional educational agency shall provide support to the committee by
15 contracting for technical assistance services with the Rhode Island designated parent training and
16 technical assistance agency or other community-based nonprofit parent organization. Such
17 technical assistance shall include the role of advisory committees in advocating for children, state
18 and federal regulations, community resources, strategic planning and development of an annual
19 report to the school committee. The local advisory committee shall present this annual report, at a
20 public meeting, to the school committee of any district that is part of the local education or regional
21 special education program. The local or regional educational agency shall also provide school and
22 district improvement plans to the committee for comment and make available appropriate records
23 and data as permitted by law. The public agency shall also support the committee in disseminating
24 information to the parent, guardian or caretaker of the student with disabilities or student whom is
25 differentially abled regarding the role of the advisory committee, information pertaining to special
26 education and inform the committee of professional development opportunities that are available
27 within the local education agency (LEA). As used in this section, the term "local or regional
28 education agency" means the school district or regional school district serviced by the local
29 advisory committee.

30 (e) The committee shall meet as often as necessary to conduct its business but no less than
31 four (4) times annually. Official minutes shall be kept of all committee meetings and be available
32 for public review. All committee meetings and agendas shall be publicly announced prior to any
33 meeting, and meetings shall be open to the public. The committee shall be subject to the provisions
34 of chapter 46 of title 42 (the "open meetings act"), except that the committee shall not release the

1 identity or disclose information which could identify any particular student with a disability, or
2 who is receiving special education services, or who is differently abled. Notwithstanding any
3 provisions of § 42-46-5 to the contrary, a local advisory committee may go into executive session
4 and may seal their executive session minutes for purposes of reviewing matters which relate to the
5 privacy of students and their records; provided, however, that any affected student shall be notified
6 in advance in writing and advised that the student may require that the discussion be held in an
7 open meeting.

8 (f) Members of the committee shall serve without compensation; provided, however, they
9 may be reimbursed for reasonable and necessary expenses for attending meetings and performing
10 their duties.

11 (g) At the time a student is referred to special education, each school district or regional
12 special education program shall provide the parent, guardian or caretaker of that student with
13 notification of the existence of the local or regional advisory committee for special education
14 established pursuant to this section. The notification shall specify that a majority of the local
15 advisory committee on special education is parents, guardians or caretakers of students with
16 disabilities or students whom are differentially abled, and shall provide the parent, guardian or
17 caretaker with the contact information for the chairperson of the local advisory committee for
18 special education or the regional advisory committee on special education.

19 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 -- CHILDREN WITH DISABILITIES [SEE TITLE 16
CHAPTER 97 -- THE RHODE ISLAND BOARD OF EDUCATION ACT]

1 This act would create a local advisory committee on special education in every school
2 district to advise the school district on matters concerning the unmet needs of students with
3 disabilities, comment on improvement plans including school support plans resulting from the
4 federal Individuals with Disabilities Educational Act (IDEA) Part B compliance reports, local
5 compliance with state and federal laws pertaining to the education of students with disabilities,
6 comment on applications for federal and state funds and serve as advocates in partnership with
7 parents, guardians or caretakers of students with disabilities to ensure that they receive the
8 entitlements provided to them under state and federal laws. The majority of the committee would
9 be comprised of parents, guardians or caretakers of students with disabilities.

10 This act would take effect upon passage.

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