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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO EDUCATION -- THE RHODE ISLAND BOARD OF EDUCATION ACT

Introduced By: Senators DiMario, Cano, Lauria, Valverde, and Lawson

Date Introduced: March 01, 2024

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-97-1 of the General Laws in Chapter 16-97 entitled "The Rhode
2 Island Board of Education Act" is hereby amended to read as follows:

3 **16-97-1. Rhode Island board of education established.**

4 (a) Effective January 1, 2013, there is created a board of education that shall be responsible
5 for and shall exercise the purposes, powers, and duties of, this chapter and chapters 59 and 60 of
6 this title. The board is responsible for the coordination of education from pre-K through higher
7 education and shall set goals and policies for the effective coordination of these public education
8 systems.

9 (b) The board of education shall consist of seventeen (17) public members appointed by
10 the governor with the advice and consent of the senate, eight (8) of whom shall be designated to
11 serve on the council on elementary and secondary education and eight (8) of whom shall be
12 designated to serve on the council on postsecondary education. The chairperson of the board shall
13 serve as a member of both councils. Six (6) of the members initially appointed pursuant to this
14 section shall serve terms of three (3) years; six (6) members initially appointed pursuant to this
15 section shall serve terms of two (2) years; and, four (4) members initially appointed pursuant to this
16 section shall serve terms of one year. To the greatest extent possible, the initial staggered terms
17 shall be equitably divided among the councils so as to protect against sudden changes in
18 membership and reversal of policy. Thereafter, all members appointed pursuant to this section shall
19 serve terms of three (3) years. At the expiration of their terms, members shall remain and continue

1 in their official capacity until their successor is appointed and qualified. Members shall not be
2 appointed to more than three (3), successive three-year (3) terms each; provided that the chair of
3 the board shall have no term and shall serve at the pleasure of the governor. Any vacancy among
4 the members of the board shall be filled by appointment of the governor for the remainder of the
5 unexpired term. In the selection and appointment of the board, the governor shall seek persons who
6 best serve the needs of the entire state. No person shall be eligible for appointment to the board
7 after the effective date of this act unless a resident of this state. Members of the board shall not be
8 compensated for their service in attending board or council meetings.

9 (c) The chair of the Governor's workforce board, or designee; the chair of the Rhode Island
10 commerce corporation, or designee; and the chair of the university of Rhode Island board of
11 trustees, or designee; ~~and the Rhode Island teacher of the year~~ shall serve as non-voting, ex-officio
12 members of the board.

13 (d) The Rhode Island teacher of the year shall serve on the board for one year, beginning
14 after their term as teacher of the year has expired and shall be a voting member. If the teacher of
15 the year is unable or unwilling to serve, a former Rhode Island teacher of the year may be selected
16 to serve on the board by the commissioner of elementary and secondary education; provided that,
17 the individual is still teaching in Rhode Island public schools.

18 (e) The governor shall select from the appointed members a chairperson and vice
19 chairperson. A quorum shall consist of nine (9) members of the board. A majority vote of those
20 present shall be required for action.

21 (f) Except as provided by subsection (b) of this section, members of the board shall be
22 removable by the governor for cause only. Removal solely for partisan or personal reasons
23 unrelated to performance, capacity, or fitness for the office shall be unlawful.

24 (g) The statutory responsibilities of the department of elementary and secondary education,
25 the commissioner of elementary and secondary education, and the commissioner of postsecondary
26 education shall remain unchanged.

27 (h) The chair of the board of education shall consult with the chairs of the council on
28 elementary and secondary education, the council on postsecondary education, the commissioner of
29 elementary and secondary education, and the commissioner of postsecondary education in
30 developing agendas, goals, policies, and strategic plans for the board.

31 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 -- THE RHODE ISLAND BOARD OF EDUCATION ACT

1 This act would add the Rhode Island teacher of the year as a voting member on the Rhode
2 Island Board of Education.

3 This act would take effect upon passage.

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