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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO EDUCATION -- ESTABLISHMENT OF CHARTER PUBLIC SCHOOLS

Introduced By: Representatives Messier, Alzate, Furtado, Kazarian, and Casimiro

Date Introduced: February 26, 2025

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-77-3.1 of the General Laws in Chapter 16-77 entitled  
2 "Establishment of Charter Public Schools [See Title 16 Chapter 97 — The Rhode Island Board of  
3 Education Act]" is hereby amended to read as follows:

4 **16-77-3.1. Legislative purpose.**

5 (a) The purpose of this chapter is to provide an alternative within the public education  
6 system by offering opportunities for entities identified in § 16-77-2.1 to establish and maintain a  
7 high performing public school program according to the terms of a charter. The key appeal of the  
8 charter school concept is its promise of increased accountability for student achievement in  
9 exchange for increased school autonomy.

10 (b) Charter public schools are intended to be vanguards, laboratories, and an expression of  
11 the on-going and vital state interest in the improvement of education. Notwithstanding the  
12 provisions of this section or any law to the contrary, a charter school shall be deemed to be a public  
13 school acting under state law and subject to the Age Discrimination Act of 1975, 42 U.S.C. § 6101,  
14 et seq., title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq., title IX of the educational  
15 amendments of 1972, 20 U.S.C. § 1681, et seq., § 794 of title 29, and part B of the Individuals With  
16 Disabilities Education Act, 20 U.S.C. § 1411, et seq. All students and prospective students of a  
17 charter school shall be deemed to be public school students, having all the same rights under federal  
18 and Rhode Island law as students and prospective students at a non-chartered public school. These  
19 charter public schools shall be vehicles for research and development in areas such as curriculum,

1 pedagogy, administration, materials, facilities, governance, parent relations and involvement,  
2 social development, instructor's and administrator's responsibilities, working conditions, student  
3 performance and fiscal accountability. It is the intent of the general assembly to create within the  
4 public school system vehicles for innovative learning opportunities to be utilized and evaluated in  
5 pilot projects. The provisions of this chapter are to be interpreted liberally to support the purposes  
6 set forth in this chapter and to advance a renewed commitment by the state to the mission, goals,  
7 and diversity of public education.

8 (c) It is the intent of the general assembly to provide opportunities for teachers, parents,  
9 pupils, and community members to establish and maintain public schools that operate  
10 independently as a method to accomplish all of the following:

11 (1) Improve pupil learning by creating schools with rigorous academic standards in all  
12 basic areas of instruction for high pupil performance;

13 (2) Increase learning opportunities for all pupils, with special emphasis on expanded  
14 learning experiences for pupils who are identified as educationally disadvantaged and at-risk;

15 (3) Encourage the use of innovative teaching methods;

16 (4) Create opportunities for teachers, including the opportunity to be responsible for the  
17 learning program at the school site; [and](#)

18 (5) Provide parents and pupils with expanded choices in the types of educational  
19 opportunities that are available within the public school system;

20 ~~(6) Hold the schools established under this chapter accountable for meeting publicly~~  
21 ~~promulgated, measurable, state and charter based pupil academic results, and provide the schools~~  
22 ~~with a method to implement performance based and/or other student based accountability systems,~~  
23 ~~while providing a means to restrict the expansion of ineffective charter public schools; and~~

24 ~~(7) Encourage parental and community involvement with public schools.~~

25 ~~(d) No private or parochial schools shall be eligible for charter public school status, nor~~  
26 ~~shall a charter public school be affiliated in any way with a sectarian school or religious institution.~~  
27 ~~Any charter public school authorized by this chapter shall be nonsectarian and nonreligious in its~~  
28 ~~programs, admissions policies, employment practices, and all other operations. The board of~~  
29 ~~regents shall not approve a charter to a school whose overall operation or education program is~~  
30 ~~managed by a for profit entity.~~

31 ~~(e) The commissioner is empowered to promulgate rules and regulations consistent with~~  
32 ~~this chapter, in conformance with chapter 35 of title 42, for the creation and operation of charter~~  
33 ~~public schools. These rules and regulations shall set forth the process for rescission of state approval~~  
34 ~~of a charter public school, including appropriate protections to ensure the continued provision of~~

1 ~~education services to the students of the charter public school whose charter is rescinded.~~

2 ~~(f) All charter public schools shall adhere to financial record keeping, reporting, auditing~~  
3 ~~requirements, and procedures as required by the Rhode Island department of education and in~~  
4 ~~accordance with federal and state laws and regulations.~~

5 ~~(g) No more than thirty five (35) charters shall be granted. At least one half (1/2) of the total~~  
6 ~~number of charter public schools in the state shall be reserved for charter school applications which~~  
7 ~~are designed to increase the educational opportunities for at risk pupils. Local, written support shall~~  
8 ~~be required for a proposed charter that is a network charter school as defined herein. "Written~~  
9 ~~support" means a resolution or ordinance granted by the town or city council for each proposed~~  
10 ~~sending district where the council considers the fiscal and educational welfare of the municipality~~  
11 ~~and students after at least one public hearing.~~

12 ~~(e) Charter public schools, as defined in § 16-77-2.1, shall be considered a network charter~~  
13 ~~school if the charter public school encompasses, or will encompass, elementary and secondary~~  
14 ~~schools or multiple elementary or multiple secondary schools.~~

15 ~~(f) Charter public schools, as defined in § 16-77-2.1 and authorized as of the effective date~~  
16 ~~of this section, shall be exempt from subsection (d) of this section and shall not require local, written~~  
17 ~~support under subsection (d) for any proposed expansion or charter renewal.~~

18 ~~(g) A proposed charter, or amendment to a charter for expansion, may proceed through the~~  
19 ~~approval process by removing districts that have not provided written support, in accordance with~~  
20 ~~this section, from the catchment area and may be approved with the remaining districts in the~~  
21 ~~catchment area; provided that, the application satisfies the requirements of regulations and law.~~  
22 ~~However, the charter may be revoked at any time if the school:~~

23 ~~(1) Materially violates provisions contained in the charter;~~

24 ~~(2) Fails to meet or pursue the educational objectives contained in the charter;~~

25 ~~(3) Fails to comply with fiscal accountability procedures as specified in the charter;~~

26 ~~(4) Violates provisions of law that have not been granted variance by the council on~~  
27 ~~elementary and secondary education; or~~

28 ~~(5) After three (3) consecutive years of operation, is not a "high-performing charter~~  
29 ~~school," defined as a charter public school that has demonstrated overall success, including:~~

30 ~~(i) Substantial progress in improving student achievement; and~~

31 ~~(ii) The management and leadership necessary to establish a thriving, financially viable~~  
32 ~~charter public school.~~

33 ~~(h) After denying, or prior to non-renewing or revoking a charter, the department of~~  
34 ~~elementary and secondary education shall hold a hearing on the issues in controversy under § 16-~~

1 [39-1.](#)

2 [\(i\) The establishment of new charter public schools shall be contingent upon state approval](#)  
3 [and appropriation.](#)

4 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 -- ESTABLISHMENT OF CHARTER PUBLIC SCHOOLS

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1           This act would amend provisions related to the legislative purpose for alternatives within  
2 the public school system.

3           This act would take effect upon passage.

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