

2019 -- S 0544

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO EDUCATION -- ESTABLISHMENT OF CHARTER PUBLIC SCHOOLS

Introduced By: Senators Pearson, Seveney, Gallo, Satchell, and Picard

Date Introduced: March 14, 2019

Referred To: Senate 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  
11 of 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  
13 public school acting under state law and subject to the Age Discrimination Act of 1975, 42 U.S.C.  
14 § 6101, et seq., title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq., title IX of the  
15 educational amendments of 1972, 20 U.S.C. § 1681, et seq., § 794 of title 29, and part B of the  
16 Individuals With Disabilities Education Act, 20 U.S.C. § 1411, et seq. All students and  
17 prospective students of a charter school shall be deemed to be public school students, having all  
18 the same rights under federal and Rhode Island law as students and prospective students at a non-  
19 chartered public school. These charter public schools shall be vehicles for research and

1 development in areas such as curriculum, pedagogy, administration, materials, facilities,  
2 governance, parent relations and involvement, social development, instructor's and administrator's  
3 responsibilities, working conditions, student performance and fiscal accountability. It is the intent  
4 of the general assembly to create within the public school system vehicles for innovative learning  
5 opportunities to be utilized and evaluated in pilot projects. The provisions of this chapter are to be  
6 interpreted liberally to support the purposes set forth in this chapter and to advance a renewed  
7 commitment by the state to the mission, goals, 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) Charter schools must reflect the demographics of the sending district(s) in terms of  
16 special education, English language learners, and students who qualify for free and reduced price  
17 lunch. No new students shall be enrolled in charter schools or taken from waiting lists until  
18 equalized demographic numbers are met. Each charter school shall:

19 (i) Continuously readjust their pupil admissions to reflect this requirement;

20 (ii) Not admit a pupil or pupils not in conformance with the demographic requirement set  
21 out in this section;

22 (iii) Certify to the department of education and the general assembly, on a quarterly basis,  
23 that its admissions policy and pupil demographics are in conformance with the demographic  
24 requirements of this section; and

25 (iv) Submit an annual report to the department of education and the general assembly  
26 detailing the demographic breakdown of all pupils and the length of time such pupils attended the  
27 charter school during said school year.

28 ~~(3)~~(4) Encourage the use of innovative teaching methods;

29 ~~(4)~~(5) Create opportunities for teachers, including the opportunity to be responsible for  
30 the learning program at the school site;

31 ~~(5)~~(6) Provide parents and pupils with expanded choices in the types of educational  
32 opportunities that are available within the public school system;

33 ~~(6)~~(7) Hold the schools established under this chapter accountable for meeting publicly  
34 promulgated, measurable, state and charter-based pupil academic results, and provide the schools

1 with a method to implement performance-based and/or other student-based accountability  
2 systems, while providing a means to restrict the expansion of ineffective charter public schools;  
3 and

4 ~~(7)~~(8) Encourage parental and community involvement with public schools.

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

11 (e) The commissioner is empowered to promulgate rules and regulations consistent with  
12 this chapter, in conformance with chapter 35 of title 42, for the creation and operation of charter  
13 public schools. These rules and regulations shall set forth the process for rescission of state  
14 approval of a charter public school, including appropriate protections to ensure the continued  
15 provision of education services to the students of the charter public school whose charter is  
16 rescinded.

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

20 (g) No more than thirty-five (35) charters shall be granted. At least one-half (1/2) of the  
21 total number of charter public schools in the state shall be reserved for charter school applications  
22 which are designed to increase the educational opportunities for at-risk pupils.

23 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 require charter school populations to reflect the combined demographics  
2 of the sending district(s) in terms of special education, English language learners, and students  
3 who qualify for free and reduced price lunch.

4           This act would take effect upon passage.

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