

2010 -- H 7372

LC01086

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS

Introduced By: Representatives Segal, Fierro, Guthrie, and Edwards

Date Introduced: February 04, 2010

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-2-11 of the General Laws in Chapter 16-2 entitled "School  
2 Committees and Superintendents" is hereby amended to read as follows:

3 **16-2-11. General powers and duties of superintendent.** -- (a) The superintendent of  
4 schools employed in accordance with the provisions of this chapter shall, under the direction of  
5 the school committee, have the care and supervision of the public schools and shall be the chief  
6 administrative agent of the school committee. The superintendent shall have any duties as are  
7 defined in this section and in this title and any other duties as may be determined by the school  
8 committee, and shall perform any other duties as may be vested in him or her by law. In addition  
9 to the care and supervision of public schools and the appointment of employees of the district, it  
10 shall be the duty of the superintendent:

11 (1) To implement policies established by the school committee.

12 (2) To recommend educational plans, policies, and programs to meet the needs of the  
13 district.

14 (3) To recommend policies governing curriculum, courses of instruction, textbooks, and  
15 transportation of students.

16 (4) To comply with provisions of federal and state law and local charter provisions and  
17 ordinances.

18 (5) To have administrative responsibility for the school system.

19 (6) To oversee the care, control, and management of school facilities and equipment.

1 (7) To appoint all school department personnel with the consent of the school committee.

2 (8) To administer the personnel function of the school department consistent with  
3 personnel standards, policies, and the table of organization established by the school committee.

4 (9) To provide for the evaluation of department personnel.

5 (10) To prepare a school budget for consideration by the school committee.

6 (11) To authorize purchases consistent with the adopted school budget, policies and  
7 directives of the school committee, and applicable municipal policies, ordinances, and charter  
8 provisions.

9 (12) To be responsible for keeping the records of the school system.

10 (13) To report to the school committee on a regular basis the financial condition of the  
11 school system.

12 (14) To be responsible for discipline in the school system.

13 (15) To evaluate all schools within the school system and to report to the school  
14 committee the conformity with regulations of the board of regents and the policies, programs, and  
15 directives of the school committee.

16 (16) To report to the school committee on the operation of the school system, including  
17 an annual report on the district's progress.

18 (b) Nothing in this section shall be deemed to limit or interfere with the rights of teachers  
19 and other school employees to collectively bargain pursuant to chapters 9.3 and 9.4 of title 28, or  
20 to allow any school superintendent to abrogate any agreement reached by collective bargaining.

21 (c) If at any time during the fiscal year the superintendent of schools determines, or is  
22 notified by the city or town chief charter officer or treasurer, that the estimated school expenses  
23 may exceed all revenue appropriated by the state or city or town or otherwise for public schools  
24 in the city or town, the superintendent of schools shall recommend to the school committee and  
25 shall, in order to provide for continuous regular public school operations consistent with the  
26 requirements of section 16-2-2 without regard to financial conditions, subsequently report to the  
27 city or town treasurer and chief charter officer what action will be taken to prevent an excess of  
28 expenditures, encumbrances, and accruals over revenues for public schools in the city or town.

29 (d) The oversight of the provision of educational and related services to students in public  
30 schools in the State of Rhode Island is the responsibility and duty of the city and town school  
31 committees and superintendents. Certain statutory provisions of the Rhode Island general laws,  
32 rules and regulations promulgated by the Rhode Island board of regents, and provisions of the  
33 basic education program for Rhode Island public schools of the Rhode Island board of regents,  
34 however, create mandates requiring that cities and towns use the funds allocated and available to

1 them in a particular manner. Henceforth, and effective with the date of implementation, it is  
2 hereby provided, that no new state mandate shall issue without the provision of adequate and  
3 commensurate funding by and from the state to insure that the city or town is able to pay for such  
4 mandate.

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 -- SCHOOL COMMITTEES AND SUPERINTENDENTS

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1           This act would provide that no new state mandate would be issued without adequate  
2 funding by and from the state.

3           This act would take effect upon passage.

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