

2024 -- H 8062

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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 THE EXETER - WEST GREENWICH SCHOOL DISTRICT

Introduced By: Representatives Cotter, and Casimiro

Date Introduced: March 13, 2024

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Section I of Chapter 80 of the Public Laws of 1965, entitled "An Act
2 Approving and Ratifying the Agreement between the Towns of Exeter and West Greenwich, Rhode
3 Island, with Respect to the formation of a Regional School District," and the several amendments
4 to the same subsequent thereto, is hereby amended to read as follows:

5 **(H) Compensation.**

6 Compensation for members of the committee and the clerk and treasurer thereof, shall be
7 determined by the voters at the ~~regional school district financial meeting~~ all day referendum.

8 SECTION 2. Section II of Chapter 80 of the Public Laws of 1965, entitled "An Act
9 Approving and Ratifying the Agreement between the Towns of Exeter and West Greenwich, Rhode
10 Island, with Respect to the formation of a Regional School District," and the several amendments
11 to the same subsequent thereto, are hereby amended to read as follows:

12 **(A) Composition.**

13 The regional district school building committee shall consist of ~~twelve (12)~~ eight (8)
14 members, ~~six (6)~~ four (4) from the town of Exeter and ~~six (6)~~ four (4) from the town of West
15 Greenwich.

16 **(B) Method of selection.**

17 ~~Six (6)~~ Two (2) of the members of the regional district school committee (one member
18 from Exeter and one member from West Greenwich) shall be members ~~ex-officio~~ of the school
19 building committee to be selected by the school committee. In addition, the town council of each

1 member town shall appoint ~~three (3)~~ one town council member and two (2) residents of the town
2 to serve as members of the regional district school building committee.

3 **(C) Method of organization.**

4 At such time as the regional district school building committee shall be deemed necessary,
5 the ~~chairman~~ chairperson of the regional district school committee (or designee) shall call upon the
6 respective town councils of the member towns for the appointment of the necessary representatives.
7 The ~~chairman~~ chairperson (or designee) of the regional district school committee shall then notify
8 those persons appointed or elected of the time and place of the first meeting, ~~and shall act as the~~
9 ~~temporary chairman, without voting rights, until~~ at which time the regional district school building
10 committee shall ~~have completed~~ complete its own organization, including the selection of a
11 chairperson.

12 **(D) Powers and duties.**

13 The regional district school building committee shall have the following duties:

14 (1) To secure competent architectural and engineering services for the making of surveys,
15 the preparation of plans and specifications for the construction, ~~and~~ equipment and improvement
16 of a school or schools, athletic facilities, and/or the grounds upon which the schools are located in
17 said district, and to employ such clerical assistance as may be necessary.

18 (2) ~~To construct, furnish and equip schools and athletic facilities and improve the grounds~~
19 ~~upon which the schools are located and to make additions to said schools as may be needed.~~

20 To make all contracts and agreements that may be necessary for the exercise of the powers
21 vested in said district school building committee by ~~subparagraphs~~ subparagraph (1) ~~and (2)~~ hereof,
22 provided, however, that said regional district school building committee shall not make any
23 expenditure or incur any liability unless the necessary appropriations have been authorized ~~by the~~
24 ~~regional school district financial meeting as hereinafter provided~~ in one or more of the following
25 ways:

26 (i) Authorization of a capital improvements bond after approval of the regional district
27 school committee, the town council of each member town, the Rhode Island department of
28 education, and the affirmative vote of the community through the approved election process;

29 (ii) Authorization of capital improvements through a capital improvements line separate
30 from the annual school district operating budget after approval of the regional district school
31 committee and the affirmative vote of the community through the approved election process; and

32 (iii) Authorization of capital improvements through a vote of the regional district school
33 committee to commit funds from the unassigned fund balance for the purpose of an identified
34 capital project(s).

1 (3) All actions of the district school building committee shall be reported back to the
2 regional district school committee at its next regularly scheduled meeting.

3 **(E) Term.**

4 The term of the building committee shall be until such time as the authorized ~~building or~~
5 ~~buildings have been constructed~~ projects have been completed and ~~have been~~ accepted by the
6 regional district school building committee upon recommendation of the architects, commissioning
7 agents, and/or owner's project manager (OPM) engaged by the regional district school building
8 committee and for up to one year thereafter, whereupon the term of office of the committee shall
9 terminate.

10 **(F) Vacancies.**

11 In the event of a vacancy on the school building committee, the town council from the
12 member town involved shall appoint a member to serve the balance of the term, provided, however,
13 that any vacancy among members of the regional school district committee ~~servng ex-officii~~ shall
14 be filled in accordance with subsection I ~~(D)~~(B).

15 **(G) Limitation of liability.**

16 No member of the regional district school building committee shall be held personally
17 liable for damages in the performance of his/her duties as a member of the committee.

18 SECTION 3. Section VI of Chapter 80 of the Public Laws of 1965, entitled "An Act
19 Approving and Ratifying the Agreement between the Towns of Exeter and West Greenwich, Rhode
20 Island, with Respect to the formation of a Regional School District," and the several amendments
21 to the same subsequent thereto, are hereby amended to read as follows:

22 **(D) Apportionment of construction and operating costs.**

23 Construction and operating costs for the first fiscal year next following the establishment
24 of the regional school district and for every fiscal year thereafter shall be apportioned to the member
25 towns on the basis of their respective pupil enrollments in the regional school system. Beginning
26 with the 2023 fiscal year, apportionment shall be calculated using a phased-in five (5) year rolling
27 enrollment average. Each member town's share of construction and operating costs for ~~each the~~
28 2023 fiscal year shall be determined by computing the ratio which the town's pupil enrollment in
29 the regional district schools on October 1 of the year next preceding the year for which the
30 apportionment is determined bears to the total pupil enrollment from all the member towns in the
31 regional district schools on the same date. In each successive year, the annual ratio shall be
32 computed in a similar manner, but the apportionment shall be calculated as the average enrollment
33 of fiscal years 2023 and 2024 for fiscal year 2024; as the average enrollment of fiscal years 2023,
34 2024 and 2025 for fiscal year 2025; as the average enrollment of fiscal years 2023, 2024, 2025 and

1 2026 for fiscal year 2026; and as the average enrollment of fiscal years 2023, 2024, 2025, 2026 and
2 2027 for fiscal year 2027. In each successive year thereafter, the apportionment shall be calculated
3 as the average enrollment of the previous five (5) consecutive fiscal years, effectively adding the
4 newest annual enrollment data and dropping the earliest annual enrollment data from the calculation
5 of the average. Calculation of the average to determine the apportionment ratio for each member
6 town in any given fiscal year shall be by adding the total enrollment numbers of said town for each
7 of the fiscal years included in the calculation of the average, and dividing that sum by the sum of
8 the total district enrollment for each of the fiscal years included in the calculation of the average.
9 In the event that enrollment in the regional district schools has not been accomplished by October
10 1 of any such year, ~~construction and operating costs shall be apportioned on the basis of the~~
11 enrollment of pupils residing in each member town and receiving education at such town's expense
12 on October 1 of such year shall be used in the formula to calculate the apportionment.

13 SECTION 4. Section XI of Chapter 80 of the Public Laws of 1965, entitled "An Act
14 Approving and Ratifying the Agreement between the Towns of Exeter and West Greenwich, Rhode
15 Island, with Respect to the formation of a Regional School District," and the several amendments
16 to the same subsequent thereto, are hereby amended to read as follows:

17 **Section XI. Amendments.**

18 This agreement may be amended from time to time in the manner hereinafter provided, but
19 no amendment shall be made which shall impair the right of the holders of any bonds or notes or
20 other evidences of indebtedness of the regional school district then outstanding, or the rights of the
21 regional school district to procure the means for payment thereof, provided that nothing in this
22 section shall prevent the admission of a new town or towns to the regional school district and the
23 reapportionment accordingly of construction costs of the regional school district represented by
24 bonds or notes of the regional school district then outstanding and of the interest thereon.

25 A proposal for amendment may be initiated by a majority vote of all the members of the
26 regional district school committee or by a petition signed by ~~10%~~ 5% of the registered voters of
27 any one of the member towns. In the latter case, the petition shall contain at the end thereof, a
28 certification by the clerk of the canvassing authority of such member town as to the number of
29 registered voters in said town, according to the most recent voting list, and the number of signatures
30 on the petition which appear to be the names of registered voters of said town.

31 In the event that an amendment is initiated by the school district, the regional district school
32 committee shall appoint a charter review subcommittee to review the charter and recommend
33 proposal(s) for amendment. The charter review subcommittee shall be comprised of at least two
34 (2) members of the regional district school committee (one member from Exeter and one member

1 from West Greenwich), a member of each town council (one member from Exeter and one member
2 from West Greenwich), and two (2) citizens from each member town. In total, each member town
3 shall have equal representation on the charter review subcommittee. These defined members are
4 the only voting members of the charter review subcommittee. Only those proposals that come forth
5 from the charter review subcommittee, by majority vote of the subcommittee, are to be considered
6 by the regional district school committee for further action. Any regional district school committee
7 approved proposal(s) for amendment shall be presented to the clerk of the regional district school
8 committee, and the clerk or the clerk's designee shall mail or deliver a notice in writing to the town
9 council of each of the member towns that a proposal(s) to amend this agreement has/have been
10 received and shall enclose a copy of such proposal(s).

11 In the event of a proposed amendment by certified petition within a member town, the
12 proposed amendment must be presented first to both member town councils for review. Before any
13 further action may take place, both member town councils must approve the proposed amendment
14 contained within the certified petition. Should either member town council reject the proposed
15 amendment contained within the certified petition, the proposal is rejected and no further action is
16 to be taken. Should both member town councils approve the proposed amendment, or a revised
17 version thereof, a notice in writing must be mailed or delivered from both town councils, including
18 the proposed amendment, to the clerk of the regional district school committee (without the
19 signatures in the case of a proposal by petition).

20 The school committee shall schedule an all-day referendum to vote on the adoption of the
21 proposed ~~amendment~~ amendment(s). The town councils of the member towns shall thereupon meet
22 to provide for the all-day referendum in the member towns, with the approval of the proposed
23 ~~amendment~~ amendment(s) to be by majority vote of the combined total vote of the member towns.

24 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO THE EXETER - WEST GREENWICH SCHOOL DISTRICT

1 This act would amend chapter 80 of the public laws of 1965 with respect to the composition
2 of the regional district school building committee, apportionment of construction and operating
3 costs and amendments to the agreement.

4 This act would take effect upon passage.

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