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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO EDUCATION -- EDUCATION ACCOUTABILITY ACT

Introduced By: Senators Goldin, and DiMario

Date Introduced: January 19, 2021

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-97.1-1 of the General Laws in Chapter 16-97.1 entitled  
2 "Education Accountability Act [Effective January 1, 2020]" is hereby amended to read as follows:

3 **16-97.1-1. Performances of local education agencies and individual public schools --**  
4 **Evaluation system -- Assessment instruments -- Reports. [Effective January 1, 2020.]**

5 (a) The board of education (the "board") shall adopt a system for evaluating, on an annual  
6 basis, the performance of both local education agencies ("LEAs") and individual public schools.

7 The system shall:

8 (1) Include instruments designed to assess the extent to which schools and LEAs succeed  
9 in improving or fail to improve student performance, as defined by:

10 (i) Student acquisition of the skills, competencies, and knowledge called for by the  
11 academic standards and embodied in the curriculum frameworks established in the areas of  
12 mathematics, English language arts, science and technology, history and social studies, world  
13 languages, and the arts; and

14 (ii) Other gauges of student learning judged by the board to be relevant and meaningful to  
15 students, parents, teachers, administrators, and taxpayers.

16 (2) Be designed both to measure outcomes and results regarding student performance, and  
17 to improve the effectiveness of curriculum and instruction. This shall include, but is not limited to,  
18 incorporating no fewer than fifteen (15) questions into the survey works platform, or other similar  
19 survey used by the Rhode Island department of elementary and secondary education, that is

1 provided to students annually, and used to evaluate LEAs and individual public schools. The  
2 questions shall be:

3 (i) Designed to identify the extent to which students are receiving instruction in content  
4 areas that are not evaluated by statewide assessments for mathematics and English language arts;

5 (ii) Selected from items contained in the grade span expectations or other statewide  
6 academic standards adopted by the council on elementary and secondary education;

7 (iii) Easily understood by students in the grade or grade span to which they are geared; and

8 (iv) Inclusive of, but not limited to, at least two (2) questions about the following content  
9 areas:

10 (A) Science and technology, provided that exactly one question addresses technological  
11 literacy;

12 (B) History and social studies, provided that exactly one question addresses civics;

13 (C) World languages;

14 (D) The arts; and

15 (E) Health education, provided that exactly one question addresses comprehensive sex  
16 education.

17 (3) In its design and application, strike a balance among considerations of accuracy,  
18 fairness, expense, and administration.

19 (4) Employ a variety of assessment instruments on either a comprehensive or statistically  
20 valid sampling basis. Such instruments shall:

21 (i) Be criterion-referenced, assessing whether students are meeting the academic standards  
22 described in this chapter;

23 (ii) As much as is practicable, especially in the case of students whose performance is  
24 difficult to assess using conventional methods, include consideration of work samples, projects,  
25 and portfolios, and shall facilitate authentic and direct gauges of student performance;

26 (iii) Provide the means to compare student performance among the various school systems  
27 and communities in the state, and between students in other states and in other nations, especially  
28 those nations that compete with the state for employment and economic opportunities;

29 (iv) Be designed to avoid gender, cultural, ethnic, or racial stereotypes; and

30 (v) Recognize sensitivity to different learning styles and impediments to learning, which  
31 may include issues related, but not limited to, cultural, financial, emotional, health, and social  
32 factors.

33 (5) Take into account, on a nondiscriminatory basis, the cultural and language diversity of  
34 students in the state and the particular circumstances of students with special needs.

1 (6) Comply with federal requirements for accommodating children with special needs.

2 (7) Allow all potential English-proficient students from language groups in which English  
3 language learner programs are offered opportunities for assessment of their performance in the  
4 language that best allows them to demonstrate educational achievement and mastery of academic  
5 standards and curriculum frameworks.

6 (8) Identify individual schools and LEAs that need comprehensive support and  
7 improvement.

8 (b) The board shall take all appropriate action to bring about and continue the state's  
9 participation in the assessment activities of the National Assessment of Educational Progress and  
10 in the development of standards and assessments by the New Standards Program.

11 (c) In addition, comprehensive diagnostic assessment of individual students shall be  
12 conducted at least in the fourth, eighth, and tenth or eleventh grades. The diagnostic assessments  
13 shall identify academic achievement levels of all students in order to inform teachers, parents,  
14 administrators, and the students themselves, as to individual academic performance.

15 (d) The board shall develop procedures for updating, improving, or refining the assessment  
16 system.

17 (e) The commissioner of elementary and secondary education (the "commissioner") is  
18 authorized and directed to gather information, including the information specified herein and such  
19 other information as the board shall require, for the purposes of evaluating individual public  
20 schools, school districts, and the efficacy and equity of state and federally mandated programs. All  
21 information gathered pursuant to this section shall be filed in the manner and form prescribed by  
22 the department of education (the "department").

23 (f) The board shall establish and maintain a data system to collect information from school  
24 districts for the purpose of assessing the effectiveness of district evaluation systems in ensuring  
25 effective teaching and administrative leadership in the public schools. The information shall be  
26 made available in the aggregate to the public; provided, however, that the following information  
27 shall be considered personnel information and shall not be subject to disclosure:

28 (1) Any data or information that school districts, the department, or both, create, send, or  
29 receive in connection with an educator assessment that is evaluative in nature and that may be  
30 linked to an individual educator, including information concerning:

31 (i) An educator's formative assessment or evaluation;

32 (ii) An educator's summative evaluation or performance rating; or

33 (iii) The student learning, growth, and achievement data that may be used as part of an  
34 individual educator's evaluation.

1 (g) Each school district shall maintain individual records on every student and employee.  
2 Each student record shall contain a unique and confidential identification number, basic  
3 demographic information, program and course information, and such other information as the  
4 department shall determine necessary. The records shall conform to parameters established by the  
5 department.

6 (h) For the purposes of improving the performance of school districts, individual public  
7 schools, and the efficacy and equity of state and federal programs, each district shall file with the  
8 commissioner once in each three-year (3) period a comprehensive, three-year (3) district  
9 improvement plan. The plan shall:

10 (1) Be developed and submitted in a manner and form prescribed by the department of  
11 education.

12 (2) To the extent feasible, be designed to fulfill all planning requirements of state and  
13 federal education laws.

14 (3) Include, but not be limited to:

15 (i) An analysis of student and subgroup achievement gaps in core subjects;

16 (ii) Identification of specific improvement objectives;

17 (iii) A description of the strategic initiatives the district will undertake to achieve its  
18 improvement objectives; and

19 (iv) Performance benchmarks and processes for evaluating the effect of district  
20 improvement initiatives.

21 (4) Describe the professional development activities that will support each district  
22 improvement initiative and the teacher induction and mentoring activities that will be undertaken  
23 to support successful implementation of the district's improvement efforts.

24 (i) On an annual basis, not later than September 1 of each year, each district shall prepare  
25 and have available for state review an annual action plan. The district annual action plan shall:

26 (1) Enumerate the specific activities, persons responsible, and timelines for action to be  
27 taken as part of the strategic initiatives set forth in the district's three-year (3) improvement plan;  
28 and

29 (2) Identify the staff and financial resources allocated to support these activities.

30 (j) Annually, the principal of each school shall:

31 (1) In consultation with the school improvement team, adopt student performance goals for  
32 the schools consistent with the school performance goals established by the department of  
33 education pursuant to state and federal law and regulations;

34 (2) Consistent with any educational policies established for the district, assess the needs of

1 the school in light of those goals; and

2 (3) Formulate a school plan to advance such goals and improve student performance. The  
3 school's plan to support improved student performance shall:

4 (i) Include, but not be limited to, the same components required for the district  
5 improvement plan;

6 (ii) Conform to department and district specifications to ensure that such school  
7 improvement plans meet state and federal law requirements; and

8 (iii) Be submitted to the superintendent who shall review and approve the plan, after  
9 consultation with the school committee, not later than July 1 of the year in which the plan is to be  
10 implemented, according to a plan development and review schedule established by the district  
11 superintendent.

12 (k) The three-year (3) comprehensive district plan, annual district action plan, and annual  
13 school improvement plan shall replace any district and school plans previously required under the  
14 general laws or regulation, that, in the professional opinion of the commissioner, would be most  
15 effectively presented as part of the coordinated district or school plan for improving student  
16 achievement. The department shall identify any additional reports or plans called for by any general  
17 law or regulation that can be incorporated into this single filing in order to reduce paperwork and  
18 eliminate duplication.

19 (l) Each school district in which more than twenty percent (20%) of the students do not  
20 meet grade-level expectations of at least proficient or its equivalent on the Rhode Island  
21 comprehensive assessment system exam ("RICAS") shall submit a RICAS success plan to the  
22 department. The plan shall describe the school district's strategies for helping each student to master  
23 the skills, competencies, and knowledge required for the competency determination. In recognition  
24 of the department's mission as a district support agency, then at the request of the district or in  
25 response to reporting data provided under this subsection, the department shall:

26 (1) Determine the elements that shall be required to be included in such plan. These  
27 elements may include, but are not limited to, the following:

28 (i) A plan to assess each student's strengths, weaknesses, and needs;

29 (ii) A plan to use summer school, after school, and other additional support to provide each  
30 child with the assistance needed; and

31 (iii) A plan for involving the parents of students.

32 (2) Examine each district's plan and determine if it has a reasonable prospect of  
33 significantly reducing the school district's failure rates.

34 (3) Coordinate oversight of the RICAS success plans with existing education review and

1 oversight functions and with the RICAS grant program.

2 (m) Each school district shall file a report with the department every year by a date and in  
3 a format determined by the board. The report shall include, but not be limited to, the following:

- 4 (1) An outline of the curriculum and graduation requirements of the district;
- 5 (2) Pupil/teacher ratios and class size policy and practice;
- 6 (3) Teacher and administrator evaluation procedures;
- 7 (4) Statistics, policies, and procedures relative to truancy and dropouts;
- 8 (5) Statistics, policies, and procedures relative to expulsions and in-school and out-of-  
9 school suspensions;
- 10 (6) Percent of school-age children attending public schools;
- 11 (7) Racial composition of teaching and administrative staff;
- 12 (8) Enrollment and average daily attendance; and
- 13 (9) The annual budgets and expenditures for both the district and the individual schools in  
14 the district.

15 (n) Each school district shall file a description of the following instructional procedures  
16 and programs with the department every year:

- 17 (1) Art and music programs;
- 18 (2) Technology education;
- 19 (3) Programs for gifted and talented students;
- 20 (4) Adult education programs;
- 21 (5) Library and media facilities;
- 22 (6) Condition of instructional materials, including textbooks, workbooks, audio-visual  
23 materials, and laboratory materials;
- 24 (7) Types and condition of computers and computer software;
- 25 (8) Basic skills remediation programs;
- 26 (9) Drug, tobacco, and alcohol abuse programs;
- 27 (10) Multi-cultural education training for students and teachers;
- 28 (11) Global education; and
- 29 (12) Nutrition and wellness programs.

30 (o) Each school district and charter school shall file an annual report for the current school  
31 year regarding implementation with the department on or before every November 1 in a format  
32 determined by the board. The report shall include, but not be limited to, the following:

- 33 (1) The number of children receiving services within each disability category;
- 34 (2) The number of children, by grade level, within each disability category and the costs of

1 services provided by each such category for such children receiving their education in a publicly  
2 operated day school program;

3 (3) The number of children, by grade level, within each disability category and the costs of  
4 services provided by each category for these children receiving their education in a private day  
5 setting;

6 (4) The number of children, by grade level, within each such disability category and the  
7 costs of services provided by each such category for such children receiving their education in a  
8 private residential setting;

9 (5) The number of children who remain in the regular education program full-time; the  
10 number of children who are removed from the regular classroom for up to twenty-five percent  
11 (25%) of the day; the number of children who are removed from the regular classroom between  
12 twenty-five percent (25%) and sixty percent (60%) of the day;

13 (6) The number of children who are placed in substantially separate classrooms on a regular  
14 education school site;

15 (7) The number of children, ages three (3) and four (4) who are educated in integrated and  
16 separate classrooms; and the assignment, by sex, national origin, economic status, and race, of  
17 children by age level, to special education classes and the distribution of children residing in the  
18 district, by sex, national origin, economic status, and race of children by age level; and

19 (8) The number of children, by grade level, receiving special education services who have  
20 limited English proficiency.

21 (p) Each school district and charter school shall furnish in a timely manner such additional  
22 information as the department shall request.

23 (q) Each school district required to provide an English language learners program shall file  
24 the following information with the department annually:

25 (1) The type of English language learners programs provided;

26 (2) With regard to limited English proficient students:

27 (i) The number enrolled in each type of English language learners program;

28 (ii) The number enrolled in English as a second language who are not enrolled in another  
29 English language learners program;

30 (iii) The results of basic skills, curriculum assessment, achievement, and language  
31 proficiency testing, whether administered in English or in the native language;

32 (iv) The absentee, suspension, expulsion, dropout, and promotion rates; and

33 (v) The number of years each limited English proficient student has been enrolled in an  
34 English language learners program;

1 (3) The number of students each year who have enrolled in institutions of higher education  
2 and were formerly enrolled in an English language learners program;

3 (4) The academic progress in regular education of students who have completed an English  
4 language learners program;

5 (5) For each limited English proficient student receiving special education, the number of  
6 years in the school district prior to special education evaluation and the movement in special  
7 education programs by program placement;

8 (6) The number of limited English proficient students enrolled in programs of occupational  
9 or vocational education;

10 (7) The name, national origin, native language, certificates held, language proficiency,  
11 grade levels, and subjects taught by each teacher of an English language learners program, bilingual  
12 aides or paraprofessionals, bilingual guidance or adjustment counselors, and bilingual school  
13 psychologists;

14 (8) The per-pupil expenditures for each full-time equivalent student enrolled in an English  
15 language learners program;

16 (9) The sources and amounts of all funds expended on students enrolled in English  
17 language learners programs, broken down by local, state, and federal sources, and whether any such  
18 funds expended supplanted, rather than supplemented, the local school district obligation;

19 (10) The participation of parents through parent advisory councils;

20 (11) Whether there were any complaints filed with any federal or state court or  
21 administrative agency, since the program's inception, concerning the compliance with federal or  
22 state minimum legal requirements, the disposition of the complaint, and the monitoring and  
23 evaluation of any such agreement or court order relative to the complaint; and

24 (12) This information shall be filed in the form of the total for the school district as well as  
25 categorized by school, grade, and language.

26 (r) The commissioner annually shall analyze and publish data reported by school districts  
27 under this section regarding English language learners programs and limited English proficient  
28 students. Publication shall include, but need not be limited to, availability on the department's  
29 website. The commissioner shall submit annually a report to the committees of jurisdiction for  
30 education in the house of representatives and senate on this data on a statewide and school district  
31 basis including, but not limited to, by language group and type of English language learners  
32 programs.

33 [\(s\) The commissioner shall annually analyze and publish data reported by school districts](#)  
34 [pursuant to subsection \(a\)\(2\) of this section regarding curriculum survey questions. Publication](#)



1 shall include, but not need be limited to, availability on the department's website. By June 1, 2022,  
2 and by every June 1 thereafter, the department shall appear and report to the committees of  
3 jurisdiction for education in the house of representatives and the senate on this data. The report  
4 shall include, but is not limited to, a root cause analysis and plans to promote continuous  
5 improvement.

6 ~~(s)~~(t) For the purposes of this chapter, "local education agencies" shall include all of the  
7 following within the state of Rhode Island:

- 8 (1) Public school districts;
- 9 (2) Regional school districts;
- 10 (3) State-operated schools;
- 11 (4) Regional collaborative schools; and
- 12 (5) Charter schools and mayoral academies.

13 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 -- EDUCATION ACCOUTABILITY ACT

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1           This act would require that the board of education incorporate additional questions into its  
2 annual assessment of schools and related surveys and provide annual reports to the house of  
3 representatives and the senate.

4           This act would take effect upon passage.

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