

2022 --

LC005629

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO EDUCATION -- THE PAUL W. CROWLEY RHODE ISLAND STUDENT
INVESTMENT INITIATIVE

Introduced By:

Date Introduced:

Referred To:

It is enacted by the General Assembly as follows:

SECTION 1. Section 16-7.1-5 of the General Laws in Chapter 16-7.1 entitled "The Paul W. Crowley Rhode Island Student Investment Initiative [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended to read as follows:

16-7.1-5. Intervention and support for failing schools.

~~(a) The board of regents shall adopt a series of progressive support and intervention strategies consistent with the Comprehensive Education Strategy and the principles of the "School Accountability for Learning and Teaching" (SALT) of the board of regents for those schools and school districts that continue to fall short of performance goals outlined in the district strategic plans. These strategies shall initially focus on: (1) technical assistance in improvement planning, curriculum alignment, student assessment, instruction, and family and community involvement; (2) policy support; (3) resource oversight to assess and recommend that each school has adequate resources necessary to meet performance goal; and (4) creating supportive partnerships with education institutions, business, governmental, or other appropriate nonprofit agencies. If after a three (3) year period of support there has not been improvement in the education of students as determined by objective criteria to be developed by the board of regents, then there shall be progressive levels of control by the department of elementary and secondary education over the school and/or district budget, program, and/or personnel. This control by the department of elementary and secondary education may be exercised in collaboration with the school district and~~

1 the municipality. If further needed, the school shall be reconstituted. Reconstitution responsibility
2 is delegated to the board of regents and may range from restructuring the school's governance,
3 budget, program, personnel, and/or may include decisions regarding the continued operation of the
4 school. The board of regents shall assess the district's capacity and may recommend the provision
5 of additional district, municipal and/or state resources. If a school or school district is under the
6 board of regents' control as a result of actions taken by the board pursuant to this section, the local
7 school committee shall be responsible for funding that school or school district at the same level as
8 in the prior academic year increased by the same percentage as the state total of school aid is
9 increased.

10 (b) For FY 2007, the department shall dedicate one hundred thousand dollars (\$100,000)
11 from funds appropriated to support progressive support and intervention and SALT visits to support
12 the Rhode Island Consortium for Instructional Leadership and Training. This consortium is
13 engaged in training school leaders to be more effective instructional leaders in the standards based
14 instruction environment.

15 (a) The commissioner of elementary and secondary education may, on the basis of
16 regulations adopted by the council on elementary and secondary education, designate one or more
17 schools in a school district as underperforming or chronically underperforming. The council shall
18 adopt regulations establishing standards for the commissioner to make such designations on the
19 basis of data collected for the purpose of school classification, pursuant to 20 U.S.C. § 6311.
20 Schools that score the lowest rating shall be deemed eligible for designation as underperforming or
21 chronically underperforming. Not more than four percent (4%) of the total number of public schools
22 may be designated as underperforming or chronically underperforming at any given time.

23 (1) In adopting regulations allowing the commissioner to designate a school as
24 underperforming or chronically underperforming, the council shall ensure that such regulations
25 take into account multiple indicators of school quality in making determinations regarding
26 underperformance or chronic underperformance, such as student attendance, suspension rates,
27 promotion rates, graduation rates or the lack of demonstrated significant improvement for two (2)
28 or more consecutive years in core academic subjects, either in the aggregate or among subgroups
29 of students, including designations based on special education, low-income, English language
30 proficiency and racial classifications.

31 (2) Before a school is designated chronically underperforming by the commissioner, a
32 school must be designated underperforming and fail to improve.

33 (3) An underperforming or chronically underperforming school described in the following
34 subsections shall operate in accordance with laws regulating other public schools, except as such

1 provisions may conflict with this section or any turnaround plans created thereunder. A student
2 who is enrolled in a school at the time it is designated as underperforming or chronically
3 underperforming shall retain the ability to remain enrolled in the school while remaining a resident
4 of the district if the student chooses to do so.

5 (b)(1) Upon the designation of a school as an underperforming school in accordance with
6 regulations developed pursuant to this section, the superintendent of the district, with approval by
7 the commissioner, shall create a turnaround plan for the school, under subsections (b) through (f),
8 inclusive of this section.

9 (2) Before the superintendent creates the turnaround plan required in this subsection, the
10 superintendent shall convene a local stakeholder group of not more than thirteen (13) individuals,
11 for the purpose of soliciting recommendations on the content of such plan to maximize the rapid
12 academic achievement of students at the school. The superintendent shall provide due consideration
13 to the recommendations of the stakeholder group. The group shall include:

14 (i) The commissioner, or designee;

15 (ii) The chair of the school committee, or designee;

16 (iii) The president of the local teacher's union, or designee;

17 (iv) An administrator from the school, who may be the principal, chosen by the
18 superintendent;

19 (v) A teacher from the school chosen by the faculty of the school;

20 (vi) A parent from the school chosen by the local parent organization. If the school or
21 district does not have a parent organization or if the organization does not select a parent, the
22 superintendent shall select a volunteer parent of a student from the school;

23 (vii) A member of the community appointed by the chief executive of the city or town;

24 (viii) For elementary schools, a representative of an early education and care provider
25 chosen by the commissioner and, for middle schools or high schools, a representative of the higher
26 education community selected by the postsecondary commissioner;

27 (ix) Representatives of applicable state and local social service, health and child welfare
28 agencies, chosen by the superintendent; and

29 (x) As appropriate, representatives of state and local workforce development agencies,
30 chosen by the superintendent.

31 (3) The superintendent shall convene such group within thirty (30) days of the
32 commissioner designating a school as underperforming and the group shall make its
33 recommendations to the superintendent within forty-five (45) days of its initial meeting. Meetings
34 of the local stakeholder group shall be open to the public and the recommendations submitted to

1 the superintendent under this subsection shall be publicly available immediately upon their
2 submission.

3 (c)(1) In creating the turnaround plan in subsection (b) of this section, the superintendent
4 shall include, after considering the recommendations of the local stakeholder group, provisions
5 intended to maximize the rapid academic achievement of students at the school and shall, to the
6 extent practicable, base the plan on student outcome data, including, but not limited to:

7 (i) Data collected pursuant to 20 U.S.C. § 6311;

8 (ii) Student achievement on the Rhode Island comprehensive assessment system;

9 (iii) Other measures of student achievement, approved by the commissioner;

10 (iv) Student promotion and graduation rates;

11 (v) Achievement data for different subgroups of students, including low-income students,
12 English learners and students receiving special education; and

13 (vi) Student attendance and suspension rates.

14 (2) The superintendent shall also include in the creation of the turnaround plan, after
15 considering the recommendations of the local stakeholder group, the following:

16 (i) Steps to address the social-emotional and health needs of students in the district and
17 their families in order to help students arrive and remain at school ready to learn;

18 (ii) As applicable, steps to improve workforce development services provided to students
19 in the district and their families in order to provide students and families with meaningful
20 employment skills and opportunities;

21 (iii) Steps to address achievement gaps for English learners, special education students and
22 low-income students;

23 (iv) Alternative English language learning programs for English learners; and

24 (v) A financial plan for the school, including any additional funds to be provided by the
25 district, state, federal government or other sources.

26 (3) The secretary of the executive office of health and human services, director of the
27 department of labor and training, commissioner of postsecondary education and other applicable
28 state and local social service, health and child welfare officials shall coordinate with the
29 superintendent regarding the implementation of strategies that are included in a final turnaround
30 plan and shall, subject to appropriation, reasonably support such implementation consistent with
31 the requirements of state and federal law applicable to the relevant programs that each such official
32 is responsible for administering. The commissioner of elementary and secondary education shall
33 assist the superintendent in facilitating the coordination.

34 (4) To assess the school across multiple measures of school performance and student

1 success, the turnaround plan shall include measurable annual goals including, but not limited to:

2 (i) Student attendance and suspension rates;

3 (ii) Student safety and discipline;

4 (iii) Student promotion and graduation and dropout rates;

5 (iv) Student achievement on the Rhode Island comprehensive assessment system;

6 (v) Progress in areas of academic underperformance;

7 (vi) Progress among subgroups of students, including low-income students, English

8 learners and students receiving special education;

9 (vii) Reduction of achievement gaps among different groups of students;

10 (viii) Student acquisition and mastery of twenty-first century skills;

11 (ix) Development of college readiness, including at the elementary and middle school

12 levels;

13 (x) Parent and family engagement;

14 (xi) Building a culture of academic success among students;

15 (xii) Building a culture of student support and success among school faculty and staff;

16 (xiii) Recruitment and retention of a qualified, diverse workforce;

17 (xiv) Staffing ratios and teacher vacancies;

18 (xv) Health and safety of facilities; and

19 (xvi) Developmentally appropriate child assessments from pre-kindergarten through third

20 grade, if applicable.

21 (d)(1) Notwithstanding any general or special law to the contrary, in creating the

22 turnaround plan required in subsection (b) of this section, the superintendent may, after considering

23 the recommendations of the group of stakeholders:

24 (i) Expand, alter or replace the curriculum and program offerings of the school, including

25 the implementation of research-based early literacy programs, early interventions for struggling

26 readers and the teaching of advanced placement courses or other rigorous nationally or

27 internationally recognized courses, if the school does not already have such programs or courses;

28 (ii) Reallocate the uses of the existing budget of the school;

29 (iii) Provide additional funds to the school from the budget of the district, if the school does

30 not already receive funding from the district at least equal to the average per pupil funding received

31 for students of the same classification and grade level in the district;

32 (iv) Provide funds, subject to appropriation and following consultation with applicable

33 local unions, to increase the salary of any administrator, or teacher in the school, to attract or retain

34 highly-qualified administrators, or teachers or to reward administrators, or teachers who work in

1 underperforming schools that achieve the annual goals set forth in the turnaround plan;

2 (v) Recommend expanding the school day or school year or both of the school;

3 (vi) For an elementary school, add pre-kindergarten classes, if the school does not already

4 have such classes, subject to approval by the Rhode Island department of education;

5 (vii) Limit, suspend or change one or more school district policies or practices, as such

6 policies or practices relate to the school;

7 (viii) Include a provision of job-embedded professional development for teachers at the

8 school, with an emphasis on strategies that involve teacher input and feedback;

9 (ix) Provide for increased opportunities for teacher planning time and collaboration focused

10 on improving student instruction;

11 (x) Establish a plan for professional development for administrators at the school, with an

12 emphasis on strategies that develop leadership skills and use the principles of distributive

13 leadership;

14 (xi) Establish steps to assure a continuum of high-expertise teachers by aligning the

15 following processes with a common core of professional knowledge and skill: hiring, induction,

16 teacher evaluation, professional development, teacher advancement, school culture and

17 organizational structure;

18 (xii) Develop a strategy to search for and study best practices in areas of demonstrated

19 deficiency in the school;

20 (xiii) Establish strategies to address mobility and transiency among the student population

21 of the school; and

22 (xiv) Include additional components based on the reasons why the school was designated

23 as underperforming and the recommendations of the group of stakeholders in subsection (b) of this

24 section.

25 (2) For a school with English learners, the professional development and planning time for

26 teachers and administrators shall include specific strategies and content designed to maximize the

27 rapid academic achievement of English learners at the school.

28 (e) Within thirty (30) days of the local stakeholder group making recommendations under

29 subsection (b) of this section, the superintendent shall submit a turnaround plan to the local

30 stakeholder group, the school committee and the commissioner, all of whom may propose

31 modifications to the plan. The superintendent shall make such plan immediately available to the

32 public upon the submission. The stakeholder group, the school committee and the commissioner

33 shall submit any proposed modifications to the superintendent not more than thirty (30) days after

34 the date of submission of the turnaround plan and the proposed modifications shall be made public

1 immediately upon their submission to the superintendent. The superintendent shall consider and
2 may incorporate the modifications into the plan if the superintendent determines that inclusion of
3 the modifications would further promote the rapid academic achievement of students at the school
4 or may alter or reject the proposed modifications submitted under this subsection. Within thirty
5 (30) days of receiving any proposed modifications under this subsection, the superintendent shall
6 issue a final turnaround plan for the school and the plan shall be made publicly available.

7 (f) Within thirty (30) days of the issuance of a final turnaround plan under subsection (e)
8 of this section, a school committee or local union may appeal to the commissioner regarding one
9 or more components of the plan, including the absence of one or more modifications proposed
10 under subsection (e) of this section. The commissioner may, in consultation with the
11 superintendent, modify the plan if the commissioner determines that:

12 (1) Such modifications would further promote the rapid academic achievement of students
13 in the applicable school;

14 (2) A component of the plan was included, or a modification was excluded, on the basis of
15 demonstrably false information or evidence; or

16 (3) The superintendent failed to meet the requirements of subsections (b) through (e),
17 inclusive of this section. The decision of the commissioner regarding an appeal under this
18 subsection shall be made within thirty (30) days and shall be final.

19 (g) The superintendent may select an external overseer to operate the school and implement
20 the turnaround plan or to assist the superintendent with the implementation. The superintendent
21 may appoint the overseer if the superintendent determines that conditions exist in the district that
22 are likely to negatively affect his ability to implement the plan successfully. A school committee
23 may appeal to the commissioner the decision of the superintendent to appoint an external overseer.
24 The commissioner may reverse such decision only if he/she determines that the superintendent
25 made the decision on the basis of demonstrably false information or evidence. An overseer shall be
26 an individual with a demonstrated record of success in improving low-performing schools or the
27 academic performance of disadvantaged students. An overseer shall be subject to the provisions of
28 chapter 14 of title 36 ("code of ethics") and chapter 2 of title 38 ("public records").

29 (h) An external overseer selected by the superintendent to operate a school shall have full
30 managerial and operational control over the school as provided in the turnaround plan. For all other
31 purposes, the school district in which the school is located shall remain the employer of record.

32 (i) Each turnaround plan shall be authorized for a period of not more than three (3) years,
33 subject to subsection (j) of this section. The superintendent or external overseer, as applicable, may
34 develop additional components of the turnaround plan pursuant to subsections (b) through (g),

1 inclusive, of this section and shall develop annual goals for each component of the plan, in a manner
2 consistent with subsections (b) through (g), inclusive, of this section. The superintendent or external
3 overseer, as applicable, shall be responsible for meeting the goals of the plan.

4 (j)(1) Each school designated by the commissioner as underperforming under subsection
5 (a) of this section shall be reviewed by the superintendent, in consultation with the principal of the
6 school, at least annually. The purpose of the review shall be to determine whether the school has
7 met the annual goals in its turnaround plan and to assess the overall implementation of the
8 turnaround plan. The review shall be in writing and shall be submitted to the commissioner and the
9 school committee not later than July 1 for the preceding school year. The review shall be submitted
10 in a format determined by the department of elementary and secondary education.

11 (2) If the commissioner determines that the school has met the annual performance goals
12 stated in the turnaround plan, the review shall be considered sufficient and the implementation of
13 the turnaround plan shall continue. If the commissioner determines that the school has not met one
14 or more goals in the turnaround plan and that the failure to meet the goals may be corrected through
15 reasonable modification of the plan, the superintendent may amend the turnaround plan in a manner
16 consistent with the provisions of subsections (b) through (f), inclusive, of this section. If the
17 commissioner determines that the school has substantially failed to meet one or more goals in the
18 plan, the commissioner may appoint an examiner to conduct an evaluation of the school's
19 implementation of the turnaround plan.

20 (3) If the commissioner determines that the school has substantially failed to meet multiple
21 goals in the plan, the commissioner may require changes to the turnaround plan to be implemented
22 by the superintendent in the following year or the appointment of an external partner to advise and
23 assist the superintendent in implementing the plan the following year. If an underperforming school
24 is operated by an external overseer, the commissioner may require the superintendent to terminate
25 the overseer and develop a new turnaround plan; provided, however, that the superintendent shall
26 not terminate the overseer before the completion of the first full school year of the operation of the
27 underperforming school.

28 (k) Upon the expiration of a turnaround plan, the commissioner shall conduct a review of
29 the school to determine whether the school has improved sufficiently, requires further improvement
30 or has failed to improve. On the basis of such review, the commissioner may determine that:

31 (1) The school has improved sufficiently for the designation of the school as
32 underperforming to be removed;

33 (2) The school has improved, but the school remains underperforming, in which case the
34 superintendent may, with the approval of the commissioner, renew the plan or create a new or

modified plan for an additional period of not more than three (3) years, consistent with the requirements of subsections (a) through (f) of this section; or

(3) Consistent with the requirements of subsection (a) of this section, the school is chronically underperforming. The commissioner may recommend the appointment of an external overseer by the superintendent if the commissioner believes that a new or modified turnaround plan implemented by the superintendent will not result in rapid improvement. In carrying out this subsection, the superintendent shall:

(i) In the case of a renewal of a turnaround plan, determine subsequent annual goals for each component of the plan with the input of the local stakeholder group as defined in subsection (b) of this section; or

(ii) Create a new or modified turnaround plan as necessary, consistent with the requirements of this section.

(l)(1) Upon the designation of a school as a chronically underperforming school in accordance with the regulations developed under this section, the commissioner shall create a turnaround plan for the school under this subsection and subsections (n) through (o), inclusive, of this section.

(2) Before creating the turnaround plan required in this subsection, the commissioner shall convene a local stakeholder group of not more than thirteen (13) individuals for the purpose of soliciting recommendations on the content of such plan in order to maximize the rapid academic achievement of students. The commissioner shall provide due consideration to the recommendations of the stakeholder group. The group shall include:

(i) The superintendent, or designee;

(ii) The chair of the school committee, or designee;

(iii) The president of the local teacher's union, or designee;

(iv) An administrator from the school, who may be the principal, chosen by the superintendent;

(v) A teacher from the school chosen by the faculty of the school;

(vi) A parent from the school chosen by the local parent organization. If the school or district does not have a parent organization or if the organization does not select a parent, the commissioner shall select a volunteer parent of a student from the school;

(vii) A member of the community appointed by the chief executive of the city or town;

(viii) For elementary schools, a representative of an early education and care provider chosen by the commissioner and, for middle schools or high schools, a representative of the higher education community selected by the commissioner of postsecondary education;

1 (ix) Representatives of applicable state and local social service, health and child welfare
2 agencies, chosen by the commissioner; and

3 (x) As appropriate, representatives of state and local workforce development agencies,
4 chosen by the commissioner.

5 (3) The commissioner shall convene the group within thirty (30) days of the designation of
6 a school as chronically underperforming and the group shall make its recommendations to the
7 commissioner within forty-five (45) days of its initial meeting. Meetings of the local stakeholder
8 group shall be open to the public and the recommendations submitted to the commissioner under
9 this subsection shall be publicly available immediately upon their submission.

10 (m)(1) In creating the turnaround plan required in subsection (l) of this section, the
11 commissioner shall include, after considering the recommendations of the local stakeholder group,
12 provisions intended to maximize the rapid academic achievement of students at the school and
13 shall, to the extent practicable, base the plan on student outcome data, including, but not limited to:

14 (i) Data collected pursuant to 20 U.S.C. § 6311;
15 (ii) Student achievement on the Rhode Island comprehensive assessment system;
16 (iii) Other measures of student achievement, approved by the commissioner, as
17 appropriate;

18 (iv) Student promotion and graduation rates;
19 (v) Achievement data for different subgroups of students, including low-income students,
20 English learners and students receiving special education; and

21 (vi) Student attendance and suspension rates.

22 (2) The commissioner shall include in the creation of the turnaround plan, after considering
23 the recommendations of the local stakeholder group, the following:

24 (i) Steps to address the social-emotional and health needs of students in the district and
25 their families in order to help students arrive and remain at school ready to learn;

26 (ii) As applicable, steps to improve workforce development services provided to students
27 in the district and their families in order to provide students and families with meaningful
28 employment skills and opportunities;

29 (iii) Steps to address achievement gaps for English learners, special education students and
30 low-income students;

31 (iv) English language acquisition programs for English learners; and
32 (v) A financial plan for the school, including any additional funds to be provided by the
33 district, state, federal government or other sources.

34 (3) The secretary of the executive office of health and human services, director of the

department of labor and training, commissioner of postsecondary education and other applicable state and local social service, health and child welfare officials shall coordinate with the commissioner regarding the implementation of strategies that are included in a final turnaround plan and shall, subject to appropriation, reasonably support the implementation consistent with the requirements of state and federal law applicable to the relevant programs that each official is responsible for administering.

(4) In order to assess the school across multiple measures of school performance and student success, the turnaround plan shall include measurable annual goals including, but not limited to, the following:

- (i) Student attendance and suspension rates;
- (ii) Student safety and discipline;
- (iii) Student promotion and graduation and dropout rates;
- (iv) Student achievement on the Rhode Island comprehensive assessment system;
- (v) Progress in areas of academic underperformance;
- (vi) Progress among subgroups of students, including low-income students, English learners and students receiving special education;
- (vii) Reduction of achievement gaps among different groups of students;
- (viii) Student acquisition and mastery of twenty-first century skills;
- (ix) Development of college readiness, including at the elementary and middle school levels;
- (x) Parent and family engagement;
- (xi) Building a culture of academic success among students;
- (xii) Building a culture of student support and success among school faculty and staff;
- (xiii) Recruitment and retention of a qualified, diverse workforce;
- (xiv) Staffing ratios and teacher vacancies;
- (xv) Health and safety of facilities; and
- (xvi) Developmentally appropriate child assessments, if applicable.

(n)(1) Notwithstanding any general or special law to the contrary, in creating the turnaround plan required in subsection (m) of this section, the commissioner may, after considering the recommendations of the group of stakeholders:

- (i) Expand, alter or replace the curriculum and program offerings of the school, including the implementation of research-based early literacy programs, early interventions for struggling readers and the teaching of advanced placement courses or other rigorous nationally or internationally recognized courses, if the school does not already have such programs or courses;

- 1 (ii) Reallocate the uses of the existing budget of the school;
- 2 (iii) Provide additional funds to the school from the budget of the district, if the school does
- 3 not already receive funding from the district at least equal to the average per pupil funding received
- 4 for students of the same classification and grade level in the district;
- 5 (iv) Provide funds, subject to appropriation, to increase the salary of an administrator, or
- 6 teacher in the school, in order to attract or retain highly-qualified administrators or teachers or to
- 7 reward administrators, or teachers who work in chronically underperforming schools that achieve
- 8 the annual goals set forth in the turnaround plan;
- 9 (v) Recommend expanding the school day or school year or both of the school;
- 10 (vi) For an elementary school, add pre-kindergarten and full-day kindergarten classes, if
- 11 the school does not already have such classes;
- 12 (vii) Limit, suspend or change one or more school district policies or practices, as such
- 13 policies or practices relate to the school;
- 14 (viii) Include a provision of job-embedded professional development for teachers at the
- 15 school, with an emphasis on strategies that involve teacher input and feedback;
- 16 (ix) Provide for increased opportunities for teacher planning time and collaboration focused
- 17 on improving student instruction;
- 18 (x) Establish a plan for professional development for administrators at the school, with an
- 19 emphasis on strategies that develop leadership skills and use the principles of distributive
- 20 leadership;
- 21 (xi) Establish steps to assure a continuum of high expertise teachers by aligning the
- 22 following processes with the common core of professional knowledge and skill: hiring, induction,
- 23 teacher evaluation, professional development, teacher advancement, school culture and
- 24 organizational structure;
- 25 (xii) Develop a strategy to search for and study best practices in areas of demonstrated
- 26 deficiency in the school;
- 27 (xiii) Establish strategies to address mobility and transiency among the student population
- 28 of the school; and
- 29 (xiv) Include additional components, at the discretion of the commissioner, based on the
- 30 reasons the school was designated as chronically underperforming and the recommendations of the
- 31 local stakeholder group in subsection (1) of this section.
- 32 (2) For a school with English learners, the professional development and planning time for
- 33 teachers and administrators shall include specific strategies and content designed to maximize the
- 34 rapid academic achievement of the English learners.

1 (3) If the commissioner proposes to reallocate funds to the school from the budget of the
2 district, the commissioner shall notify the school committee, in writing, of the amount of and
3 rationale for the reallocation.

4 (o) Within thirty (30) days of the local stakeholder group making recommendations under
5 subsection (m) of this section, the commissioner shall submit a turnaround plan to the local
6 stakeholder group, the superintendent and the school committee, all of whom may propose
7 modifications to the plan. The commissioner shall make the plan immediately available to the
8 public upon submission. The stakeholder group, the superintendent and the school committee shall
9 submit any proposed modifications to the commissioner within thirty (30) days after the date of
10 submission of the turnaround plan and the proposed modifications shall be made public
11 immediately upon their submission to the commissioner. The commissioner shall consider and
12 incorporate the modifications into the plan if the commissioner determines that inclusion of the
13 modifications would further promote the rapid academic achievement of students at the applicable
14 school. The commissioner may alter or reject modifications submitted pursuant to this subsection.
15 Within thirty (30) days of receiving any proposed modifications, the commissioner shall issue a
16 final turnaround plan for the school and the plan shall be made publicly available.

17 (p) Within thirty (30) days of the issuance of a final turnaround plan under subsection (o)
18 of this section, a superintendent, school committee or local union may appeal to the council on
19 elementary and secondary education regarding one or more components of the plan, including the
20 absence of one or more modifications proposed under subsection (p) of this section. A majority of
21 the council may vote to modify the plan if the council determines that:

22 (1) Such modifications would further promote the rapid academic achievement of students
23 in the applicable school;

24 (2) A component of the plan was included, or a modification was excluded, on the basis of
25 demonstrably false information or evidence; or

26 (3) The commissioner failed to meet the requirements of subsections (l) through (o),
27 inclusive, of this section. The decision of the council regarding an appeal under this subsection
28 shall be made within thirty (30) days and shall be final.

29 (q)(1) In the case of a chronically underperforming school, the commissioner may, under
30 the circumstances described in this subsection, send a targeted assistance team to the school to
31 assist the superintendent with the implementation of the turnaround plan, require the superintendent
32 to implement the turnaround plan, or select an external overseer to operate the school and
33 implement the turnaround plan. The commissioner may appoint such overseer if the commissioner
34 determines that:

1 (i) The superintendent is unlikely to implement the plan successfully; or
2 (ii) Conditions exist in the district that are likely to negatively affect the ability of the
3 superintendent to implement such plan successfully. An overseer shall be an individual with a
4 demonstrated record of success in improving low performing schools or the academic performance
5 of disadvantaged students. An overseer shall be subject to the provisions of chapter 14 of title 36
6 ("code of ethics") and chapter 2 of title 38 ("public records").

7 (2) The commissioner may select the external overseer upon the designation of a school as
8 chronically underperforming. The external overseer may serve as the commissioner's designee for
9 the purpose of creating a school's turnaround plan under subsections (l) through (o), inclusive, of
10 this section.

11 (r) An external overseer selected by the commissioner to operate a chronically
12 underperforming school shall have full managerial and operational control over the school as
13 provided in the turnaround plan. For all other purposes, the school district in which the school is
14 located shall remain the employer of record. An overseer for a chronically underperforming school
15 shall not be required by contract to indemnify and hold harmless the state against any and all claims,
16 liabilities and costs which arise out of the overseer's performance of its role in the creation or
17 implementation of the turnaround plan. In connection with the performance of its role in the
18 creation or implementation of the turnaround plan, the overseer may:

19 (i) Sue and be sued only to the same extent and upon the same conditions that a
20 municipality may be sued;

21 (ii) Receive and disburse funds for the chronically underperforming school; and
22 (iii) Solicit and accept grants or gifts for the chronically underperforming school.

23 (s) Each turnaround plan shall be authorized for a period of not more than three (3) years,
24 subject to subsection (v) of this section. The superintendent or external overseer, as applicable, may
25 develop additional components of the plan and shall develop annual goals for each component of
26 the plan in a manner consistent with subsection (n) of this section, all of which must be approved
27 by the commissioner. The superintendent or external overseer, as applicable, shall be responsible
28 for meeting the goals of the turnaround plan.

29 (t) The commissioner or external overseer, as applicable, shall provide a written report to
30 the school committee on a quarterly basis to provide specific information about the progress being
31 made on the implementation of the school's turnaround plan. One of the quarterly reports shall be
32 the annual evaluation under subsection (u) of this section.

33 (u)(1) The commissioner shall evaluate each chronically underperforming school at least
34 annually. The purpose of the evaluation shall be to determine whether the school has met the annual

1 goals in its turnaround plan and assess the implementation of the plan at the school. The review
2 shall be in writing and shall be submitted to the superintendent and the school committee not later
3 than July 1 for the preceding school year. The review shall be submitted in a format determined by
4 the department of elementary and secondary education.

5 (2) If the commissioner determines that the school has met the annual performance goals
6 stated in the turnaround plan, the review shall be considered sufficient and the implementation of
7 the turnaround plan shall continue. If the commissioner determines that the school has not met one
8 or more goals in the plan, the commissioner may modify the plan in a manner consistent with
9 subsection (m) of this section.

10 (3) If the commissioner determines that the school has substantially failed to meet multiple
11 goals in the plan, the commissioner may:

12 (i) If the school is operated by a superintendent, appoint an external overseer, as defined in
13 subsection (r) of this section, to operate the school; or

14 (ii) If the school is operated by an external overseer terminate the contract of the external
15 overseer; provided, however, that the commissioner shall not terminate the overseer before the
16 completion of the first full school year of the operation of the chronically underperforming school.

17 (v) Upon the expiration of a turnaround plan for a chronically underperforming school, the
18 commissioner shall conduct a review of the school to determine whether the school has improved
19 sufficiently, requires further improvement or has failed to improve. On the basis of such review,
20 the commissioner may:

21 (1) On the basis of a superintendent's or external overseer's success in meeting the terms of
22 the plan, renew the plan with the superintendent or external overseer for an additional period of not
23 more than three (3) years;

24 (2) If a school that is operated by a superintendent and remains chronically
25 underperforming, appoint an external overseer, as defined in subsection (q) of this section, to
26 operate the school;

27 (3) If a chronically underperforming school that is operated by an external overseer and
28 remains chronically underperforming, transfer the operation of the school from the overseer to the
29 applicable superintendent or to another external overseer; or

30 (4) Determine that the school has improved sufficiently for the designation of chronically
31 underperforming to be removed.

32 The commissioner shall:

33 (i) In the case of a renewal of a turnaround plan, jointly determine subsequent annual goals
34 for each component of the plan with the superintendent or external overseer, as applicable; or

1 (ii) Create a new or modified turnaround plan as necessary, consistent with the
2 requirements of this section.

3 (w) Notwithstanding any general or special law to the contrary, any underperforming or
4 chronically underperforming school operating a program for English learners shall establish an
5 English learner parent advisory council.

6 (x) The council on elementary and secondary education shall adopt regulations regarding:

7 (1) The conditions under which an underperforming or chronically underperforming school
8 shall no longer be designated as an underperforming or chronically underperforming school; and

9 (2) The transfer of the operation of an underperforming or a chronically underperforming
10 school from a superintendent or an external overseer, as applicable, to the school committee. The
11 regulations shall include provisions to allow a school to retain measures adopted in a turnaround
12 plan for a transitional period if, in the judgment of the commissioner, the measures would contribute
13 to the continued improvement of the school. Such regulations shall also include provisions that
14 clearly identify the conditions under which such a transitional period shall end and the powers
15 granted to the commissioner and council under this section shall cease to apply to a district
16 previously designated as chronically underperforming.

17 (y) If a school is under control of an overseer pursuant to this section, any funding
18 appropriated at the request of the overseer and/or commissioner for the purpose of achieving goals
19 set forth in the turnaround plan shall be funded in a manner consistent with chapter 7.2 of title 16.

20 SECTION 2. Chapter 16-7.1 of the General Laws entitled "The Paul W. Crowley Rhode
21 Island Student Investment Initiative [See Title 16 Chapter 97 - The Rhode Island Board of
22 Education Act]" is hereby amended by adding thereto the following sections:

23 **16-7.1-5.1. Intervention and support for chronically underperforming districts.**

24 (a)(1) The council on elementary and secondary education shall adopt a series of
25 progressive support and intervention strategies that shall include, but not be limited to:

26 (i) Technical assistance in planning, curriculum alignment, family and community
27 engagement, and the implementation of evidence-based student assessment, instruction, and
28 support;

29 (ii) Policy support;

30 (iii) Resource oversight to assess and ensure the district effectively uses resources to meet
31 performance goals; and

32 (iv) The establishment of strategic partnerships with education institutions, business,
33 governmental, or other appropriate nonprofit agencies.

34 (2) Any district with a majority of schools receiving the lowest rating by the Rhode Island

1 department of education's school classification system, pursuant to 20 U.S.C. 6311, shall be eligible
2 to receive progressive support under this section.

3 (b) If after a three (3) year period of support there has not been improvement in the
4 education of students as determined by objective criteria to be developed by the council on
5 elementary and secondary education, the council may declare the district chronically
6 underperforming.

7 (c)(1) Following council declaration that a district is chronically underperforming, the
8 council shall designate an overseer for the district with all the powers of the superintendent and
9 school committee. The overseer shall be an individual with a demonstrated record of success in
10 improving low-performing schools or districts or the academic performance of disadvantaged
11 students who shall report directly to the commissioner. An external overseer designated by the
12 council to operate a district under this subsection shall have full managerial and operational control
13 over such district; provided, however, that the school district shall remain the employer of record
14 for all other purposes. An overseer shall be subject to the provisions of chapter 14 of title 36 ("code
15 of ethics"), chapter 2 of title 38 ("public records") and chapter 35 of title 42 ("administrative
16 procedures").

17 An overseer for a chronically underperforming district shall not be required by contract to
18 indemnify and hold harmless the state against any and all claims, liabilities and costs which arise
19 out of the overseer's performance of its role in the creation or implementation of the turnaround
20 plan. In connection with the performance of its role in the creation or implementation of the
21 turnaround plan, the overseer may:

22 (i) Sue and be sued only to the same extent and upon the same conditions that a
23 municipality may be sued;

24 (ii) Receive and disburse funds for the chronically underperforming district; and

25 (iii) Solicit and accept grants or gifts for the district.

26 (2) Not more than three (3) school districts may be designated as chronically
27 underperforming at any given time, and for the purpose of this limitation, state intervention in one
28 or more chronically underperforming school, pursuant to § 16-7.1-5, shall count toward this three
29 (3) district limit.

30 (3) In adopting regulations allowing the council to designate a district as chronically
31 underperforming, the council shall ensure that the regulations account for multiple indicators of
32 district quality including student attendance, suspension rates or other disciplinary data, student
33 promotion and graduation rates in the district, or the lack of demonstrated significant improvement
34 for two (2) or more consecutive years in core academic subjects, either in the aggregate or among

subgroups of students, including designations based on special education classification, low-income, English language proficiency and racial classifications.

(4)(i) The overseer shall create a turnaround plan to promote the rapid improvement of the chronically underperforming district.

(ii) Before creating the turnaround plan required in this section, the commissioner and overseer shall convene a local stakeholder group of not more than thirteen (13) individuals for the purpose of soliciting recommendations on the content of such plan in order to maximize the rapid improvement of the academic achievement of students. The overseer shall provide due consideration to the recommendations of the local stakeholder group. The group shall include:

(A) The superintendent, or designee;

(B) The chair of the school committee, or designee;

(C) The president of the local teacher's union, or designee;

(D) A selection of administrators from the district, chosen by the commissioner from among volunteers from the district;

(E) A selection of teachers from the district, chosen by the local teacher's union;

(F) A selection of parents from the district chosen by the local parent organization. If the district does not have a parent organization or if the organization does not select a parent, the commissioner shall select a volunteer parent of a student from the district;

(G) Representatives of applicable state and local social service, health, and child welfare agencies chosen by the commissioner;

(H) As appropriate, representatives of workforce development agencies chosen by the commissioner; and

(I) A member of the community appointed by the chief executive of the city or town. The commissioner and overseer shall convene the group within thirty (30) days of the council designating a district as chronically underperforming and the group shall make its recommendations to the commissioner and overseer within forty-five (45) days of its initial meetings. Meetings of the local stakeholder group shall be open to the public and the recommendations submitted to the commissioner and overseer shall be publicly available immediately upon their submission.

(iv) In creating the turnaround plan, the commissioner and overseer shall include measures intended to maximize the rapid improvement of the academic achievement of students in the district and shall, to the extent practicable, base the plan on student outcome data, including, but not limited to:

(A) Data collected pursuant to 20 U.S.C. 6311;

1 (B) Student achievement on the Rhode Island comprehensive assessment system;
2 (C) Other measures of student achievement, approved by the commissioner;
3 (D) Student promotion and graduation rates;
4 (E) Achievement data for different subgroups of students, including low-income students,
5 English learners and students receiving special education; and
6 (F) Student attendance, suspension rates.
7 In creating the turnaround plan required in subsection (c)(4)(i) of this section, the
8 commissioner and overseer shall include, after considering the recommendations of the local
9 stakeholder group, the following:
10 (I) Steps to address the social-emotional and health needs of students in the district and
11 their families in order to help students arrive and remain at school ready to learn;
12 (II) As applicable, steps to improve workforce development services provided to students
13 in the district and their families in order to provide students and families with meaningful
14 employment skills and opportunities;
15 (III) Steps to address achievement gaps for English learners, special education students and
16 low-income students, as applicable;
17 (IV) English language acquisition programs for English learners; and
18 (V) A budget for the district including any additional funds to be provided by the state,
19 federal government or other sources.
20 (v) The secretary of the executive office of health and human services, the department of
21 labor and training, the office of the postsecondary commissioner and other applicable state and
22 local social service, health and child welfare officials shall coordinate with the commissioner
23 regarding the strategies contained in a turnaround plan and shall, subject to appropriation,
24 reasonably support the implementation consistent with the requirements of state and federal law
25 applicable to the relevant programs that each such official is responsible for administering.
26 (vi) In order to assess the district across multiple measures of district performance and
27 student success, the turnaround plan shall include measurable annual goals based on relevant
28 indicators of operational excellence and state accountability measures, including, but not limited
29 to, the following:
30 (A) Student attendance and suspension rates;
31 (B) Student safety and discipline;
32 (C) Student promotion, graduation and dropout rates;
33 (D) Student achievement on the Rhode Island comprehensive assessment system;
34 (E) Progress in areas of academic underperformance;

1 (F) Progress among subgroups of students, including low-income students, English
2 learners and students receiving special education;

3 (G) Reduction of achievement gaps among different groups of students;

4 (H) Student acquisition and mastery of twenty-first century skills;

5 (I) Development of college readiness, including at the elementary and middle school levels;

6 (J) Parent and family engagement;

7 (K) Building a culture of academic success among students;

8 (L) Building a culture of student support and success among faculty and staff;

9 (M) Recruitment and retention of a qualified, diverse workforce;

10 (N) Staffing ratios and teacher vacancies;

11 (O) Health and safety of facilities; and

12 (P) Developmentally appropriate child assessments, if applicable.

13 Annual goals included in the turnaround plan shall align with summative turnaround goals
14 articulated in the turnaround plan.

15 (5)(i) Notwithstanding any general or special law to the contrary, in creating the turnaround
16 plan under subsection (c)(4)(i) of this section, the commissioner and the overseer may, after
17 considering the recommendations of the group of stakeholders:

18 (A) Expand, alter or replace the curriculum and program offerings of the district or of a
19 school in the district, including the implementation of research-based early literacy programs, early
20 interventions for struggling readers and the teaching of advanced placement courses or other
21 rigorous nationally or internationally recognized courses, if the district or schools in the district do
22 not already have such programs or courses;

23 (B) Reallocate the uses of the existing budget of the district;

24 (C) Provide funds, subject to appropriation, to increase the salary of an administrator, or
25 teacher in the district working in an underperforming or chronically underperforming school, in
26 order to attract or retain highly-qualified administrators, or teachers or to reward administrators or
27 teachers who work in chronically underperforming districts that achieve the annual goals set forth
28 in the turnaround plan;

29 (D) Recommend expanding the school day or school year or both of schools in the district;

30 (E) Add pre-kindergarten, if the district does not already have the classes;

31 (F) Limit, suspend or change one or more school district policies or practices, as such
32 policies or practices relate to the underperforming schools in the district;

33 (G) Include a provision of job-embedded professional development for teachers in the
34 district, with an emphasis on strategies that involve teacher input and feedback;

1 (H) Provide for increased opportunities for teacher planning time and collaboration focused
2 on improving student instruction;

3 (I) Establish a plan for professional development for administrators in the district, with an
4 emphasis on strategies that develop leadership skills and use the principles of distributive
5 leadership;

6 (J) Establish steps to assure a continuum of high expertise teachers by aligning the
7 following processes with the common core of professional knowledge and skill: hiring, induction,
8 teacher evaluation, professional development, teacher advancement, school culture and
9 organizational structure;

10 (K) Develop a strategy to search for and study best practices in areas of demonstrated
11 deficiency in the district;

12 (L) Establish strategies to address mobility and transiency among the student population of
13 the district; and

14 (M) Include additional components, at the discretion of the commissioner and the overseer,
15 based on the reasons the district was designated as chronically underperforming and based on the
16 recommendations of the local stakeholder group in subsection (c)(4)(ii) of this section.

17 (ii) For a district with English learners, the professional development and planning time for
18 teachers and administrators shall include specific strategies and content designed to maximize the
19 rapid academic achievement of English learners in the district.

20 (6)(i) The turnaround plan shall be authorized for a period of not more than three (3) years.
21 The commissioner and overseer may jointly develop additional components of the plan and shall
22 jointly develop annual goals for each component of the plan in a manner consistent with subsections
23 (c)(4)(i) through (c)(4)(iv) of this section. The overseer shall be responsible for meeting the goals
24 of the turnaround plan.

25 (ii) The commissioner and overseer shall provide a written report to the school committee,
26 at a minimum, on a quarterly basis to provide specific information about the progress being made
27 on the implementation of the district's turnaround plan. One of the quarterly reports shall be the
28 annual evaluation required in subsection (c)(6)(iii) of this section.

29 (iii) The council shall evaluate the performance of the overseer on not less than an annual
30 basis. The purpose of such evaluation shall be to assess the implementation of the turnaround plan
31 and determine whether the district has met the annual goals contained in the turnaround plan. The
32 evaluation shall be in writing and submitted to the school committee no later than July 1 for the
33 preceding school year.

34 (iv) If the council determines that the district has met the annual performance goals stated

1 in the turnaround plan, the evaluation shall be considered sufficient and the implementation of the
2 turnaround plan shall continue.

3 (v) If the council determines that the overseer has not met one or more goals in the plan
4 and the failure to meet the goals may be corrected through reasonable modification of the plan, the
5 council may authorize the commissioner to amend the turnaround plan, as necessary. After
6 assessing the implementation of the turnaround plan in the district, the commissioner may amend
7 the plan, in consultation with the school committee, if the commissioner determines that the
8 amendment is necessary in view of subsequent changes in the district that affect one or more
9 components of the plan, including, but not limited to, changes to school district policies, in a manner
10 consistent with the provisions of subsection (c)(4)(i) through (c)(4)(iv) of this section. If the
11 commissioner determines that the overseer has substantially failed to meet multiple goals in the
12 turnaround plan, the commissioner may terminate such overseer; provided, however, that the
13 termination shall not occur before the completion of the first full school year of the overseer control
14 of the district.

15 (7)(i) After the period of overseer control, there shall be a reevaluation of a district's status
16 under this section. The council on elementary and secondary education shall adopt regulations
17 providing for:

18 (A) The removal of a designation of a district as chronically underperforming; and

19 (B) The transfer of the operation of a chronically underperforming district from an external
20 overseer to the superintendent and school committee, based on the improvement of the district.

21 The regulations shall include provisions to allow a district to retain measures adopted in a
22 turnaround plan for a transitional period if, in the judgment of the commissioner, the measures
23 would contribute to the continued improvement of the district. Such regulations shall also include
24 provisions that clearly identify the conditions under which such a transitional period shall end and
25 the powers granted to the commissioner, board of trustees, and council under this section shall
26 cease to apply to a district previously designated as chronically underperforming. At any time after
27 a chronically underperforming district has been placed in control of an overseer, the school
28 committee of the district may petition the commissioner for a determination as to whether the
29 turnaround plan adopted under subsection (b) of this section should be modified or eliminated and
30 whether the school district shall no longer be designated as chronically underperforming. The
31 decision of the commissioner shall be based on regulations adopted by the council. A school
32 committee may seek review by the council on elementary and secondary education of an adverse
33 determination.

34 (ii) If, on the basis of the regulations adopted by the council pursuant to subsection (c)(7)(i)

1 of this section, a district has not improved sufficiently to remove the designation of the district as
2 chronically underperforming, the commissioner may:

3 (A) Jointly determine subsequent annual goals for each component of the turnaround plan
4 with the overseer and, with approval from the school committee, renew the turnaround plan for an
5 additional period of not more than three (3) years; or

6 (B) Create a new turnaround plan, consistent with the requirements of this section.

7 (8) If a municipality has failed to fulfill its fiscal responsibilities pursuant to chapter 7 of
8 title 16, the commissioner may declare the school district as chronically underperforming, subject
9 to the approval of the council. The municipality's mayor or city council president shall have the
10 opportunity to present evidence to the council. A vote by the council that a school district is
11 chronically underperforming for fiscal reasons shall authorize the commissioner to petition the
12 director of the department of revenue to require an increase in funds for the school district, alleging
13 that the amount necessary in the municipality for the support of public schools has not been
14 included in the annual budget appropriations. The director of the department of revenue shall
15 determine the amount of any deficiency pursuant to the sums required pursuant to chapter 7 of title
16 16, if any, and issue an order compelling the municipality to provide a sum of money equal to such
17 deficiency. If the municipality does not provide a sum of money equal to such deficiency, the
18 director of the department of revenue shall not approve the tax rate of the municipality for the fiscal
19 year until the deficiency is alleviated. Nothing in this subsection shall be construed as creating a
20 cause of action for educational malpractice by students or their parents, guardians or persons acting
21 as parents.

22 (9) If a school district is under the council's control as a result of actions taken by the
23 council pursuant to this section, the school committee and/or municipality shall be responsible for
24 funding its local share pursuant to chapter 7.2 of title 16, and any increased funding appropriated
25 at the request of the overseer and/or commissioner for the purpose of achieving goals set forth in
26 the turnaround plan shall be funded in a manner consistent with chapter 7.2 of title 16.

27 **16-7.1-5.2. Intervention and support for the Providence public school district.**

28 (a) No later than September 1, 2022, and in order to assess the district across multiple
29 measures of district performance and student success, the commissioner shall update the turnaround
30 plan released June 23, 2020, to include measurable annual goals including, but not limited to, the
31 following:

32 (1) Student attendance and suspension rates;

33 (2) Student safety and discipline;

34 (3) Student promotion, graduation and dropout rates;

1 (4) Student achievement on the Rhode Island comprehensive assessment system;
2 (5) Progress in areas of academic underperformance;
3 (6) Progress among subgroups of students, including low-income students, English learners
4 and students receiving special education;
5 (7) Reduction of achievement gaps among different groups of students;
6 (8) Student acquisition and mastery of twenty-first century skills;
7 (9) Development of college readiness, including at the elementary and middle school
8 levels;
9 (10) Parent and family engagement;
10 (11) Building a culture of academic success among students;
11 (12) Building a culture of student support and success among faculty and staff;
12 (13) Recruitment and retention of a qualified, diverse workforce;
13 (14) Staffing ratios and teacher vacancies;
14 (15) Health and safety of facilities; and
15 (16) Developmentally appropriate child assessments, if applicable.
16 (b)(1) For the duration of the turnaround and no later than thirty (30) days from the effective
17 date of this section, there shall be appointed a board of trustees, comprised of nine (9) members,
18 one of whom shall be a member of the Providence school board, appointed by the school board
19 president; one of whom shall be a member of the Providence teachers' union, appointed by the
20 union president; one of whom shall be a member of the Providence parent advisory council
21 leadership team, appointed from among the members of the leadership team; one of whom shall be
22 a member of the Providence student union leadership team, appointed from among that leadership
23 team; one of whom shall be a Providence school principal or assistant principal, appointed by the
24 local superintendent; two (2) of whom shall be parents of children enrolled in Providence schools,
25 appointed by the council on elementary and secondary education; and two (2) public members who
26 must be residents of Providence, appointed by the council on elementary and secondary education.
27 (2) The board of trustees shall meet at least monthly, and more frequently if necessary, and
28 serve without compensation. The board of trustees shall have the following powers and duties:
29 (i) To review and approve the appointment of senior school district administrators;
30 (ii) To set district-wide policy;
31 (iii) To review progress toward annual performance measures;
32 (iv) To receive feedback from stakeholders on the implementation of the turnaround plan;
33 (v) To establish appropriate advisory committees as needed to provide guidance on the
34 implementation of the turnaround plan; and

1 (vi) Any other duties delegated by the commissioner or council on elementary and
2 secondary education.

3 (c)(1) The order of reconstitution and control, issued October 15, 2019, shall be authorized
4 for a period of not more than three (3) years from issuance. The commissioner and turnaround
5 superintendent may jointly develop additional components of the turnaround plan and shall jointly
6 develop annual goals for each component of the plan in a manner consistent with this section. The
7 superintendent shall be responsible for meeting the goals of the turnaround plan.

8 (2) The commissioner and superintendent shall provide a written report to the board of
9 trustees at a minimum, on a quarterly basis to provide specific information about the progress being
10 made on the implementation of the district's turnaround plan. One of the quarterly reports shall
11 include progress toward annual measures, pursuant to this section.

12 (3) The commissioner shall evaluate the performance of the superintendent on not less than
13 an annual basis. The purpose of such evaluation shall be to assess the implementation of the
14 turnaround plan and determine whether the district has met the annual goals contained in the
15 turnaround plan. The evaluation shall be in writing and submitted to the council and the board of
16 trustees no later than July 1 for the preceding school year.

17 (4) If the commissioner determines that the district has met the annual performance goals
18 stated in the turnaround plan, the evaluation shall be considered sufficient and the implementation
19 of the turnaround plan shall continue.

20 (5) If the commissioner determines that the superintendent has not met one or more goals
21 in the plan and the failure to meet the goals may be corrected through reasonable modification of
22 the plan, the commissioner may amend the turnaround plan, with approval of the board of trustees.
23 If the commissioner determines that the superintendent has substantially failed to meet multiple
24 goals in the turnaround plan, the commissioner may terminate such superintendent.

25 (d)(1) After the period of turnaround, there shall be a reevaluation of the district's status
26 under this section. The council on elementary and secondary education shall adopt regulations
27 providing for:

28 (i) The end of turnaround status; and

29 (ii) The transfer of the operation of the school district from the Rhode Island department
30 of education to the school committee and municipal control.

31 The regulations shall include provisions to allow a district to retain measures adopted in a
32 turnaround plan for a transitional period if, in the judgment of the commissioner, the measures
33 would contribute to the continued improvement of the district. Such regulations shall also include
34 provisions that clearly identify the conditions under which such a transitional period shall end and

1 the powers granted to the commissioner, board of trustees, and council under this section shall
2 cease to apply to the district.

3 (2) If, on the basis of the regulations adopted by the council pursuant to subsection (d)(1)
4 of this section, a district has not improved sufficiently to remove the district from turnaround status,
5 the commissioner may:

6 (i) Jointly determine subsequent annual goals for each component of the turnaround plan
7 with the overseer and, with approval from the board of trustees, renew the turnaround plan for an
8 additional period of not more than three (3) years; or

9 (ii) Create a new turnaround plan, consistent with the requirements of this section.

10 SECTION 3. 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 -- THE PAUL W. CROWLEY RHODE ISLAND STUDENT
INVESTMENT INITIATIVE

- 1 This act would revise the process and procedures for state intervention and support for
2 failing public schools, including Providence, as well as chronically underperforming schools.
3 This act would take effect upon passage.

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A N A C T

RELATING TO EDUCATION -- THE PAUL W. CROWLEY RHODE ISLAND STUDENT
INVESTMENT INITIATIVE

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Presented by