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# STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2004

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A N A C T

RELATING TO EDUCATION -- SCHOOL FOR THE DEAF

Introduced By: Senators Issa, Gallo, and Lanzi

Date Introduced: January 27, 2004

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 16-26-3.1 of the General Laws in Chapter 16-26 entitled "School  
2 for the Deaf" is hereby amended to read as follows:

3           **16-26-3.1. Board of Trustees.** -- (a) The powers delegated and authorized in this chapter  
4 for the board of regents for elementary and secondary education and the department of  
5 elementary and secondary education shall be in addition to those previously authorized by any  
6 other general or public law.

7           (b) The governance, funding, and programming of the Rhode Island School for the Deaf  
8 shall be in accordance with the rules and regulations formulated by the board of regents for  
9 elementary and secondary education pursuant to chapter 35 of title 42.

10           (c) (1) The purpose of this chapter is to restructure the governance of the Rhode Island  
11 School for the Deaf.

12           (2) The School for the Deaf shall be operated as a local education agency and shall be  
13 governed by a board of trustees. With the exception of those powers and duties reserved to the  
14 director, the commissioner of elementary and secondary education, and the board of regents for  
15 elementary and secondary education, the board of trustees shall have the powers and duties of a  
16 school committee.

17           (3) The board of regents for elementary and secondary education shall appoint the  
18 members of the board of trustees from nominations made by the commissioner of elementary and  
19 secondary education. The chairperson shall also be selected in this manner. The board of regents

1 for elementary and secondary education shall determine the qualifications and terms of office of  
2 members of the board of trustees. The board of trustees shall be comprised of nine (9) individuals,  
3 not less than five (5) of whom shall be persons who are deaf and hard of hearing and as long as  
4 the Vision Services Program is located at the School for the Deaf, at least one (1) of whom shall  
5 be a parent, grandparent or guardian of a visually impaired student. The commissioner may seek  
6 input on nominations of persons who are deaf and hard of hearing from organizations whose  
7 membership is primarily made up of deaf and hard of hearing individuals, individuals who are  
8 deaf and hard of hearing, or organizations whose purpose is advocacy for individuals who are  
9 deaf and hard of hearing, as well as from other sources. For purposes of obtaining input from  
10 diverse sources regarding suggestions for nominations for the first trustees to be nominated by the  
11 commissioner, the commissioner shall convene a public quorum to obtain broad input prior to  
12 making the initial nominations for the founding membership on the board of trustees. No person  
13 in any way employed by or doing business with the Rhode Island School for the Deaf shall serve  
14 on the board of trustees.

15 (4) The board of regents shall establish strategic directions for the education of deaf and  
16 hard of hearing children in the state of Rhode Island.

17 (5) The board of regents shall provide parameters for budget requests, recommend a  
18 budget, and participate in budget development.

19 (d) (1) The commissioner of elementary and secondary education shall recommend  
20 parameters for the overall budget requests, recommend a budget, and participate in budget  
21 development.

22 (2) The commissioner shall approve the process for selection of a director of the school.

23 (e) The board of trustees shall meet monthly and serve without compensation. Seven (7)  
24 members of the board of trustees shall be required to attend teacher appeal meetings pursuant to  
25 section 16-13-4. The board of trustees shall have broad policy making authority of the operation  
26 of the school consistent with this subsection and the following powers and duties:

27 (1) To identify the needs of deaf and hard of hearing children in the state of Rhode  
28 Island.

29 (2) To develop educational policies to meet the needs of deaf and hard of hearing  
30 children served by the school for the deaf.

31 (3) To appoint a director of the school to serve as its chief executive officer and to  
32 approve assistant directors from nominations made by the director.

33 (4) To provide policy guidance and participate in budget development.

34 (5) To develop staffing policies which ensure that all students are taught by educators of

1 the highest possible quality.

2 (f) (1) The director shall serve at the pleasure of the board of trustees with the initial  
3 appointment to be for a period of not more than five (5) years; provided, that the term and  
4 conditions of employment are subject to the approval of the board of regents for elementary and  
5 secondary education.

6 (2) It is the responsibility of the director to manage and operate the school on a day to  
7 day basis. The director's responsibilities shall include the following:

8 (i) To be responsible for the entire care, supervision, and management of the school for  
9 the deaf.

10 (ii) To recommend to the board of regents educational policies to meet the needs of the  
11 deaf and hard of hearing children and to implement policies established by the board of trustees.

12 (iii) To present nominations to the board of trustees for assistant administrators and to  
13 appoint all other school personnel.

14 (iv) To provide for the evaluation of all school personnel.

15 (v) To establish a school based management approach for decision making for the  
16 operation of the school.

17 (vi) To report to the board of trustees on a regular basis the financial condition and the  
18 operation of the school, and to report annually on the educational progress of the school.

19 (vii) To establish appropriate advisory committees as needed to provide guidance and  
20 feedback on the operation of the school.

21 (viii) To make himself or herself available to the board of trustees and to attend board of  
22 trustees meetings to provide a link between the school and the board of trustees.

23 (g) With policy guidance from the board of trustees and extensive involvement of the  
24 administrators and faculty of the school, the director shall annually prepare a budget. The board  
25 of trustees will approve the budget and transmit it to the commissioner of elementary and  
26 secondary education. The board of regents for elementary and secondary education shall provide  
27 parameters for the overall budget request. Based on review and recommendations for the  
28 commissioner, the board of regents shall approve the total budget and incorporate it into its  
29 budget request to the governor and to the general assembly. Line item budgeting decisions shall  
30 be the responsibility of the director.

31 (h) Nothing in this section shall be deemed to limit or interfere with the rights of teachers  
32 and other school employees to bargain collectively pursuant to chapters 9.3 and 9.4 of title 28 or  
33 to allow the board of trustees or the director to abrogate any agreement by collective bargaining.  
34 Employees at the Rhode Island School for the Deaf shall continue to be state employees and the

1 bargaining units which are presently established at the school shall remain intact.

2 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 -- SCHOOL FOR THE DEAF

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1           This act would require that the board of trustees at the Rhode Island School for the Deaf,  
2 for as long as the Vision Services Program is located at the School for the Deaf, have at least one  
3 (1) individual who is a parent, grandparent, or guardian of a visually impaired student.

4           This act would take effect upon passage.

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