

## SCHOOL COMMITTEE POWERS AND DUTIES

State law grants the School Committee “the entire care, control, and management of all the public school interests” of the towns.

The School Committee shall determine and control all policies affecting the administration, maintenance and operation of the public schools and shall have all the rights, powers and authority to discharge all the duties prescribed by state laws and the lawful directives of the Board of Regents, now and in the future. Among its duties and powers the School Committee shall:

- A. Make rules and regulations for the use, operation and maintenance of public school properties;
- B. Determine the number, duties and compensation of all employees in the School Department subordinate to the Superintendent of Schools and shall have the power to remove all such employees upon recommendation of the Superintendent, except as otherwise provided by the laws of the State,
- C. Prepare budget estimates for the School Committee and submit them to the Joint Finance Committee for its approval.

School Committees are the creation of the General Assembly; they may perform only those acts for which authority has been delegated to them. This authority may be expressly stated or implied in state statutes; it may be established through directives of the State, or through court rulings that clarify them. Within the extent of its legal powers, the School Committee has the duty of conducting the School District in accordance with the desires of local citizens, who elect its members.

The School Committee’s responsibilities:

1. To identify educational needs in the community.
2. To develop educational policies to meet the needs of the community.
3. To provide for and assure the implementation of federal and state laws, the regulations of the Board of Regents for elementary and secondary education, and of local school policies, programs, and directives.
4. To provide for the evaluation of the performance of the school district.
5. To have responsibility for the care and control of local schools.
6. To have overall policy responsibility for the employment and discipline of school department personnel.
7. To approve a master plan defining goals and objectives of the school district. These goals and objectives shall be expressed in terms of what students should know and be able to do as a result of their educational experience. The Committee shall periodically evaluate the efforts and results of education in light of these objectives.
8. To provide for the location, care, control, and management of school facilities and equipment.

9. To adopt a school budget to submit to the local appropriating authority and then pass upon the annual budget.
10. To adopt any changes in the school budget during the course of the school year.
11. To approve expenditures in the absence of a budget, consistent with state law.
12. To select and employ a Superintendent of Schools and assign such compensation and other terms and conditions as the School Committee and Superintendent shall agree, provided that in no event shall the term of employment of the Superintendent exceed three (3) years.
13. To give advice and consent on the appointment by the Superintendent of all school department personnel.
14. To establish minimum standards for personnel, to adopt personnel policies, and to approve a table of organization.
15. To establish standards for the evaluation of personnel.
16. To establish standards for conduct in the schools and for disciplinary actions.
17. To hear appeals from disciplinary actions.
18. To enter into contracts.
19. To publish policy manuals which shall include all school committee policies.
20. To establish policies governing curriculum, courses of instruction, and text books.
21. To provide for transportation services which meet or exceed standards of the Board of Regents for elementary and secondary education.
22. To make such reports to the Department of Education as are required by the Board of Regents for elementary and secondary education.
23. To delegate, consistent with law, such responsibilities to the Superintendent as the Committee may deem appropriate.
24. To establish a Health and Wellness Subcommittee consistent with § 16-21-28.
25. To annually undertake professional development as set forth and described in § 16-2-5.1.

a. Nothing in this section shall be deemed to limit or otherwise interfere with the rights of teachers and other school employees to collectively bargain pursuant to chapters 9.3 and 9.4 of title 28 or to allow any school committee to abrogate any agreement reached by collective bargaining. The School Committee shall:

- Identify negotiating agents to represent it in negotiating in good faith with staff bargaining units, the Committee will have a subcommittee on negotiations, and may also retain the services of an attorney. The Subcommittee will consist of three School Committee members selected in accordance with School Committee policy. In the event of a conflict of interest by a member of the Subcommittee, the member will request of the Chair, an alternate be appointed. The Subcommittee may seek advice in the negotiations process from professional sources as they see fit including the Superintendent and Director of Administration and Finance.
- Engage in negotiations with the recognized employee bargaining units that are conducted under the provisions of applicable state law: in particular, under Title 28, Chapter 9.3, pertaining to certified teachers and others with a state-issued certificate below the rank of

assistant principal; and under Title 28, Chapter 9.4, pertaining to clerks, custodians, and aides.

- Recognize the following groups under terms of state labor law: representing all certified teachers engaged in teaching duties, except temporary per diem substitutes, the Bristol Warren Education Association; representing permanent clerks, school aides, and custodians, excluding the secretary of the Superintendent and the secretary of the Manager of Instructional Services, the American Federation of State, County and Municipal Employees.

b. The Regional School Committee shall have the power to bind their successors and successor committees by entering into contracts of employment in the exercise of their governmental functions.

c. Notwithstanding any provisions of the general laws to the contrary, the requirement defined in subsection (d) through (f) of this section shall apply. The School Committee shall be responsible for maintaining a school budget, which does not result in a debt.

d. The School Committee shall, within thirty (30) days after the close of the first and second quarters of the State's fiscal year, adopt such budget as may be necessary to enable it to operate without incurring a debt, as described in subsection (d)

e. In the event that any obligation, encumbrance, or expenditure by a superintendent of schools or a school committee is in excess of the amount budgeted or that any revenue is less than the amount budgeted, the School Committee shall within five (5) working days of its discovery of potential or actual over expenditure or revenue deficiency submit a written statement of the amount of and cause for the over obligation or over expenditure or revenue deficiency to the Town Council presidents and such other persons who by local charter or statute serves as the Towns' executive officers; the statement shall further include a statement of the School Committee's plan for corrective actions necessary to meet the requirements of subsection (d). The plan shall be approved by the Auditor General.

f. Notwithstanding any other provision of law, whether of general or specific application, and notwithstanding any contrary provision of any city or town charter or ordinance, the elected school committee is hereby authorized to retain the services of such independent legal counsel as it may deem necessary and convenient. Any counsel so retained shall be compensated out of funds duly appropriated to the School Committee, and in no event shall the independent counsel be deemed to be an employee of the pertinent city or town for any purpose.

**ADOPTED:**

ADOPTED: January 6, 1992

REVISED: April 22, 2002

March 23, 2015

April 3, 2018

LEGAL REF.: 16-2-9, 16-2-5.1, 16-2-18, 16-21-28, 16-38-10 through 16-38-13

Bristol Warren Enabling Legislation

XI Preparation and Adoption of Budget

BBAA, School Committee Member Authority

BBF, School Committee Member Ethics

NOTE: Powers and duties of the School Committee are mentioned through Title 16 of the Rhode Island Laws and throughout this policy manual. See specific topics of the classification district.

