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April 3, 2025

The Honorable Marvin L. Abney
Chair, Rhode Island House Committee on Finance
Rhode Island State House
Providence, RI 02903

Re: Strong Opposition, House Bill 5389 (2025)

Dear Chair Abney:

In my capacity as the Chair of the Council on Elementary and Secondary Education ("the Council"), I write to you today to **in strong opposition to House Bill 5389**.

Deeply troubling, H5389 would amend R.I. Gen. Laws § 16-5-30 by eliminating the Commissioner of Education's authority to withhold non-education state aid from a municipality for its violation of educational law or regulations during the time the municipality has a school or school district under state intervention pursuant to the Crowley Act. Further still, H5389 seeks to amend the Crowley Act by altering the formula used to calculate the minimum fiscal support provided to a city or town when a school in its local education agency, or local education agency as a whole, is placed under state intervention and control. Finally, and perhaps most troubling, H5389 seeks to install a fiscal overseer from the Department of Revenue—a sister state agency—thereby adding additional layers of bureaucratic command and control that the very origin of this intervention intentionally sought to remove and strip away so that educational professionals could do the requisite and long-necessary work to improve the system.

From the perspective of a long-time serving educator and educational leader, including more than 37 years supporting urban schools and leading school systems in communities as broad and diverse as Newport to Pawtucket, I urge you to consider the irreparable harm to the students and educators, families and communities served by our schools and districts across the state, that would result in the passing of this bill.

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For far too long, our state has looked northward to our neighbor for solutions; but unlike Rhode Island, Massachusetts recognizes the extreme difficulty in effectuating long-needed systemic change in districts under intervention, and has explicitly granted those charged with the task much greater authority. In fact, the Commissioner of Massachusetts and many other New England states possess the very withholding power this bill seeks to strip from our Commissioner. In many cases, this is the only enforcement power the Commissioner possesses in order to bring municipalities into compliance, or further still, in order to bring districts into compliance with students IEPs, or with other statutorily mandated services.

Any school or school district placed under state intervention will logically and likely be in need of more funding, not less, if the turnaround in student achievement contemplated by the Crowley Act is to be accomplished. To reduce the school funding obligation of Providence or any other local education agency and its municipality in the manner H5389 contemplates will also reduce any future municipality obligation with a school district under state intervention. Enactment would enable a municipality with a school or school district under state intervention pursuant to the Crowley Act to simply disregard all legal maintenance of effort funding mandates without immediate consequence, leaving an under-funded school district and RIDE without a viable remedy, given that this bill concomitantly ensures that the remedy – Commissioner's withholding power – will have been stripped away.

The Crowley Act has established the Council on Elementary and Education and RIDE's Commissioner, the Council's chief executive officer, *see* R.I. Gen. Laws § 16-60-6, as the agents assigned to remedy such systemic difficulties. Crafting a new statutory scheme by grafting new conditions onto the Act while simultaneously depriving the Commissioner of one of the few explicitly-described tools provided under Rhode Island General Law to accomplish this task – as H5389 contemplates – would only hinder, rather than advance, the purpose of the Act.

For these forgoing reasons, **I again stand in strong opposition to H5389**. Respectfully, it is my sincere hope that you will heed the chorus of many voices I join in doing so.

Respectfully submitted,



Patricia DiCenso
Chair, RI Council on Elementary and Secondary Education

cc: Honorable Members of Rhode Island House Committee on Finance
Nicole McCarthy, Esq., Chief Legal Counsel to the Speaker of the House
Lynne Urbani, Director of Policy to the Speaker of the House
Sharon Reynolds Ferland, House Fiscal Advisor
Christopher O'Brien, Committee Clerk
Michael Grey, Chair, RI Board of Education
Krystafer Redden, Chief of Staff at the Rhode Island Department of Education
Andy Andrade, Special Assistant for Legislative Affairs