

Title 16

Education

Chapter 2

School Committees and Superintendents [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]

R.I. Gen. Laws § 16-2-17

§ 16-2-17. Right to a safe school.

(a) Each student, staff member, teacher, and administrator has a right to attend and/or work at a school which is safe and secure, and which is conducive to learning, and which is free from the threat, actual or implied, of physical harm by a disruptive student. A disruptive student is a person who is subject to compulsory school attendance, who exhibits persistent conduct which substantially impedes the ability of other students to learn, or otherwise substantially interferes with the rights stated above, and who has failed to respond to corrective and rehabilitative measures presented by staff, teachers, or administrators.

(b) The school committee, or a school principal as designated by the school committee, may suspend all pupils found guilty of this conduct, or of violation of those school regulations which relate to the rights set forth in subsection (a), or where a student represents a threat to those rights of students, teachers, or administrators, as described in subsection (a). Nothing in this section shall relieve the school committee or school principals from following all procedures required by state and federal law regarding discipline of students with disabilities.

(c) A student suspended under this section may appeal the action of the school committee, or a school principal as designee, to the commissioner of elementary and secondary education who, after notice to the parties interested of the time and place of hearing, shall examine and decide the appeal without cost to the parties involved. Any decision of the commissioner in these matters shall be subject to appeal by the student to the council on elementary and secondary education and any decision of the council may be appealed by the student to the family court for the county in which the school is located as provided in § 42-35-15.

(d) All school superintendents, or their designees, shall review annually, the discipline data for their school district, collected in accordance with the specifications set forth in § 16-60-4(a)(21), to determine whether the discipline imposed has a disproportionate impact on students based on race, ethnicity, or disability status and to appropriately respond to any such disparity. In addition to the data submitted, if a disparity exists, the school district shall submit a report to the council on elementary and secondary education describing the conduct of the student, the frequency of the conduct, prior disciplinary actions for the conduct, any other relevant information and corrective actions to address the disparity, after consultation with representatives of the faculty has been taken to address the disparity. The reports shall be deemed to be public records for purposes of title 38.

(e) On or before September 1, 2023, and annually by September 1 thereafter, the Rhode Island department of education, in coordination with the Rhode Island office of the attorney general, shall, for each school district, annually collect, report, and publish on its website, data on: the number of school resource officers; the use of force against students, including, but not limited to, the number of instances force was used and the type of the force used; arrests of students and reasons for arrest; student referrals to law enforcement and reasons for referral; student referrals to court or court service units; and the number and type of any other disciplinary actions taken or recommended by school resource officers involving students. All data shall be published in a manner that protects the identities of students and shall be collected and designated by student age, grade, race, ethnicity, gender, language status, and disability, to the extent that the demographic data is available.

History of Section.

G.L. 1896, ch. 60, § 12; G.L. 1909, ch. 67, § 8; G.L. 1923, ch. 70, § 21; G.L. 1938, ch. 178, § 21; G.L. 1956, § 16-2-

17; P.L. 1992, ch. 358, § 1; P.L. 1998, ch. 30, § 2; P.L. 1998, ch. 51, § 2; P.L. 2016, ch. 171, § 1; P.L. 2016, ch. 186, § 1; P.L. 2022, ch. 391, § 1, effective June 30, 2022; P.L. 2022, ch. 392, § 1, effective June 30, 2022.