

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

SMITHFIELD SCHOOL COMMITTEE
V.
TOWN OF SMITHFIELD

DECISION

Held: The Smithfield School Committee is awarded \$443,859. \$100,000 less then requested.

Date: May 19, 1995

The Smithfield School Committee contends that the additional sum of \$543,859 is "absolutely necessary" if it is to continue to operate the school system for the remainder of the 1994-1995 school year. In accordance with the legal principles established in Exeter-West Greenwich Regional School District v. Exeter-West Greenwich Teachers' Association, 489 A.2d 1010 (R.I. 1985), the Smithfield School Committee requested a hearing from the Commissioner of Education where it would be able to attempt to prove that it, in fact, does need the additional sum of \$543,859. At the request of the school committee this hearing was postponed a number of times.

The matter was initially heard on February 6, 1995 at which time the school committee submitted voluminous documentation in support of its claim that it needed additional funds. The material submitted was detailed and it was submitted in a form recommended by the Department of Education. The hearing was recessed until February 14, 1995 in order to allow the town of Smithfield a fair opportunity to examine the material submitted to prepare for cross-examination. A final hearing was held on March 9, 1995. The parties then had an opportunity to file briefs on the issues presented.

We will discuss in order the areas where the town authorities believe that the school committee's budget can be reduced:

A. Grants

The town of Smithfield argues that during the 1994-1995 school year the Smithfield School Committee will be receiving some \$352,000 in the form of grant money. The town contends that this grant money should be included in the present school committee budget so as to reduce the budget deficit rather than to be used to add additional educational programming. The problem with this argument is, of course, that all such grant programs have a requirement that they be used to supplement rather than to supplant local sources of funding. Grant money is

therefore not available to reduce budget deficits or to support programs which must be supplied and funded with local resources. We therefore cannot accept the town's argument that the school committee's claim should be reduced by \$352,000.

B. Classroom and General Supplies

The town points out that the request for classroom supplies has increased from \$13,359 in 1992-93 and \$15,463 in 1993-94 to \$88,815 in 1994-95. It also points out that the request for general supplies has increased from \$19,919 in 1992-93 and \$18,543 in 1993-94 to \$35,000 in 1994-95. The school committee, however, has shown that the large increase in the supply accounts was the result of "Poverty Fund" increases in state aid (\$242,588). This money had to be focused on the needs of at risk children in accordance with a plan approved by the Department of Education. The increase in the supply accounts was also the result of a need to remedy past underfunding and to meet the needs of at risk children. The existence of underfunding is demonstrated by the fact that in the 1989-1990 school year more than \$41,000 was spent on general supplies.

C. Equipment

The school committee is seeking \$167,149 in new equipment in the form of ten (10) new computers, equipment for an elementary science program, and a stove designed to be operated by handicapped students. We find that stove is a required expenditure in order to comply with Section 504 of the Rehabilitation Act.

The computer purchase presents a more difficult issue. The school committee argues that it must offer a business education program which includes accounting. (BEP, Business Education Curriculum, page 45). When student demand for accounting classes increased the committee elected to buy ten (10) computers rather than to hire an additional accounting teacher. On the record before us we cannot find that the committee abused its discretion on this point.

To the extent that the other equipment purchases, including the science equipment for the elementary grades, was a "required" expenditure of "Poverty Funds" for at risk students we must find that this money was not available to reduce the deficit. See: "Poverty Fund Expenditure Plan" submitted by Smithfield to the Department of Education.

D. NRIC Tuition

This account shows a \$20,000 increase over payments made last year. The committee contends that an additional student may begin to be funded under this program. Based on the record before us, however, we are not able to conclude that the additional funds will, in fact, be needed. We think this account should be reduced by \$20,000.

E. Non-Public School Services

The town argues that this account should be reduced by \$20,000. We however agree with the school committee that due to delays in billing the entire \$40,000 will be needed.

F. Heating

Last year heating cost the school committee about \$120,000. We see no reason why it should cost much more this year. The school committee has budgeted \$150,000 for this item. We think this account can be reduced by \$30,000.

G. Electricity

Electricity is budgeted for about \$160,000, about the same as was budgeted last year. We do not see how a reduction can be made here.

H. Plant Maintenance

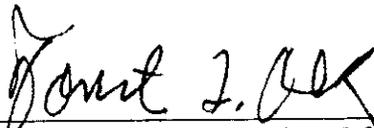
The school committee has budgeted \$50,000 to replace a fuel oil tank. There is no reason why this tank cannot be replaced next year. We therefore find that this account may be reduced by \$50,000.

I. Other Accounts

We have examined the other small accounts in the budget and we have not found any significant reductions which could be made.

Conclusion

We find that the school committee claimed for \$543,859 may be reduced by \$100,000. We therefore find that the town of Smithfield must provide an additional sum of \$443,859 to the school committee of Smithfield.



Forrest L. Avila, Hearing Officer

Approved:



Peter McWalters, Commissioner

May 19, 1995

Date