



# CITY OF CRANSTON SCHOOL COMMITTEE

845 Park Avenue  
Cranston, Rhode Island 02910-2790

April 8, 2009

CERTIFIED AND REGULAR MAIL

School Committee  
Michael A. Trafficante, Chairman  
Andrea M. Iannazzi, Clerk  
Stephanie A. Culhane  
Frank S. Lombardi  
Paula BM McFarland  
Janice Ruggieri  
Steven A. Stycos

Peter McWalters, Commissioner  
Rhode Island Department of Elementary and Secondary Education  
255 Westminster Street  
Shepard Building  
Providence, RI 02903

BOARD OF REGENTS FOR  
ELEMENTARY AND SECONDARY EDUCATION

APR 10 2009

OFFICE OF THE  
COMMISSIONER

Re: Request for Waiver/School Days

Dear Commissioner McWalters:

As you are aware, the Cranston Public Schools has not received Board of Regents approval for their diplomas. As a result, the School District has hired Margaret Vendituoli Ferreira as a consultant for her expertise and guidance to move forward toward getting Regents approval.

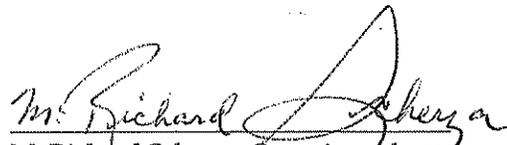
Since October, 2008, Ms. Ferreira has been working in Cranston with the principals of our two high schools, the Director of the Sanders Academy, the Executive Director of NEL/CPS Career Academy, and the Director of the AEP/IAES Program. In addition, about fifty teachers have participated in professional development focused on the Proficiency Based Graduation Requirements with Ms. Ferreira.

However, despite all of the time and effort placed into the original documentation and the time put into improving our diploma since September, 2008, the District still has a long way to go. The consultant, the principals and directors have reached the conclusion that they are in need of at least four full days of intensive work by the entire faculties from our five institutions that graduate Cranston students.

Therefore, waivers are hereby requested from the Commissioner of Education to reduce the required 180 days by 4 days for the 2008/2009 school year to undertake the work required during those four (4) days; or in the alternative, request is hereby made for permission to have 4 early dismissal days during the 2008/2009 school year; or finally, in the alternative, request is hereby made for an extension of two years to comply with the requirements necessary to obtain Board of Regents approval for diplomas.

Sincerely,

  
Michael Trafficante, Chairman  
Cranston School Committee

  
M. Richard Scherza, Superintendent  
Cranston School Department

C. R. Cascione

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**DEPARTMENT OF EDUCATION**  
Shepard Building  
255 Westminster Street  
Providence, Rhode Island 02903-3400

Peter McWalters  
Commissioner

June 10, 2009

Michael Traficante, Chairman  
Cranston School Committee

M. Richard Scherza, Superintendent  
Cranston School Department

City of Cranston School Committee  
845 Park Avenue  
Cranston, Rhode Island  
02910-2790

Dear Sirs,

Thank you for your letter of April 8, 2009 in which you request certain abbreviations of the required 180 day school year to facilitate the scheduling of professional development days. I must deny your request since state law requires towns to operate public schools for 180 days a year:

**R.I.G.L. 16-2-2 City and town schools required – School year – Location – Kindergartens.** – (a) Except as specifically provided in this section, every city or town shall establish and maintain for at least one hundred eighty (180) days annually exclusive of holidays a sufficient number of schools in convenient places under the control and management of the school committee and under the supervision of the board of regents for elementary and secondary education.\*\*\*

It is true, of course, that under some narrow health and safety circumstances the Board of Regents Board of regents has limited authority to shorten the school year in a school district. A demonstration of such health or safety concerns is not contained in your letter. The applicable statute reads:

R.I.G.L. 16-2-3 Emergency reduction of school year. – In the event of any emergency brought about by the incidence of any epidemic or the threat of an epidemic or any emergency which may endanger the health of children or the physical well being of the community, the school committee of any city or town with the approval of the board of regents for elementary and secondary education may reduce the number of school days to not less than one hundred seventy (170) days; provided, that the compensation of

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The Board of Regents does not discriminate on the basis of age, color, sex, sexual orientation, race, religion, national origin, or disability.

teachers, janitors, clerks, and other employees in the public schools of the city or town shall not be reduced by reason of the shortening of the school year.

The General Assembly has simply not granted to the Board of Regents or to the Commissioner the authority to reduce the 180 day school required by R.I.G.L.16-2-2 under any other circumstances. I therefore cannot grant your request to shorten the school year for professional development purposes. Moreover, I have no authority to authorize the use of shortened school days to accommodate professional development since under Board regulations such shortened school days are only permitted as a mechanism to cope with inclement weather or plant emergencies:

**G-4-8. Inclement weather.** — During inclement weather, schools may open up to one hour late and still have the day considered a school day. During inclement weather, schools shall remain open for at least three hours in order to be considered a school day. If however, a school does not remain open for at least three hours, superintendents must provide written notification within five (5) days to the Commissioner of Education explaining the situation.

**G-4-9. Physical plant problems — other emergencies.** — In instances of a physical plant problem severe enough to close a school, students may be dismissed early. Schools must be in operation for at least three hours to be considered a school day. If a school is not open for at least three hours, superintendents must provide written notification to the Commissioner of Education within five (5) days explaining the situation.

I must also deny a two year extension for compliance with the requirements Cranston must meet in order to obtain Board of Regents' approval for the issuance of Board of Regents' diplomas. The purpose of professional development is to enhance the opportunity for student learning and not to diminish this opportunity by reducing the school year to accommodate professional development schedules.

Sincerely,



Peter McWalters  
Commissioner of Education