

TOWN OF NORTH PROVIDENCE SCHOOL DEPARTMENT

2240 Mineral Spring Avenue, North Providence, Rhode Island 02911
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Armand Milazzo, *Director of Non-Instructional Operations*

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Stephen D. Palmieri

June 11, 2009

Sharon Osborne, *Special Assistant*
Rhode Island Department of Elementary and Secondary Education
Shepard Building
255 Westminster Street
Providence, Rhode Island 02903-3400

Re: North Providence School Department Waiver of Four (4) School Days

Dear Ms. Osborne:

I am writing to formally inform you of the closure of the Greystone Elementary School on June 9th, 10th, 11th and 12th of 2009, pursuant to Board of Regents Regulations G-4.1.1.

As I informed your office on Monday, June 8, 2009, the Rhode Island Department of Health (RIDOH) confirmed three cases of H1N1 Flu at the Greystone Elementary School. On Thursday, June 4th, the School Nurse notified RIDOH of a large number of students, as well as a teacher, out of school or sent home, with flu-like symptoms. On Friday, June 5th, a clinician from the RIDOH reported to Greystone School and took samples. On Saturday, June 6th, Dr. Crausman of RIDOH informed me that there was one confirmed case of H1N1 Flu. At that point, no one was recommending closure of the school. Monitoring and surveillance were a priority.

On Monday, June 8th, approximately 85 absences were reported out of 298 students. By late afternoon, there were three confirmed cases of the H1N1 Flu. After consulting with the School Committee, and based on the level of illness being experienced at the school, a decision was made to close the school for the rest of the week. This was done out of an abundance of caution, and to allow us to continue a deep cleaning of all surface areas. Another factor considered is the incubation period consistent with this flu.

The North Providence School Department does not discriminate on the basis of age, sex, religion, national origin, color or handicap in accordance with applicable laws and regulations. Individuals with disabilities, who require assistance or special arrangements to participate in a program or activity sponsored by the North Providence School Department, please contact superintendent's office. We request that you provide a 48-hour notice so that the proper arrangements may be made.

S. Osborne
June 11, 2009
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During ongoing monitoring of the situation, as of late Wednesday, June 10th, there were six confirmed cases of H1N1 at the Greystone School. All decisions were made after consulting with the RIDOH. Even though RIDOH did not, and would not, recommend closing, the decision was based on the health and safety of all school students and personnel.

In conformance with R.I. General Laws 16-2-3, we hereby request a reduction in the school year for the students at Greystone Elementary School by four (4) days. As I have indicated previously, school was canceled Tuesday, June 9th up to and including Friday, June 12th. The reduction will result in students attending 176 days versus 180 days. Given the emergency nature of the illness, and the fact that the school contains two pre-school classes and a severe and profound special needs class, we felt the risk of exposure needed to be minimized as much as possible. In addition, North Providence has a large elderly population, who interact on a daily basis with students who attend our schools. This illness has the potential of infecting more than our school age population.

Due to the fact that there is one week left to school, we ask for your immediate consideration of our request for approval. We are receiving calls on a daily basis as to how we are going to proceed for the remainder of this school year.

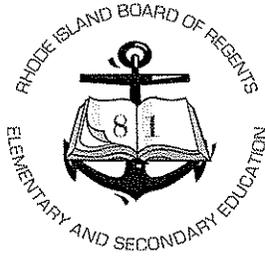
Thank you for all your support and consideration in this matter.

Sincerely,

D.M. Ottaviano, Ed.D.

Donna M. Ottaviano, Ed.D.
Superintendent of Schools

DMO/ljb
cc: Commissioner McWalters
School Committee
Benjamin Scungio, Esq.
Andrew Henneous, Esq.



State of Rhode Island and Providence Plantations
DEPARTMENT OF EDUCATION
Shepard Building
255 Westminster Street
Providence, Rhode Island 02903-3400

Peter McWalters
Commissioner

June 16, 2009

Donna M. Ottaviano, Ed.D.
Superintendent of Schools
North Providence School Department
2240 Mineral Spring Avenue
North Providence, Rhode Island 02911

Dear Superintendent Ottaviano:

Thank you for your letter of June 11, 2009, in which you request a reduction in the number of required school days for Greystone Elementary School. This request was made based on the closing of the school for four days (June 9, June 10, June 11 and June 12) because of six (6) confirmed cases of the H1N1 flu virus.

The authority to grant waivers to the mandatory school year of 180 days is found in Rhode Island General Law § 16-2-3. This statute provides a mechanism by which "the school committee or any city or town with the approval of the board of regents for elementary and secondary education may reduce the number of school days" in the event of an "emergency which [sic] may endanger the health of children or the physical well being of the community."

The authority to grant a waiver requested through R.I.G.L. § 16-2-3 (emergency reduction of school year) was delegated to me during the May 13, 2009 Board of Regents meeting:

"The Board of Regents for Elementary and Secondary Education, in accordance with its authority to assign to the Commissioner any other additional duties that may be determined by the Board and in accordance with the Board's general supervisory authority over elementary and secondary education, hereby delegates to the Commissioner the authority to grant or to deny approval to reductions in the school year in accordance with R.I.G.L. 16-2-3. The Commissioner's grant or denial of a reduction may be reviewed by the Board."

Telephone (401)222-4600 **Fax** (401)222-6178 **TTY** 800-745-5555 **Voice** 800-745-6575

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Donna M. Ottaviano, Ed.D.
Superintendent of Schools
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You have requested a reduction of the school year for Greystone Elementary School from 180 days to 176 days. As previously stated, this request for a four day waiver is based on the June 9, June 10, June 11 and June 12 closings in response to six (6) confirmed cases of the H1N1 flu virus.

I find this request to be within the parameters of §16-2-3. This decision is based on your action of closing the school to protect the health of children and the physical well being of the community from the spread of the H1N1 flu.

This waiver, however, does not extend to faculty and staff and I anticipated that Greystone faculty and staff would need to make up those four days in the form of professional development. Upon consultation with you and confirmed in written correspondence from the Greystone School principal, Thomas Meagher, it has come to my attention that 85-90% of faculty and staff reported for work during the period that the school was closed. I commend Greystone faculty and staff for their professionalism and commitment. Their willingness to report to work on these days, despite the fact that this waiver might not have been granted, is testament to their dedication to the students of Greystone School.

For the foregoing reasons, please be advised that I am granting your requested waiver to the 180 day school year. Furthermore, faculty and staff will not be required to make up these four days. Please provide me with written verification of the adjusted school year for students to 176 instructional days and I once again applaud your faculty and staff for their devotion to education and the students of North Providence.

Please feel free to contact me with any questions that you may have in regard to the issues raised herein.

Very truly yours,



Peter McWalters
Commissioner of Education

cc: Robert G. Flanders, Chairman, Board of Regents
David V. Abbott, Deputy Commissioner/General Counsel

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