

**City of Woonsocket**  
EDUCATION DEPARTMENT  
108 High Street  
Woonsocket, Rhode Island 02895-4348  
Telephone (401) 767-4608  
Fax (401) 767-4607  
Email [ride4610@ride.ri.net](mailto:ride4610@ride.ri.net)



*Robert J. Gerardi, Jr., Ph.D.*  
*Superintendent*

RELAY RHODE ISLAND  
1-800-745-5555 (TTY)  
1-800-745-6575 (Voice)

AT&T SPANISH RELAY  
(Servicio de Relevo de AT&T)  
1-800-855-2884 (TTY)  
1-800-855-2885 (Voice)

Web site: <http://woonsocketschools.com>

July 16, 2009

Deborah A. Gist  
Commissioner of Education  
Rhode Island Department of Education  
255 Westminster Street  
Providence, RI 02903

Dear Commissioner Gist:

On May 20, 2009, before we held our special open School Committee meeting, the School Committee held a Joint City Council preliminary budget hearing at which the Mayor, Staff, full Council, and public were in attendance at City Hall. The Mayor and Council made suggestions for recommended cuts which the School Committee addressed at its scheduled meeting later that evening. At this meeting held at the Woonsocket Area Career Technical Center, the School Committee approved first passage of their FY10 budget after serious deliberation and cost cutting efforts. On May 21, 2009, at a special School Committee meeting, the School Committee approved the second passage of our FY10 budget, and on the following day the approved FY10 budget was sent to the Mayor.

On June 22, 2009, the Woonsocket City Council approved the FY10 Municipal Budget. That budget level funded the Woonsocket Education Department which is approximately \$6,900,000 less than the School Committee approved budget for FY10. As a result of the City Council's actions, the School Committee must now comply with RI GL 16-2-21 (3) (b) which states "... the School Committee shall, within 30 days after appropriation is made, amend its estimates and recommendations so that expenses are no greater than the total of all revenue appropriated by the state or town or provided for public schools under the care, control, and management of the School Committee."

The Woonsocket Education Department finds itself in a precarious position because the aforementioned law requires us to reduce our budget while other underfunded state education laws, Board of Regents regulations, RIDE regulations and guidance, and contractual obligations are at odds with each other. In layman's terms, many laws require us to spend a certain amount of money in an effort to provide a basic education while many other laws require us to stay within a tax cap and provide a balanced budget.

The Woonsocket School Committee has now acknowledged at many open meetings that we are already operating a school district below the current Board of Regents Basic Education Program (BEP) in the specifically identified area of library staffing. The only other expenses that we can cut that are currently above the BEP are in the areas of athletics and student activities (BEP, p. 223). During the last year budget cutting process, the School Committee questioned that these activities have become a state expectation in every other district and has been hesitant to cut them. However, in these dire financial times and under these legal constraints, the Woonsocket Education Department has voted at the regularly scheduled meeting on July 15, 2009, to act on the following waiver requests and reduce

student activities to the BEP unlike any other district in the state *unless you override our decision to do so*. The elimination of these activities could put our NEASC accreditation in jeopardy. This historical evidence was provided to set the context from which the following requests are being made.

The Woonsocket Education Department does not believe that we can cut below the BEP and adequately operate the school department within the approved FY10 municipal budget while remaining in compliance with underfunded state education laws, Board of Regents regulations, RIDE regulations and guidance, and contractual obligations. Consequently, we are requesting waivers from the state as identified by R.I.G.L. 16-2-21.4. We are hereby formally requesting the following waivers:

- 1) A waiver of the New LEP Regulations requiring a district our size to have three full-time employees including; a) a full-time LEP Administrator, b) a full-time parent Liaison, and c) a full-time teacher devoted to native language testing.

We realize that the tasks these positions would fulfill must continue to be provided; however, we have a Literacy Director who could take on the additional duties as the LEP Administrator and we would like to combine the duties of the parent liaison and native language tester into one full time position instead of two thus saving one full time teacher salary and benefits

- 2) A waiver of the BEP requirement for the staffing of the school library at the secondary level (BEP, p. 201) where it states that there shall be two full-time librarians and a full-time clerical assistant in schools with over 1000 children. There shall be additional clerical assistance for enrollment beyond 1500 children.

Woonsocket High School has an enrollment of over 1500 students and has been operating for some time with 1.5 Librarians and no clerical staff. This year we are proposing to operate with one full-time librarian and one .5 librarian/.5 PBGR Coordinator.

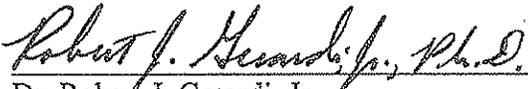
- 3) A waiver of the new K-12 Literacy Policy's requirement for a student reading between 1 and 3 years below grade level to have a Personalized Literacy Plan (PLP). This could save us the cost of two full-time reading specialists.

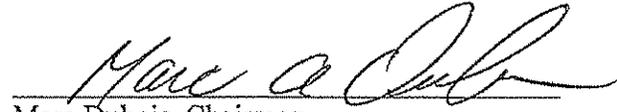
Finally, it is our understanding that it was the former Commissioner's decision not to entertain fees for student participation in extra-curricular activities, student transportation, and/or parking as is commonplace in our sister state of Massachusetts. We are not aware of any state laws or regulations banning this practice and would like an expedited advisory opinion on the school department's right to charge fees for extra-curricular activities, student transportation and/or parking.

Please understand that the Woonsocket School Committee does not believe that these proposals are in the best interest of advancing the course of education in Woonsocket, but endorses these proposals for the purposes of complying with fiscal requirements simultaneously with existing state education laws and regulations. In addition, we would ask that you notify us if you or your staff has any suggestions for cost saving ideas that can be implemented immediately.

Please address any responses or questions you may have regarding any of the information above to the Superintendent of Schools, Dr. Robert J. Gerardi, Jr. We look forward to your response.

Sincerely,

  
Dr. Robert J. Gerardi, Jr.  
Woonsocket-Superintendent of Schools

  
Marc Dubois, Chairman  
Woonsocket School Committee

Cc: Mayor of Woonsocket  
Members of the Woonsocket City Council  
Members of the Woonsocket School Committee  
David Abbott, Esq. Deputy Commissioner  
Rick Richards, RIDE -PS&I  
Richard DiPardo, President, WTG

RJG:dd/kb

*"Empowering all learners to shape and enrich their changing world"*  
The Woonsocket Education Department does not discriminate on the basis of age, sex, race, religion, national origin, color or disability in accordance with applicable laws and regulations.



**WOONSOCKET EDUCATION DEPARTMENT  
2009-10 Proposed Budget**

REVISED BUDGET UPDATED 07/08/2009

ACCT. NO.	DESCRIPTION	Audited Actual Expenditures 2007-08	FY2009 City Appropriation	2008-09 Projection 6/8/09	FY2010 PROPOSED BUDGET	Difference Projected FY 09 vs Proposed FY 10	Percentage Increase
100-42710	SYSTEM-WIDE MGMT	175,400	172,900	203,454	150,000	-53,454	-26%
100-60705	SCHOOL COMMITTEE/SCHOOL ATTY	123,750	123,750	123,554	123,750	196	0%
	TOTAL SYSTEMWIDE	299,150	296,650	327,008	273,750	-53,258	-16%
101-42715	SCHOOL MGMT (ADM)	1,621,166	1,497,599	1,651,336	1,647,697	-3,639	0%
102-XXXX	DIR./SUPERVISORS	764,428	708,331	781,478	762,618	-18,860	-2%
103-10144	TEACHERS KGD	621,364	695,049	758,734	767,898	9,164	1%
103-10201	GENERAL INST. 1-5 & SPECIALISTS	6,774,709	6,650,444	6,872,720	7,228,727	356,007	5%
103-10202	GENERAL INST. 6-8 & SPECIALISTS	4,342,788	4,275,584	4,489,629	4,730,647	241,119	5%
103-10203	GENERAL INST. 9-12 & SPECIALISTS	6,390,741	6,264,481	6,869,856	6,756,516	-86,660	-1%
103-21520	TEACH ED. TRAINING	154,171	25,000	77,416	84,504	7,088	9%
103-23530	LIBRARIANS	590,273	146,729	547,884	554,563	6,679	1%
103-31321	ESL TEACHERS	211,352	285,052	230,894	238,356	7,455	3%
103-32202	SPEECH	3,130,890	1,062,004	2,967,035	3,057,034	89,999	3%
103-32202	RESOURCE	0	1,985,615	0	0	0	0%
103-32203	SELF CONTAINED	3,500,979	3,523,616	3,863,960	3,934,597	70,637	2%
103-32204	SELF CONTAINED ESY	217,349	0	234,227	232,373	-1,854	-1%
103-32207	HOMEBOUND	46,870	65,000	50,030	50,000	-30	0%
103-32213	PRE-SCHOOL M/M	0	100,755	0	0	0	0%
103-32330	Spec Ed Administration	74,809	0	84,694	166,230	81,536	96%
103-32214	PRE-SCHOOL SEVERE/P	0	0	0	0	0	0%
103-32310	INTERPRETERS/ OCC. THERAPISTS	793,903	394,949	626,086	726,213	99,127	16%
103-32310	PHYSICAL THERAPISTS	0	70,773	0	0	0	0%
103-32615	SOCIAL WORKERS	469,296	492,424	516,457	443,171	-73,286	-14%
103-32640	PSYCHOLOGIST	350,262	359,043	364,261	361,416	-2,846	-1%
103-33610	ATTENDANCE OFFICER	199,079	206,064	206,611	204,748	-1,863	-1%
103-33620	GUIDANCE	694,053	789,561	708,377	713,108	4,731	1%
103-41632	NURSES	704,348	701,924	679,864	687,062	7,198	1%
103-41631	DOCTORS/DENTIST	16,515	17,000	16,513	16,513	0	0%
103-41751	ATHLETICS	218,913	187,408	187,408	31,505	-155,903	-83%
103-41752	OTHER STUDENT ACTIV	72,974	97,260	72,974	30,539	-42,435	-58%
103-XXXX	LONGEVITY	0	0	0	182,855	182,855	0%
103-42715	TEAC. DH./TEAM LEAD.	93,905	0	96,825	189,177	93,352	97%
	TOTAL TEACHERS	29,668,634	28,395,633	30,321,366	25,332,218	1,085,391	4%
					23,332	23,332	0%
104-21520	EDUC. TRAINING				0	0	0%
104-22510	CURRICULUM					-16	0%
104-23530	LIBRARY	30,909	46,425	22,348	22,332	-16	0%
104-23561	TECHNOLOGY	68,470	33,928	57,949	76,774	18,825	32%
104-31321	ESL SERVICES	9,647	10,238	9,856	9,900	44	0%
104-33620	GUIDANCE	49,179	33,446	50,992	51,336	344	1%
104-41749	FACILITIES	48,233	33,928	49,285	33,332	-15,953	-32%
104-42710	SYSTEMWIDE MGMT	223,201	202,325	235,966	130,814	-105,152	-45%
104-42715	SCHOOL MGMT	459,214	516,834	445,720	498,316	52,597	12%
104-42730	FISCAL SERVICES	194,889	260,664	200,020	276,036	76,016	38%
	TOTAL CLERICAL	1,083,722	1,137,790	1,072,137	1,122,173	50,037	5%
105-41748	CUSTODIANS	1,247,896	1,406,580	1,318,425	1,366,820	48,335	4%
105-41749	MAINTENANCE	491,507	468,065	536,225	519,444	-18,781	-3%
	TOTAL CUST./MAINT.	1,739,504	1,874,645	1,854,650	1,886,264	29,614	2%
106-10144	KINDERGARTEN	214,928	450,010	216,791	315,743	98,952	46%
106-XXXX	LONGEVITY				175,100	175,100	0%
106-10210	GENERAL INSTRUCT.	317,075	0	264,993	236,808	-28,186	-11%
106-32203	SELF-CONTAINED	1,263,068	1,154,263	1,333,791	1,294,583	-39,207	-3%
	TOTAL ASSISTANTS	1,795,072	1,604,273	1,815,575	2,022,234	206,659	11%
107-23561	TECH. SUPPORT	236,426	176,265	246,742	250,582	3,840	2%
110-XXXX	ESL /CHILD OUTREACH SCREENERS	25,429	24,000	24,000	26,000	2,000	8%
111-41775	BUILDING MONITORS	17,886	10,962	18,061	18,000	-61	0%
111-Eleamin	E Learning	77,930	0	50,082	35,160	-14,922	-30%
111-Various	Various Other	1,582	0	1,092	38,500	37,408	3426%
111-ESY	ESY Special Education	37,875	0	58,316	60,000	1,684	3%
111-Printing	Printing Summer Career Center	16,170	0	11,915	13,000	1,085	9%
111-WMS	Other Middle School	15,264	0	15,264	11,000	-4,264	-28%
120-32203	OVERSIZE CLASSROOM	14,848	0	20,000	17,500	-2,500	-13%
121-XXXX	CLERICAL TEMPORARY	47,755	26,000	35,716	42,000	6,284	18%
122-41748	SUB. CUSTODIANS	92,928	65,000	52,000	72,500	20,500	39%
125-10210	SUB. TEACHER ASST. K-5	125,684	60,000	75,051	65,000	-10,051	-13%

**WOONSOCKET EDUCATION DEPARTMENT  
2009-10 Proposed Budget**

ACCT. NO.	DESCRIPTION	Audited Actual Expenditures 2007-08	FY2009 City Appropriation	2008-09 Projection 5/8/09	FY2010 PROPOSED BUDGET	Difference Projected FY 09 vs Proposed FY 10	Percentage Increase
125-10211	SUB. TEACHER ASST. 6-8	17,389	35,000	20,120	37,500	17,380	86%
125-10212	SUB. TEACHER ASST. 9-12	10,160	35,000	30,000	37,500	7,500	25%
	<b>TOTAL OTHER SALARIES</b>	<b>737,304</b>	<b>435,227</b>	<b>658,368</b>	<b>724,242</b>	<b>65,874</b>	<b>10%</b>
127-10204	SUB. TEACHERS						
	SICK/FAMILY SICK	499,213	447,000	512,028	473,900	-38,128	-7%
	PERSONAL	107,565	73,000	34,972	75,200	40,228	115%
	SCH BUSINESS/PROF		17,500	0	17,500	17,500	100%
	OTHER	2,468	9,800	0	11,400	11,400	100%
	<b>TOTAL SUB TEACHERS</b>	<b>609,246</b>	<b>547,000</b>	<b>547,000</b>	<b>578,000</b>	<b>31,000</b>	<b>6%</b>
129-10200	SUMMER SCHOOL	32,345	26,000	44,598	38,500	-6,098	-14%
141-41748	OT CUST./MAINTENANCE	88,868	76,200	98,000	90,000	-8,000	-8%
141-42710	OT CLERICAL SYSTEMWIDE & Spec Ed	2,449	1,500	2,002	2,000	-2	0%
141-42715	OT CLERICAL SCH MGMT.	3,759	500	978	500	-478	-49%
141-42730	OT CLERICAL FISCAL SERV	0	500	62	500	438	709%
	<b>TOTALSUMMER/OVERTIME</b>	<b>127,511</b>	<b>104,700</b>	<b>143,639</b>	<b>131,500</b>	<b>-12,139</b>	<b>-8%</b>
144-XXXX	OUT OF CLASSIFICAT'N	6,694	1,000	4,563	4,500	-63	-1%
145-XXXX	LONGEVITY	59,880	0	62,508	58,265	-4,243	-7%
	<b>TOTAL OTHER</b>	<b>65,554</b>	<b>1,000</b>	<b>67,071</b>	<b>62,765</b>	<b>-4,306</b>	<b>-6%</b>
157-41735	FOOD SERVICE LUNCH SYSTEMWIDE		0	0	0	0	0%
	<b>SUB TOTAL SALARIES</b>	<b>38,511,190</b>	<b>36,600,850</b>	<b>39,241,518</b>	<b>34,543,462</b>	<b>1,366,372</b>	<b>3%</b>
	<b>PROPOSED CHANGES IN STAFFING</b>		0		-533,031	-533,031	100%
	Retirement Savings 26 Teachers (Salary)				-620,594	-620,594	100%
	<b>GRAND TOTAL SALARIES</b>	<b>38,511,190</b>	<b>36,600,850</b>	<b>38,241,518</b>	<b>33,389,837</b>	<b>202,747</b>	<b>1%</b>
	<b>FIXED CHARGES / FRINGE BENEFITS</b>			<b>165,315,780</b>			
200-231	FICA	2,355,599	2,275,453	2,432,980	2,530,171	97,190	4%
200-232	FICA-MED	551,192	532,162	572,928	595,814	22,887	4%
200-233	NON CERTIFIED PENSION	81,407	170,842	171,807	128,029	-43,778	-25%
200-235	TEACHERS' PENSION	4,066,862	4,573,827	3,263,213	4,840,012	1,576,799	48%
200-246	MEDICAL BUY BACK	131,618	124,500	113,851	115,000	1,150	1%
200-252	WORKERS' COMP	315,128	369,412	340,184	271,932	-88,252	-20%
200-256	LIFE INSURANCE	40,085	60,361	52,401	51,700	-701	-1%
200-271	BLUE CROSS	7,906,937	7,909,555	8,265,788	9,567,278	1,301,490	16%
200-272	DELTA DENTAL	514,590	600,300	577,335	577,335	0	0%
200-282	UNEMPLOYMENT COMP.	118,745	121,000	135,000	120,000	-15,000	-11%
	<b>PROPOSED CHANGES IN STAFFING (FRINGE)</b>				-326,418	-326,418	100%
	Retirement Savings 26 Teachers (Fringe)				-204,692	-204,692	100%
200-283	RENTAL FEES	9,135	13,000	8,100	13,000	4,900	60%
	<b>TOTAL FIXED / FRINGE</b>	<b>16,093,299</b>	<b>16,750,422</b>	<b>16,933,586</b>	<b>18,279,261</b>	<b>2,345,674</b>	<b>15%</b>
	<b>PURCHASED SERVICES</b>						
200-311	POSTAGE	27,788	30,164	27,684	29,351	1,667	6%
200-312	TELEPHONE	74,618	73,000	77,507	64,000	-13,507	-17%
200-313	DUES & SUBSCRIPTIONS	23,623	30,043	24,622	28,293	3,671	15%
200-314	ADVERTISING	46,866	38,915	39,000	38,915	-85	0%
200-315	TRAVEL IN/OUT CITY	18,581	6,895	10,000	6,895	-3,105	-31%
209-318	Field Trip	6,024	0	3,813	0	-3,813	-100%
200-319	EDUC. TRAINING	47,408	253,492	29,729	240,592	210,863	709%
200-331	GEN.MAINT.& UPKEEP	155,569	155,000	145,000	155,000	10,000	7%
200-334	VEH/OUTSIDE EQ.REP.	12,981	21,000	8,065	21,000	12,935	160%
200-336	EQUIPMENT REPAIR	113,129	132,275	105,690	115,000	9,310	9%
200-341	RENTAL EQUIP & FURN.	14,677	2,800	15,084	2,600	-12,284	-81%
200-366	SEWER USE	29,470	29,300	30,435	30,435	0	0%
200-357	INS./FIRE,BOILER,THEFT	208,609	220,290	201,859	160,000	-41,859	-21%
200-375	RODENT & PEST	8,070	7,320	7,567	7,320	-247	-3%
200-381	OTHER SUPPORT.SERV.	632,634	548,399	907,894	646,992	-260,902	-29%
200-382	AUDITING SERVICES - CARUOLO	0	0	0	165,315	165,315	100%
200-382	AUDITING SERVICES	22,000	23,040	21,350	23,040	1,690	8%
200-383	LEGAL SERVICES	44,634	40,000	42,393	50,000	7,607	18%
200-391	SPECIAL ED. TRANSP.	1,054,670	789,260	1,131,064	914,505	-216,559	-19%
200-391	REG./ATHLETIC TRANSP.	852,389	333,200	759,787	440,047	-319,750	-42%
200-393	TUITIONS SPEC EDUC & CHARTER SCHO	3,789,556	3,552,151	3,700,000	3,636,975	-63,025	-2%
	<b>TOTAL PURCHASED SERV</b>	<b>7,193,167</b>	<b>6,301,534</b>	<b>7,288,552</b>	<b>6,776,475</b>	<b>-512,077</b>	<b>-7%</b>

**WOONSOCKET EDUCATION DEPARTMENT  
2009-10 Proposed Budget**

ACCT. NO.	DESCRIPTION	Audited Actual Expenditures 2007-08	FY2009 City Appropriation	2008-09 Projection 6/8/09	FY2010 PROPOSED BUDGET	Difference Projected FY 09 vs Proposed FY 10	Percentage Increase
	<b>SUPPLIES / MATERIALS</b>						
200-411	OFFICE SUPPLIES	37,225	42,042	41,741	41,741	0	0%
200-421	PRINTING & REPRODUC.	14,428	17,680	18,137	17,680	-457	-3%
200-422	TIRES & BATTERIES	4,882	3,000	4,185	3,000	-1,185	-28%
200-423	GAS & DIESEL FUELS	47,038	37,000	38,000	40,000	2,000	5%
200-443	ATHLETIC SUPP. & EQUIP.	11,313	12,750	11,862	0	-11,862	-100%
200-443	EDUCATIONAL SUPPLIES	431,062	342,305	282,672	300,605	37,933	14%
200-444	TOOLS & IMPLEMENTS	1,536	2,000	700	2,000	1,300	186%
200-445	LIBRARY BOOKS	12,773	25,577	5,779	15,577	9,798	170%
200-446	CLEANING & HSKP.	119,524	70,000	145,421	80,000	-65,421	-45%
200-447	GEN. MAINT. SUPPLIES	84,227	68,500	49,552	68,500	18,948	38%
200-448	NONPUBLIC TEXTBOOKS	6,562	15,000	6,158	21,521	15,363	248%
200-448	REGULAR TEXTBOOKS	29,312	8,622	26,013	0	-26,013	-100%
200-451	FUEL	759,654	931,000	759,000	839,446	80,446	11%
200-452	LIGHT & POWER	807,460	900,934	814,999	857,380	42,381	5%
200-454	WATER	35,669	48,600	77,307	77,307	0	0%
200-461	FOOD BANQUETS, AWDS	3,555	2,000	2,753	2,000	-753	-27%
200-462	UNIFORMS	12,540	9,350	12,433	0	-12,433	-100%
200-466	MEDICAL SUPPLIES	19,115	22,400	17,491	27,400	9,909	57%
	<b>TOTAL SUPPLIES/MATLS</b>	<b>2,437,875</b>	<b>2,558,760</b>	<b>2,294,204</b>	<b>2,384,157</b>	<b>99,953</b>	<b>4%</b>
	<b>EQUIP/CAPITAL IMPROVEMENT</b>						
200-523	CAPITAL IMPROV BLDG.	552,475	476,000	4,633	500,000	495,368	10692%
200-571	VEH. & OUTSIDE EQUIP.	153	46,000	25,366	25,366	0	0%
200-574	SCHOOL FURN. & EQUIP./TECHNOLOGY	175,119	198,958	57,701	191,434	93,733	96%
200-577	Office Furniture & Equipment	5,193	0	0	0	0	0%
200-600	Contingency	10,000	0	0	0	0	0%
200-577	OFFICE FURN. & EQUIP./TECHNOLOGY		10,500	6,818	10,500	3,682	54%
	<b>TOTAL EQUIPMENT/CAPITAL IMPROVE</b>	<b>742,940</b>	<b>731,458</b>	<b>134,517</b>	<b>727,300</b>	<b>592,783</b>	<b>441%</b>
	<b>TOTAL EDUCATION DEPARTMENT</b>	<b>64,978,471</b>	<b>62,943,023</b>	<b>64,892,477</b>	<b>61,567,029</b>	<b>2,729,080</b>	<b>4%</b>

ADDITIONAL CUTS TO FY10 BUDGET

ATHLETICS

ALL SPORTS EXCEPT TRACK & FIELD	155,903.00
SUPPLIES	12,750.00
UNIFORMS	9,350.00
	<u>178,003.00</u>

TEXBOOKS

REGULAR EDUCATION	<u>234,637.00</u>
-------------------	-------------------

OTHER STUDENT ACTIVITIES

ALL WITH THE EXCEPTIONS OF-----	
CHORAL	
ALL CLASS ADVISORS GR 8 THRU 12	
RI HONOR SOCIETY	
NATIONAL HONOR SOCIETY	
BAND	
DRAMA	
SENIOR HIGH PUBLICATION	
VICA	<u>49,461.00</u>

SATURDAY DETENTION	<u>2,000.00</u>
--------------------	-----------------

40 FURLOUGH DAYS TEACHERS	<u>6,084,033.00</u>
---------------------------	---------------------

<u>TOTAL REDUCTION TO FY10 BUDGET</u>	<u>6,548,134.00</u>
---------------------------------------	---------------------



State of Rhode Island and Providence Plantations  
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION  
255 Westminster Street  
Providence, Rhode Island 02903-3400

---

Deborah A. Gist  
Commissioner

August 5, 2009

Mr. Marc A. Dubois  
Chair of the Woonsocket School Committee

Robert J. Gerardi, Jr., Ph.D  
Superintendent

City of Woonsocket  
Education Department  
108 High Street  
Woonsocket, Rhode Island

Dear Sirs:

Thank you for your letter of July 16, 2009 in which you request, in accordance with R.I.G.L.16-2-21.4(a), certain regulatory waivers or variances to help the Woonsocket school district stay within its budgeted appropriation. We will respond to each of your waiver and variance requests in order.

**1. Request:** "A waiver of the new [ELL] Regulations requiring a district our size to have a full-time employees including: a) an LEP Administrator, b) a full time parent Liaison, and c) a full-time teacher devoted to native language testing. We realize that the tasks these positions would fulfill must continue to be provided; however, we have a Literacy Director who could take on the additional duties as the LEP Administrator and we would like to combine the duties of the parent liaison and native language tester into one full time position instead of two thus saving one full time teacher salary and benefits."

**Response:** We note that the English Language Learner (ELL) Regulations of the Board of Regents do not require the employment of a full-time teacher devoted to native language testing. State and Federal law require the provision of effective ELL instruction. (R.I.G.L.16-54-1 and 20 U.S.C. § 1703). In particular, the No Child Left Behind Act requires an extensive outreach program to ensure that parents of ELL students are made aware of their rights, and that they are given the opportunity to become actively engaged in their child's education. (20 U.S.C. 6826). While Woonsocket is making strides in ELL

Telephone (401) 222-4600 Fax (401) 222-6178 TTY 800-745-5555 Voice 800-745-6575  
[www.ride.ri.gov](http://www.ride.ri.gov)

programming, Woonsocket's ELL graduation rate is only about 51%. While Woonsocket did meet the first Annual Measureable Achievement Objective (AMAO) for the percent of English Language Learners making at least a .5 gain in English language proficiency, it did not meet the second AMAO target. The second target was missed because only 27% of ELLs, rather than the expected 40%, achieved the requisite proficiency level. We therefore must deny your request to dispense with the services of a full-time ELL Director and a full-time ELL parent liaison, these positions are critical to Woonsocket's ability to ensure the provision of adequate ELL instruction.

**2. Request:** "A waiver of the BEP requirement for the staffing of the school library at the secondary level (BEP, page 201) where it states that there shall be two full-time librarians and a full time-clerical assistant in schools with over 1000 children. There shall be additional clerical assistance for enrollment beyond 1500 children. Woonsocket High School has an enrollment of over 1500 students and has been operating for some time with 1.5 Librarians and no clerical staff. This year we are proposing to operate with one full-time librarian and one .5/ librarian/.5 PBGR Coordinator."

**Response:** We may be able to grant this waiver if you can document how the clerical work associated with your library media curriculum is being completed. It would also be helpful if you could specifically indicate to us how the library staffing level you are requesting will suffice to ensure that students will receive a proper level of library services. In saying this we note that we recognize that the precise duties of school librarians are not defined in the BEP and that it is not uncommon for school librarians across the state to support district PBGR systems.

**3. Request:** "A waiver of the new K-12 Literacy Policy's requirement for a student reading between 1 and 3 years below grade level to have a Personalized Literacy Plan (PLP). This could save us the cost of two full-time reading specialists."

**Response:** The General Assembly has established student literacy as a matter of the highest priority.<sup>1</sup> Personal Literacy Plans (PLP) help ensure that students, in fact, attain literacy. Your request does not contain any suggestion of what accountability tools and student supports Woonsocket would substitute for Personalized Literacy Plans and the services prescribed therein. This request must therefore be denied at this time. If you wish to discuss possible alternatives to Personalized Literacy Plans, please contact Mary Ann Snider, Director of Instruction, Assessment & Accountability, 222-8490.

Your letter also raises questions about the possibility of charging fees for student transportation, extra-curricular activities and parking. In regard to charging fees for transportation, we note that in *Brown v. Elston*, 445 A.2d 279 (R.I. 1982), a case from Woonsocket, the Rhode Island Supreme Court held that:

---

<sup>1</sup> R.I.G.L.16-67-1, et seq. Rhode Island Literacy and Dropout Prevention Act.

The committee cannot avoid its statutory obligation to supply transportation to students who would otherwise find it impractical to attend school by neglecting to set aside sufficient funds to do so. Similarly, it cannot shift to the students the cost of providing busing by forcing them to pay for public transportation.

Given this holding of the Supreme Court, we are forced to conclude that Woonsocket may not charge a fee for student transportation. You also request permission to charge students for participation in extra-curricular activities. The Commissioner of Education, however, has consistently found that school districts may not charge fees for extra-curricular activities. We attach an opinion letter and a holding in a contested case which explain the legal support for this conclusion.<sup>2</sup> However, the recently enacted Chapter 16-88 of the RIGL allows for targeted use of outside funding to support specific programs and services. I have attached a copy of this new law in the hopes that it may provide Woonsocket with additional funding possibilities.

You also have posed the question of whether or not you may charge parking fees. Unlike extra-curricular activities that are a core element of public education and which are required by the Basic Education Plan, free parking has not yet been defined as an element of a free appropriate public education. We therefore conclude (subject to whatever municipal rules or collective bargaining agreements that may properly be applicable) that the school committee, in accordance with its specific statutory authority under R.I.G.L. 16-2-9(8) to "provide for the location, care, control, and management of school facilities and equipment," is not prohibited by school law from charging a fee for parking.

I fully understand the difficult position Woonsocket is in. Funding of public education in Rhode Island is reaching a crisis point. Please be assured that I and my staff are willing to work closely with you to develop alternatives to curtailing core services to children as you strive to balance your budget.

Very truly yours,



Deborah A. Gist  
Commissioner of Education

Attachment

c: David V. Abbott

---

<sup>2</sup> Burrillville School Department Request for Waiver, Commissioner's Letter, July 15, 2005 & *Sullivan v. Cumberland School Committee*, January 10, 2001.

2009 -- S 0944 AS AMENDED

LC02639

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2009

A N A C T

RELATING TO EDUCATION

Introduced By: Senators Gallo, Ruggerio, Blais, DeVall, and DiPalma

Date Introduced: May 27, 2009

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended  
2 by adding thereto the following chapter:

3 CHAPTER 88

4 UNIFORM SCHOOL DISTRICT GRANT, GIFT AND DONATION ACCEPTANCE AND  
5 EXPENDITURE ACT OF 2009

6 16-88-1. Short title. -- This act shall be known and may be cited as the "Grant, Gift and  
7 Donation Acceptance and Expenditure Act of 2009."

8 16-88-2. Findings of fact. -- The general assembly makes the following findings of fact:

9 (1) The present financial resources of cities, towns and the state are stretched to their  
10 limit with regard to providing adequate funding for education, yet the need to fund public  
11 education at its present level remains unabated.

12 (2) School districts, school departments, and school committees are limited in their ability  
13 to seek alternative sources of funding for budgetary items outside of the annual appropriation of  
14 state aid to education and municipal tax levies.

15 16-88-3. Purpose. -- The purpose of this chapter is:

16 (1) To enable and allow school districts, school departments, and school committees to  
17 accept grants, gifts and donations from any private individual, public or private business entity,  
18 any government or governmental subdivision thereof, including quasi-public agencies; and

19 (2) To restrict the expenditure of such grants, gifts and donations to a specific school

1 district, school department, or school committee programming or a facility related need as  
2 specified according to the terms of the gift, grant or donation as conditioned by the grantor, giflor  
3 or donor.

4 16-88-4. Grants, gifts and donations. - Acceptance and expenditure. - Any school  
5 district, school department or school committee may accept any and all gifts, grants and donations  
6 of money, equipment, supplies, materials, services and any other contribution of value,  
7 conditional or otherwise, from any local, state, or federal government or governmental  
8 subdivision thereof, including quasi-public agencies of any kind, or from any person, firm,  
9 association, foundation, corporation or business entity for use in any program or facility thereof;  
10 provided, however, that the gift, grant or donation is utilized and disposed of pursuant to the  
11 express terms or conditions stipulated by such gift, grant or donation.

12 16-88-5. Grant, gifts and donation. - fiduciary responsibility of municipalities. -  
13 Accounting. - (a) Any amount of money received by any municipality for expenditure pursuant  
14 to this chapter shall be deposited by the chief finance officer of the municipality into the  
15 municipal treasury in a separate, restricted receipt account identifiable to the particular grant, gift  
16 or donation and shall be expended solely by and upon the demand of the school district, school  
17 department or school committee in accord with the express terms and conditions of said grant,  
18 gift or donation.

19 (b) Any account established hereunder shall be interest bearing and any interest on funds  
20 so deposited shall remain with and become part of the grant, gift or donation and shall be  
21 expended as part of said grant, gift or donation.

22 (c) Any other grant, gift or donation of any kind, other than money, including, but not  
23 limited to equipment, supplies, materials, services and any other contribution of value may be  
24 received directly by school districts, school departments, or school committees so long as said  
25 grant, gift or donation shall be accounted for from time of receipt to time of disposition, and so  
26 long as direct receipt of such is not otherwise prohibited by law.

27 16-88-6. Effect on annual municipal appropriation. - Nothing in this chapter shall be  
28 construed to mean that the present annual municipal appropriation to any school district, school  
29 department or school committee shall be or may be decreased or diminished by the amount of any  
30 grant, gift or donation made pursuant to this chapter.

31 SECTION 2. This act shall take effect upon passage.

=====  
LC02639  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
AN ACT  
RELATING TO EDUCATION

\*\*\*

1           This act would allow school districts, school departments and school committees to  
2 accept grants, gifts and donations from individuals, entities and governmental subdivisions for  
3 such purposes as specified by the donor and to keep such funds in a restricted receipt account  
4 interest bearing account until expended.

5           This act would take effect upon passage.

LC02639