

Lisa Cataldi

From: House Education Committee
Subject: FW: Opposition to HB 5252, Warwick School Budget Commission

From: Jeremy Rix <rixforwarwick@gmail.com>
Sent: Thursday, February 6, 2025 2:01 PM
To: Rep. McNamara, Joseph M. <Rep-McNamara@rilegislature.gov>
Cc: Facente William R <william.r.facente@warwickri.gov>; Anthony Sinapi <AnthonySinapi@gmail.com>; Cournoyer Joanne M <joanne.m.cournoyer@warwickri.gov>
Subject: Opposition to HB 5252, Warwick School Budget Commission

Honorable Chair and Members of the RI House Education Committee,

I am writing to you in my individual capacity in opposition of HB 5252, which would create and enable a Warwick School Budget Commission that transfers core powers of the elected Warwick School Committee and their Superintendent to a Commission with a majority of members nominated by the Mayor of Warwick subject to advice and consent of the Warwick City Council.

This legislation was introduced following an 8-1 vote of the Warwick City Council, in which I cast the dissenting vote. Please allow this email to serve as an outline of the reasons for my opposition at that time, focusing on the reasons that may be particularly relevant to the House Education Committee and RI General Assembly:

Removing core powers from the elected School Committee, contrary to Article IX of the Warwick City Charter, is (1) an extreme measure contrary to balanced government that (2) sets a dangerous precedent where (3) better alternatives should be explored first, and, (4) the existing legal framework would be more appropriate to address these fiscal issues if necessary.

1) Extreme Measure Contrary to Balanced Government: The voters elected the Members of the School Committee and those Members are accountable to the voters. To remove budget powers from the elected School Committee and transfer those powers to a Commission with a controlling majority of Mayoral appointees is contrary to the City Charter and further upsets the separation of powers and checks and balances in Warwick government.

If powers under the City Charter are effectively to be changed without voter approval in the usual manner, it should be done with great caution and only under the most extreme circumstances. The issues of the projected deficit are serious, but, the circumstances here do not justify removing core powers from the elected School Committee that are set forth in the City Charter.

2) Dangerous Precedent: If the Budget Commission is approved by the General Assembly, other cities/towns in RI may look to this as a precedent to have core powers transferred from one body in government to another without State intervention. We all understand principles of separation of powers and checks and balances, and, why concentrating power in one person or body may be dangerous.

If a situation is so dire that intervention involving removing powers from local elected officials is necessary, then, that intervention should be coming from the State. Not from other local elected officials who would effectively gain powers at the expense of their colleagues in local government. Allowing for one set of local elected officials to take powers themselves creates a political incentive to intervene (or threaten to intervene) that doesn't necessarily exist if the State were taking such powers.

3) Better Alternatives Should Be Explored First: The School Committee has expressed its willingness to work with the City to address the projected budget deficit, and, have taken significant steps to collaborate with the City, hire outside advisors, and take significant steps to cut the projected deficit.

It's my understanding that the School Committee and Superintendent are, and have been, open to additional oversight, beyond the additional oversight measures already taken. This may include having the City and/or City Council hire an outside expert to provide advice to the School Administration and School Committee, who would receive information and documentation as it is received by the School Administration and/or School Committee, make recommendations, and report to the City and/or City Council as to progress and whether the Schools are following all advice.

Given that the Budget Commission would not have powers greater than the Superintendent and School Committee, and as the School Committee and School Administration have expressed their willingness to cooperate with oversight from the City and City Council, a Budget Commission is simply not necessary if the School Committee is willing to implement any changes that a Budget Commission would wish to implement. We have no reason to believe that the current School Committee and School Administration would unreasonably refuse to take steps necessary to appropriately address the projected budget deficit while carefully weighing the risks of negative impacts upon students' education.

To the contrary, one would imagine that a Budget Commission would be a less effective solution than an alternative of the current School Committee following outside expert advice. Unless comprised of multiple financial experts hired at significant expense, a Budget Commission would likewise need to seek advice of financial experts, which would reduce the Commission to being an additional layer of bureaucracy that may be influenced by political concerns due to their nature as political appointees. This would not seem to be an improvement over having a group of elected officials living in the community who were elected by the voters, who are directly accountable to the voters, performing the same work and listening to the same or similarly qualified experts.

Locally-elected colleagues in government need to work together. The proposed Budget Commission would restructure power where the more appropriate solution is to have greater oversight and collaboration.

4) Existing Legal Framework is More Appropriate: Whether addressing the projected deficit through the steps that are currently being taken by the School Committee with guidance from the Auditor General and collaboration with the City, or whether it becomes necessary for State intervention, the existing legal framework is more appropriate than the proposed Budget Commission with political appointees. Members of the General Assembly and their legal counsel are better suited than me to discuss their statutes and current generally applicable laws. I suggest that Warwick should remain subject to the same legal framework as other RI cities and towns.

In the long-term, there may be ways to improve the balance of power and checks and balances in Warwick's local government. I am open to different ideas and suggest that the City Charter may be changed - through a deliberate process with voter approval - with goals of improving the abilities of every branch of Warwick's local government to perform their respective duties while ensuring that there are appropriate checks and balances across local government. The bill in front of you is by its nature intended to be a temporary measure, not a long-term solution. For the reasons stated above, I believe that this temporary measure would do more harm than good.

For these reasons, I respectfully suggest that HB 5252 be rejected, or alternatively, held for further hearings while Warwick's various locally-elected officials may attempt to resolve the projected budget deficit without State intervention. Thank you for your consideration of my comments.

Best Regards,
Jeremy