



Angélica Infante-Green
Commissioner

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

April 22, 2024

The Honorable Marvin L. Abney
Chair, Rhode Island House Committee on Finance
Rhode Island State House, Room 306
Providence, RI 02903

Re: House Bill 7402

Dear Chair Abney,

The Rhode Island Department of Elementary and Secondary Education (“RIDE”) writes today to **oppose House Bill 7402**, which would amend R.I. Gen. Laws § 16-5-30 by eliminating the Commissioner of Education’s authority to withhold non-education state aid from a municipality for its violation of law or regulations during the time the municipality has a school or school district under state intervention pursuant to the Crowley Act, and if enacted, the Bill would be retroactive to January 2021.

RIDE opposes the Bill since enactment would enable a municipality with a school or school district under state intervention pursuant to the Crowley Act to simply disregard all legal maintenance of effort funding mandates without immediate consequence, leaving an under-funded school district and RIDE without a viable remedy.

Presumably, any school or district under state intervention has experienced, or is experiencing, systemic difficulties, some of which are likely the result of fiscal mismanagement and/or a failure to comply with applicable law or regulations. The Crowley Act has established the Council on Elementary and Education and RIDE’s Commissioner, the Council’s chief executive officer, *see* R.I. Gen. Laws § 16-60-6, as the agents assigned to remedy such systemic difficulties. Depriving the Commissioner of one of the few explicitly-described tools provided under the Act to accomplish this task would only hinder, rather than advance, the purpose of the Act.

Finally, it should be noted that if enacted retroactively, House Bill 7402 would require that the Providence Public School Department return \$11,074,378 to the City of Providence for funds previously withheld by the Commissioner pursuant to § 16-5-30. This would result in irreparable harm to the students, employees, facilities, and community served by the School Department, as well as to the quality of life in the City.



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Respectfully submitted,

Mark Dunham,
Chief Financial Officer
Rhode Island Department of Education

cc: **Members of Rhode Island House Committee on Finance**
Sharon Reynolds Ferland, House Fiscal Advisor
Christopher O'Brien, Committee Clerk
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House