



State of Rhode Island and Providence Plantations
GENERAL ASSEMBLY

July 21, 2011

George Caruolo
Chairman
Board of Regents for Elementary and Secondary Education
Shepard Building
255 Westminister Street
Providence, RI 02903-3400

Dear Chairman Caruolo:

We recently received information regarding the proposed school construction items up for Board of Regents approval on Thursday, July 21, 2011. Upon review of the materials provided, we respectfully request that the Board delay acting on these proposals at this time so that additional information can be gathered.

As stated in Section 16-7-41.1 of the General Laws in Chapter 16-7 entitled "Foundation Level School Support":

"Notwithstanding the provisions of this section, the board of regents shall not grant final approval for any project between June 30, 2011 and June 30, 2014 except for projects that are necessitated by immediate health and safety reasons. In the event that a project is requested during the moratorium because of immediate health and safety reasons, those proposals shall be reported to the chairs of the house and senate finance committees."

Based on the limited information provided, it appears that some of the proposed expenditures may go beyond the spirit of the exception language cited above (immediate health and safety reasons), which was added at the request of RIDE when a moratorium was first discussed. There may be no question that the projects proposed offer enhanced health and safety to all; however the immediacy of the problems and their proposed solutions appears less convincing.

We are interested in learning what standards the Department has established to clearly define "immediate health and safety", and to ensure that uniform standards and procedures are followed when evaluating future proposals. We believe the first set of approvals will be used as precedent for future requests.

We would also like to note that while these proposals are under review, there is nothing preventing these communities from proceeding with the projects on their own. This would be with the understanding that they may be responsible for 100 percent of the costs should the State decline to approve the project under the parameters noted above.

Our goal is to have our due diligence completed before the Board's September meeting. We appreciate your understanding and assistance in this matter.



Helio Melo
Chairman, House Committee on Finance



Daniel DaPonte
Chairman, Senate Committee on Finance

cc: The Honorable Gordon D. Fox, Speaker of the House
The Honorable M. Teresa Paiva Weed, President of the Senate
Deborah A. Gist, Commissioner, Department of Elementary and Secondary Education