

“What happens at the State House can drastically affect what happens in our workplaces. That’s why we’re here every day fighting for educators, students, nurses and public employees.”

– RIFTHP President Frank Flynn



SMITH HILL REPORT

A publication of the Rhode Island Federation of Teachers and Health Professionals

2022 Edition





SMITH HILL REPORT

A Year of Accomplishments

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PRESIDENT'S MESSAGE

It is my pleasure to send you the 2022 special edition of the Rhode Island Federation of Teachers and Health Professionals Smith Hill Report. For the past twenty-five years, our lobbyist, Jim Parisi, has been producing a weekly update of the actions of the R. I. General Assembly from January to July during the legislative session. The "Smith Hill Report" is now in a digital format. You can arrange to have the weekly Smith Hill Report emailed to you by registering on our website at www.rifthp.org.

Over the past two and a half years our members, from every sector, faced unprecedented challenges. Each of you whether in the field of education, healthcare, or public service worked through the pandemic with incredible determination, commitment, and passion. You truly were heroes. On behalf of the officers and staff of the RIFTHP I want to convey my heartfelt admiration and appreciation for all you did during the pandemic and continue to do every day. I could not be prouder of the effort, dedication, and compassion of our members. You are the reason our union is strong.

The 2022 session of the R. I. General Assembly presented us with many unique challenges. As we transitioned out of full Covid mode, interactions with elected officials were far more challenging than previous years. In spite of the many obstacles, we were able to end the session with several significant achievements.

This expanded edition of the Smith Hill Report highlights many of the important initiatives we worked on this session and recognizes some of the elected officials who supported our efforts. We hope you will find this both informative and useful during this election year.

Thank you for your support. We look forward to even greater success in the upcoming year. If you have any questions, comments, or concerns please feel free to email me at fflynn@rifthp.org. 



A handwritten signature in black ink that reads "Frank Flynn". The signature is fluid and cursive.

Frank Flynn
President, RIFTHP

Right to Read Act Amended

One legislative priority for the RIFTHP this session was a bill to extend the timeline and modify aspects of the “Right to Read Act” which was originally passed in 2019. The bills H7164 by Representative **Bill O’Brien** and S2169 by Senator **Val Lawson** were submitted on our behalf to make necessary amendments to the act in support of our members and their districts.

The 2019 law, and the subsequent guidance issued by the R. I. Department of Education a year after its passage, created a number of logistical and financial challenges to the successful implementation of the act. RIDE failed to include teachers union input prior to issuing guidance. Among the major concerns which were raised by our leaders was the aggressive, unrealistic timeline to complete the implementation of the required elements. The amended law will allow each school district an additional two years to provide the required professional development.

In addition to the extension, there were several other amendments which we sought. The RIDE guidance created a proficiency standard which would impact over one third of the classroom teachers in our state. This standard was adopted without input from any of our educational leaders and mandated the completion of a course of study which required between sixty and one hundred hours to complete. This unfunded mandate put an enormous strain on our districts and our members.

Passage of the bills provides relief through expanding the means which educators can demonstrate proficiency by:

- recognizing Masters Degrees in Reading, Literacy, or related areas,
- holding a valid RIDE certification as a reading specialist or consultant,
- possessing documented completion of a course or training program in scientific reading of at least thirty hours, or
- passing a test in scientific reading and structured literacy (provided at no cost to the educator.)

Lead Bill Sponsors



*Senator
Val Lawson*




*Representative
Bill O'Brien*

Right to Read Act Amended (cont.)

The bill also provides that educators shall not be required to attend the mandatory training outside the normal workday or work year unless by mutual agreement. In addition, it allows districts to replace up to three instructional days per year over the next three years with teacher professional development days in order to meet this requirement.

We believe this amended bill will allow districts greater flexibility to implement the necessary professional development by expanding the timeline, reducing the burden, and providing professionals with more options. It provides relief for some of the financial burden of implementation by allowing training to be done during the school day and reduces the required number trainees to those that would most benefit from the training.

We appreciate the support of **House Speaker Shekarchi** and **Senate President Ruggiero** as well as Rep. O'Brien and Senator Lawson for their support and advocacy for this important legislation. 



*House Speaker
Joseph Shekarchi*



*President of the
Rhode Island Senate
Dominick Ruggiero*

Oversight of Providence Schools Advances

The Rhode Island Federation of Teachers and Health Professionals and the Providence Teachers Union supported Senate Bill S2838 Sub B sponsored by **Senator Zurier** and its companion bill H 8094 A sponsored by **Rep. Kislak** which adds details to the progressive support and intervention statute (known as the Crowley Act, named after former Representative Paul Crowley).

Since 1997, Rhode Island statute has existed to permit “intervention and support for failing schools.” The law contains few details on how district or school takeovers are to be conducted, or how such takeovers end. The law remained unused for decades, and its lack of details only became important when the Providence School District was taken over by the state in 2019. In the past year, the Senate Government Oversight Committee has conducted several public hearings that revealed that the State Board of Education delegated its responsibility to the Commissioner. Thus, there is no public oversight of major decisions being made in Providence Public Schools. This was clearly demonstrated by hours of testimony from representatives of RIDE, the Providence School Department, the K-12 Council of the Board of Education as well as testimony from parents, teachers, and members of the public.

Unlike the original version of the bill, the revised bill is specifically limited to the Providence takeover. The bill vests additional oversight authority with the Providence School Board beginning in March of 2023. It also directs the Commissioner of Education to create a comprehensive set of measurable goals and a system to gather, organize, evaluate, and report the data to the Providence School Board and the K-12 Council on at least a quarterly basis. Among the factors to be reported are attendance, suspension rates, student safety, academic performance, family engagement, staffing and recruitment, and retention.

Despite the revisions, the RIFTHP and PTU considered some oversight better than no oversight and urged passage of the bill. S2838 B and H8094 A passed in concurrence and became effective without the Governor’s signature.

Lead Bill Sponsors



Representative Rebecca Kislak



Senator Sam Zurier

Proposed Education Recovery Plan Legislation Fails

As a response to the Covid 19 crisis, a group of Rhode Island education organizations formed a coalition with the intention of addressing funding inequities exacerbated by the pandemic. The group included the R. I. Federation of Teachers and Health Professionals, National Education Association Rhode Island, the Rhode Island School Superintendents Association, the Hassenfeld Institute for Public Leadership, and the Rhode Island Association of School Committees. The group discussed the challenges facing districts as a result of the pandemic as well as many of the struggles districts are facing due to insufficient resources. After much discussion, this unique alliance developed a set of legislative proposals known as the “Education Recovery Plan.” The object of the plan was to secure the state funding necessary for all of Rhode Island’s students to have access to a free appropriate public education. Our proposals were not targeting the federal ARPA funds but instead we proposed using a portion of the projected surplus.

The Plan consisted of the following components:

- Increase the Student Success Factor in the state education funding formula which allocates additional resources to at risk students from 40% to 45%.
- Fully fund High-Cost Special Education to provide an additional \$4.6 million to ease school districts’ financial burdens in providing educational services to students with severe developmental disabilities.
- Fully fund English Language Learner programs by increasing the categorical funding necessary to adequately address the needs of these students by an additional \$6.4 million.
- Shift the Cost of Teacher Pensions back to the State by 2% per year for ten years until the state’s share is 60%. This would reduce the districts burden on local taxes.
- Redesign Vision Services to provide a dedicated consistent funding stream of approximately \$3 million to the Sherlock Center which provides educational services to our blind and visually impaired students.
- Amend Article 1 of the Rhode Island Constitution to guarantee that all students have a fundamental right to an “equal, adequate, meaningful education.”

The one funding issue the Assembly did address this session was to prevent school districts from losing state funding due to student enrollment decline. For the second year in a row, school districts will be held harmless if they experienced a drop in student enrollment. Unfortunately, our requests on the other important initiatives did not gain any traction. These issues are critically important to our members and the students they serve. There is a strong commitment from all parties involved to continue this campaign into the next legislative session.

Human Service Funding Hikes

The RIFTHP represents workers at non-profit organizations that provide services to adults with disabilities, pre-school youth, and drug prevention programs in public schools. Since public funding supports the work, the RIFTHP lobbies for additional appropriations to various human services programs.

The General Assembly continued recent trends in providing millions of dollars to support pay raises for Direct Support Professionals, those who work with individuals with intellectual and developmental disabilities. Because of the funding hike, RIFTHP members at the J Arthur Trudeau Memorial Center were able to garner pay raises between \$2.25 - \$3.00 / hour. The Assembly had provided \$34.2 million additional funding this session to support the increase.

The RIFTHP also advocated for increased funding for Early Intervention services that are provided to special needs pre-school youth. The General Assembly enacted a 45% rate hike to the nine providers of Early Intervention (EI) services. This hike permitted the Trudeau center and other agencies to increase pay for staff in those programs. There was also a \$5.5 million allocation of federal Rescue Plan funds to support retention bonuses and assist the agencies.

The Community Provider Network of Rhode Island is the organization that represents many of the state's human services agencies. Led by Executive Director Tina Spears, the organization promoted legislation to have the Assembly do routine rate reviews of all human service programs. State funding of these service has been stagnant for decades, and the belief that better data would yield better decisions drove the legislation forward. Senator **Lou DiPalma** and Representative **Julie Casimiro** championed the efforts. The RIFTHP supported those efforts, and the Assembly provided funding and required that the Office of the Health Insurance Commissioner conduct a comprehensive rate review.

The RIFTHP also advocated for increased state funding for the student assistance program, which provides drug and alcohol prevention services in our public schools. The Assembly failed to increase funding this session, though some additional resources have been provided to fund staff retention bonuses and program expansion.



State Senator Lou DiPalma



*State Representative
Julie Casimiro*

Pension Improvement Effort Stalls

The RIFTHP has worked on improving public sector pension benefits for the past few years. In the 2022 session, the RIFTHP proposed that the current Rule of 95 be changed to a Rule of 90. Under the current law for teachers, state employees and municipal workers, if you are at least age 62 and your age plus years of service equals 95, then you can retire. We proposed a change in law so that if you were at least age 60 and your age plus years of service equals 90, then you are eligible to retire. **Representative Deborah Fellela** and **Senator Frank Ciccone** introduced the pension improvement legislation on our behalf.

Rhode Island law requires that in order for any public sector pension change legislation to pass, there must first be a pension impact statement by actuaries to calculate how much the proposed pension change would cost (or save). In June, the RIFTHP was able to secure a pension impact statement revealing how affordable our pension improvement proposal is. The actuaries reported that annual employer costs for state workers would increase \$2.6 million per year should the Rule of 90 be enacted. The annual cost to employers for teachers (shared by the state and local school districts) would be \$8.6 million per year. The cost for participating municipal worker units would depend on the municipality, and overall would increase costs about \$544,000 annually. The RIFTHP intends to use this information to advocate for pension improvement next year.

The RIFTHP also supported legislation, introduced by **Rep. Joseph McNamara**, that would increase the accrual of benefits for teachers, state workers and municipal employees from 1% per year of service to 2% per year of service. While the bill did



Senator Frank Ciccone and Representative Deborah Fellela

not get support from the House Finance Committee, it spurred good conversation about the need to improve pension benefits for public sector workers.

RIAFT/R had a proposal to change the law so that retirees would get 25% of a COLA every year instead of a COLA once every four years. Other legislators put in proposals for regular and one-time cost of living increases to retiree benefits. Despite serious conversation about the issue centered on the rapid rise of inflation, the General Assembly took no action to improve retirement benefits this session.

The General Assembly did enact two beneficial provisions this year. The Assembly increased the amount of income a retiree can exempt from state income taxes from \$15,000/year to \$20,000/year. This change will benefit retirees (and cost the state) approximately \$3.2 million annually.

During the fiscal crisis of 1991 and 1992, the state deferred its contributions to the pension system. The state has been repaying the system every year since that time. This session, the Assembly funded the retirement system an additional \$61.8 million to pay off the debt incurred three decades ago. The payoff will reduce future annual state funding of pensions by about \$6 million annually.



Representative Joe McNamara

Rhode Island School Construction Initiative

The General Assembly continued the campaign to rebuild, renovate, or replace our aging public-school buildings. This initiative which began in 2016 with the creation of the Fix Our Schools Now coalition, of which the RIFTHP was a founding member. In September 2017, the Jacobs Report was published, which identified 202 Rhode Island schools in 32 communities in need of significant repair or replacement. The Jacobs Report had widespread support from community members, elected officials, and voters. Initial estimates to complete the recommended project were over two billion dollars. Voters approved a \$250 million school construction bond in 2018.

In January of 2022, **General Treasurer Seth Magaziner** proposed a legislative package which was introduced by **Sen. Hanna Gallo** (S2596) and **Rep. Brandon Potter** (H7125) which would expand the much needed investment in our school infrastructure by authorizing a referendum to bond an additional \$300 million on the ballot in November. The legislation also included additional financial incentives for districts as well as incentives to make energy efficiency and renewable energy improvements consistent with the state net zero emission goals. The RIFTHP advocated for the bills.

The final FY 2023 adopted state budget reduced the bond request to \$250 million but the Governor allocated an additional \$50 million dollars from the surplus to school construction. We urge everyone to support the \$250 million school construction bond on November 8th.



*General Treasurer
Seth Magaziner*



*Senator
Hanna Gallo*



*Representative
Brandon Potter*

Higher Education Legislation

A top legislative priority of the RIFTHP and the faculty union at Rhode Island College was to extend the RI Promise Scholarship program to Rhode Island College. H 7636 by **Representative Gregg Amore** and S 2290 by **Senator Ryan Pearson** would establish the Hope Scholarship program , a two year scholarship available to eligible Rhode Island College Juniors and Seniors. There was compelling testimony at the hearing but no action on the legislation this year.



Representative Gregg Amore



Senator Ryan Pearson

Adjunct faculty members at Rhode Island College resurrected the legislative effort of several years ago to get medical benefits to all adjunct faculty who work at least half the courseload of full-time faculty. S 2199 by **Senator Joshua Miller** passed the Senate unanimously. H 7630 by **Representative Raymond Hull** was heard in the House Finance Committee but was not approved. The RIFTHP and the Adjunct Faculty union will continue working on this initiative next session.



Senator Joshua Miller



Representative Raymond Hull



K-12 Legislation

Another RIFTHP initiative, that we are disappointed did not pass, was our effort to resolve an inequity in our school employee assault law. If a teacher or administrator is assaulted on the job and they are absent from work, they do not have to use their own sick leave. The same is not true for Paraprofessionals and other school workers who serve students. H 7303 by **Representative Robert Craven** and S 2525 by **Senator Frank Lombardi** would have remedied the discrepancy by ensuring that teacher assistants and other paraprofessionals working directly with students would not have to use their own leave if absent from work due to an assault on the job.



Representative Robert Craven



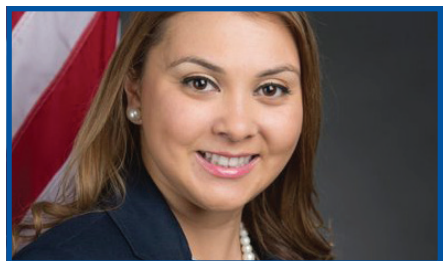
Senator Frank Lombardi

There will be a Joint House-Senate Study Commission on Pre-K-16 school governance due to legislation approved this year. Currently, education is governed by a Board of Education, which has separate councils (Elementary and Secondary Education as well as Postsecondary Education). S 2442 by **Senator Lou DiPalma** and H 7784 by **Representative Joe McNamara** created the joint commission, that will consider revisions to the law that created the Board of Education. The RIFTHP supported the measure and look forward to consideration of such ideas as an elected board, a separate board for Rhode Island College, and qualifications for Board membership.

Representative Marcia Ranglin Vassell, a Providence Teachers Union member, filed a bill to create state policy on Trauma-Informed Schools. H 6667 and its companion bill S 2556 by **Senator Sandra Cano** passed the Assembly and were enacted into law. The law not only establishes trauma-informed policy, but it creates a 12-member Trauma-informed Schools Commission that will include an RIFTHP designee.



Rep. Marcia Ranglin Vassell



Senator Sandra Cano

Additional Legislative Updates

The Rhode Island General Assembly passed several other bills that impact RIFTHP members.

Among the bills enacted this year are:

- **State Worker Cultural Competence**

- » S 2236 (Cano) and H 7737 (Giraldo): Beginning July 1, 2022, all state workers will be required to receive annual cultural competence training

- **Sexual Assault – Position of Authority**

- » S 2219 (de la Cruz) and H 8230 (Casimiro): A person in a “position of authority” is guilty of third-degree sexual assault if she/he has sexual contact with a person between 14-18 years of age.

- **Student Training of Worker Rights**

- » S 2418 (Gallo) and H 6652 (Noret): A child seeking a work permit must attend a required three-hour course on worker rights, workplace health and safety and workers compensation to be developed by the Department of Labor and Training.

- **BHDDH – Employee Criminal Records Check**

- » S 2221 (Miller) and H 7826 (Edwards): In addition to pre-employment criminal background checks, employees of agencies under contract by the Department of Behavioral Health, Developmental Disabilities and Hospitals shall get a criminal background check every five years

