

The

SMITH HILL REPORT



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State Telework Policy Presented

The Senate Labor Committee took testimony on legislation by Senator Tiara Mack that would create a state telework policy. The bill, [S2415](#), was heard on Wednesday March 30. It includes a phrase that the State of Rhode Island would allow employees “to perform all or a portion of their duties through teleworking, to the maximum extend possible, without diminishing employee performance.”

Rachel Peterson, the President of AFT Local 2012 (representing professional staff at the RI Department of Education) testified in support of the bill. She recited many benefits of encouraging the State to provide telework opportunities to its employees. Peterson noted that a more flexible workplace would help recruit and retain talented staff. She also spoke of the cost-savings involved in reducing commuting costs and office space requirements. Finally, Peterson cited the need to have telework opportunities for staff for whom it is possible to telework in cases of inclement weather. The Committee had a robust discussion of the legislation and held the bill for further study.

Onerous Education Materials Bill Heard

Representative Patricia Morgan, who once taught schools in the City of Cranston, introduced legislation that would require **all** materials, web sites, and books used by public school teachers to be posted on the on the district’s website. The materials would have to go through an approval process. The bill states that “All instructional materials for the required instruction shall be reviewed and approved prior to first use, and at least once every two (2) years thereafter, by the local education authority in consultation with parents, educators, and others regarding the accuracy and suitability of the materials.”

The bill, [H7335](#), was heard in the House of Representatives on Wednesday March 30. RIFTHP President Frank Flynn wrote [a letter](#) objecting to the requirements that would create real hardship on all classroom teachers. He characterized her bill as one that “*undermines the professionalism of all public-school teachers. This “so called” transparency bill is merely a veiled attempt to demean and undermine traditional public education.*”

Education Aid Proposal

The House Finance Committee took testimony on the FY 2023 budget, proposed for the Rhode Island Department of Education, in a hearing on Thursday, March 31. Included in the Governor's budget proposal is education aid for school districts.

Rhode Island's Education Funding Formula is driven by student enrollment and a cost-index adjustment based on regional school spending. Because of the pandemic, student enrollment has declined in many districts throughout

the state, triggering a potential state education aid decline. In response, the Governor has proposed that education aid in districts where student enrollment has declined remain funded at 2022 levels. About \$50 million is needed to cover the cost of not reducing state aid to districts that have experienced student enrollment decline. The challenge with holding school districts harmless this year is that districts will face a large "fiscal cliff" when the extra aid ceases next year. The RIFTHP has advocated for a permanent change to the education funding formula that would increase state aid for districts based on the number of students living in poverty. Adoption of such a proposal would minimize the "fiscal cliff" reduction next year.

A summary of education aid to school districts can be viewed [here](#)

Additional RIFTHP Testimony Highlights

The RIFTHP signed up to support legislation by Representative McNamara, [H7784](#), that would create a Joint House - Senate Task Force to study state governance of education. The focus would include elementary and secondary education along with the governance of public higher education. The bill mirrors legislation introduced in the Senate by Lou DiPalma.

The RIFTHP signed up to support a series of bills that would enhance early childhood education. Several different bills were heard in the Senate Education Committee in support of a legislative package supported by the Senate leadership. While the Senate Committee held many bills for further study, they did pass [S2235](#) by Senator Cano. Her bill would require the Children's Cabinet to develop target wage scales for early childhood educators. That bill now goes to the Senate for a vote.

The RIFTHP submitted a letter to oppose [H7806](#) by Representative Cardillo. His bill would reverse the ban enacted last year on possessing a firearm on school grounds by individuals who possess a conceal carry permit (except for police officers). In [his letter](#), RIFTHP President Frank Flynn wrote "*We have consistently held that it is neither acceptable nor advisable for a visitor to conceal a firearm while in a school building or on school grounds. We do not allow concealed carry weapons in the Rhode Island Statehouse or a Rhode Island courthouse, and we certainly should not allow them in a Rhode Island schoolhouse.*"

The RIFTHP submitted [written testimony](#) on legislation by Representative O'Brien that would arm the campus police at Rhode Island College and CCRI. The bill, [H7459](#), was heard in the House Judiciary Committee on Wednesday March 30. RIFTHP lobbyist James Parisi submitted a letter that informed the committee that all three AFT unions at Rhode Island College oppose efforts to arm the campus security force.

Post-Retirement Employment Bills Enacted

Two bills that would permit retired teachers to work an unlimited number of school days this school year without a loss of pension benefits was signed by the Governor on 3/28/2022. The bills, [H7825](#) and [S2560](#), easily passed both chambers. They were introduced to address the shortage of substitute teachers. The bills were necessary as the emergency Executive Order on this issue is expiring.

BILL INTRODUCTIONS

Prohibition of Vaccination Requirements to Access Public Buildings

([H 7321](#), Place, House State Government & Elections)

This bill would prohibit state, municipal agencies and any political subdivisions thereof and private businesses from requiring proof of a COVID-19 vaccine before permitting any individual from entering the building or business unless that business precluded access due to other vaccines in common practice prior to the COVID-19 pandemic and such vaccines have received approval for use from the FDA. Licensing authorities would be permitted to deny and/or revoke business operating licenses of violators.

Seizure Safe Schools Act

([H 7334](#), Cortvriend, House Education)

([S 2040](#), DiPalma, Senate Education)

These bills would require the Department of Elementary and Secondary Education and the Department of Health to adopt policies, rules and regulations for the administration of seizure rescue medications for children who have been medically identified as having epilepsy/seizure disorder.

Transparency in Education Curriculum Materials

([H 7335](#), Morgan, House Education)

This bill would create the 2022 Transparency in Education Curriculum Materials Act, requiring the governing body of a public school to ensure that all instructional or training materials used for faculty and staff training, as well as all learning or curricular materials used for student instruction, be displayed on the school's website in an easily accessible location.

Early Childhood Innovation Act

([H 7340](#), McNamara, House Finance)

This bill would establish the Rhode Island Early Childhood Innovation Act. The act would authorize the Department of Human Services to establish an early childhood innovation fund for the purpose of supporting programs designed to narrow the education achievement gap for at-risk children as they enter kindergarten. The act would provide that the general assembly would allocate \$1,000,000 annually to this fund.

Providence Elected School Committee

([H 7377](#), Perez, House Education)

This bill would authorize the city of Providence to have an elected school committee, as opposed to an appointed school committee, effective July 1, 2026.

Workers Compensation -- Teachers' Retirement Offset

(H 7386, Shanley, House Finance)

This bill would prevent the state from reducing retirement benefits due to teachers, by the amount they received for workers' compensation, specific compensation and Medicare set aside allocations, thereby treating them the same way state and municipal employees are treated.

Human Services -- Minimum Wage

(H 7390, Shanley, House Finance)

(S 2407, DiPalma, Senate Labor)

These bills would require state contracted human services providers to pay their employees a starting hourly wage, of no less than twenty-one dollars (\$21.00) per hour, and to include wage incremental raises for existing employees.

Home Care Licensure Moratorium

(H 7397, Serpa, House Health & Human Services)

This bill would create a moratorium until at least July 1, 2027 on the issuance of new licenses for home care providers, home nursing care providers and hospice providers. Limited exceptions to the moratorium are provided. During the five (5) year moratorium period the Department of Health is to conduct a statewide utilization and capacity study and report.

Homecare Nursing Assistant Licensure

(H 7398, Serpa, House Health & Human Services)

This bill would establish the category of home care nursing assistants, who would be paraprofessionals licensed by the Department of Health to work exclusively in home care; require training specific to home-based care for vulnerable homebound patients; and allow greater opportunities for home care agencies to compete in the labor market in order to reduce long wait lists for activities of daily living services and supports at home.

Voter Initiative

(H 7425, Perez, House State Government & Elections)

This bill would put a voter initiative process on the ballot as a change to the state constitution. Voter initiative allows law changes to be considered by voters without going through the legislative process.

Curriculum - Different Cultures

(H 7435, Morgan, House Education)

This bill would require schools to include in their curriculum the histories of all the people of various nationalities, who have come to America to make the United States their new home.



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