

*The*

# SMITH HILL REPORT



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## **School Construction Bond**

On Wednesday, April 4, 2018, RIFTHP President Frank Flynn testified before the Senate Finance Committee in support of the \$250 million bond for school construction and renovation. He provided testimony on Article 5 as well as testimony on Article 9, which contain many proposed changes in the school construction law. He joined other RIFTHP members from several communities, including Cranston, Providence, Pawtucket and West Warwick in support of the bond.

Flynn said "Having worked in the Cranston Public Schools for 34 years and having spent the past 8 visiting many others throughout the state, I can attest to the fact that many schools in many districts are in serious disrepair and do not provide an adequate learning environment for our students or work environment for our teachers or staff. The RIFTHP is strongly committed to working toward the passage of this bond. This is a critical need which must be addressed as soon as possible.

The RIFTHP also testified against a portion of Article 9 that would award more state funding for charter school construction. Flynn noted providing state bond funds to owners of buildings held by privately operated charter schools puts taxpayers at risk. There are no regulations that specify who is obligated to pay off a bond if a charter school closes. He asked that the State hire more staff from RIDE to accommodate the growth of the program. Flynn also asked the Committee to include teachers on the State Advisory Board for School Construction.

## **Selection of Arbitrators**

On Thursday, March 29, in the House Labor Committee, RIFTHP President Frank Flynn raised objections to [H7796](#), a bill that aimed to require public sector unions to hire retired judges and lawyers as arbitrators instead of using the process of selecting neutrals through the American Arbitration Association (AAA). The bill only impacted arbitrators hired to hear contract negotiation disputes even though town officials used grievance arbitration examples to justify their bill.

Flynn testified that the bill gives sole authority to the director of the RI Department of Labor and Training to make the selection. However, the bill does not provide any guidelines or criteria. The current selection process administered by the AAA at least allows both sides to narrow down a selection list to theoretically determine a more impartial arbitration.

Frank Flynn testified that the bill politicizes arbitrator selection by removing the American Arbitration Association process and replacing it with a RI Department of Labor and Training appointee. The Director of the Department of Labor and Training is a political appointee, not a neutral arbitration provider.

The Firefighters and Police Officers unions also testified against the bill. The bill was supported by the League of Cities and Towns and several municipal leaders.

### **DSP Minimum Wage Increase**

On Thursday, March 29, the RIFTHP also offered testimony in support of a bill to raise the minimum wage for those working in group homes and other programs for the intellectually and developmentally disabled. The bill, [H7680](#) by Representative Evan Shanley, would raise the minimum wage to \$15.00 / hour over a three-year period.

RIFTHP President Frank Flynn testified in support of the measure. He spoke from personal experience about the importance direct support staff have on the people they serve. Continuity of care is important, and it is threatened by high turnover for DSPs because of the low pay. He cited as an example of low pay the situation at the Trudeau Center, where the starting pay rate has increased by only about 10 cents/hour over the last fifteen years.

### **Hours of School Library Operation**

Testifying on identical bills in both the House and Senate, the RIFTHP opposed legislation which would increase the hours of operation at all secondary school libraries by two hours/day. The legislation provided no state funding to cover any costs associated with the increased work hours.

[S2338](#) by Senator Miller and [H7872](#) by Representative Tanzi were heard in the Senate Education Committee and the House HEW Committee respectively. RIFTHP lobbyist James Parisi testified against the bills, arguing the school district, not the Assembly, should determine hours of operation of school libraries. Parisi noted that the RIFTHP objected to this legislation that extended work hours because the bill required all library services to be offered during the extended hours without providing additional funds.

To view a copy of the letter submitted in opposition to the bill, [click here](#).

## **Bill Introductions**

### **Education Commissioner – Senate Advice and Consent**

([S2646](#) Pearson, Passed Senate on 4/5/18, vote 32-0-4)

This bill would provide that the Commissioner of Elementary and Secondary Education would be appointed by the Governor with the advice and consent of the Senate. The Commissioner of Elementary and Secondary Education would serve at the pleasure of the Governor.

### **Start of School – Labor Day**

([S2647](#) Morgan, Senate Education)

This bill would require public schools, including charter schools, to begin the school year after Labor Day commencing in the school year 2019-2020.

### **Mayoral Academy Student Demographics**

([S2649](#) Pearson, Senate Education)

This bill would require the student populations of mayoral academies to reflect the combined demographics of the sending district(s) in terms of the number of students in special education, who are English Language Learners, and who qualify for free and reduced-price school meals.

### **Tax Credit Scholarship Expansion - \$5 Million**

([S2655](#) Morgan, Senate Finance)

The RIFTHP opposes this bill which would increase the total aggregate amount of tax credits approved for a business entity meeting the requisite criteria to an aggregate amount of all tax credits not exceeding five million dollars (\$5,000,000) in fiscal year 2019. This bill would also include a new definition for an "eligible business entity".

### **State Payment of Local Charter School Tuition**

([S2662](#) Pearson, Senate Finance)

The RIFTHP supports this bill which would provide that beginning in FY 2019, the state would pay the local share or contribution of charter public school tuition for the number of students attending the charter public schools in excess of five percent (5%) of the average daily membership of all pupils attending public schools within those school districts.

### **Project Sustainability Study Commission**

([S2669](#) DiPalma, Senate Health and Human Services)

This resolution would create a seventeen (17) member special legislative commission whose purpose it would be to make a comprehensive study and provide recommendations on the impact of "Project Sustainability", and who would report back to the Senate no later than October 31, 2018, and whose life would expire on June 30, 2019.

### **Selection of Arbitrators**

([S2737](#) *Lombardo, Senate Labor*)

The RIFTHP opposes this bill which would replace the American Arbitration Association, as the selector of labor arbitrators, in non-grievance contract matters, with the Director of the Department of Labor and Training. The Director's selection would be limited to retired Rhode Island judges, retired Rhode Island magistrates, or members of the Rhode Island bar association for firefighter, police, teacher, and municipal employee matters.

### **Licensing of School Psychologists**

([H7932](#) *Diaz, House Corporations*)

This bill would include licensed school psychologists under the provisions of the general laws governing the regulations of psychologists.

### **School Science Labs**

([H7974](#) *Ranglin-Vassell, House Health Education and Welfare*)

This bill would require all public secondary schools to provide a working science laboratory for all students studying science, technology, engineering or mathematics.

### **State Employee Pension COLA – Investment Returns**

([H7988](#) *O'Brien, House Finance*)

The RIFTHP supports this bill which would award all members of the pension system a three percent (3%) annual benefit adjustment (COLA) applied to the first fifty thousand dollars (\$50,000) of a member's retirement allowance on and after January 1, 2019, provided the prior year investment return yields a gain of ten percent (10%) or more until the pension system funding ratio exceeds eighty percent (80%).

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