

2025 -- S 0747

LC001470

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO EDUCATION -- TEACHERS' TENURE

Introduced By: Senator Samuel D. Zurier

Date Introduced: March 07, 2025

Referred To: Senate Labor & Gaming

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-13-6 of the General Laws in Chapter 16-13 entitled "Teachers'
2 Tenure" is hereby amended to read as follows:

3 **16-13-6. Suspension because of decrease in school population — Seniority —**
4 **Reinstatement.**

5 (a)(1) For all local education authorities other than the Providence public school district, A
6 a school board may, by reason of a substantial decrease of pupil population within its school system,
7 suspend teachers in numbers necessitated by the decrease in pupil population; provided, however,
8 that suspension of teachers shall be in the inverse order of their employment unless it is necessary
9 to retain certain teachers of technical subjects whose places cannot be filled by teachers of earlier
10 appointment; and, provided further, that teachers who are suspended shall be reinstated in the
11 inverse order of their suspension. No new appointments shall be made while there are available
12 teachers so suspended.

13 (2)(i) The Providence public school district board may, by reason of a substantial decrease
14 of pupil population within its school system, suspend teachers in numbers necessitated by the
15 decrease in pupil population; provided, however, that no teacher with tenure shall be laid off
16 pursuant to a reduction in force or reorganization, if there is a teacher without tenure for whose
17 position the covered employee is currently certified or if there is a less qualified teacher with tenure
18 holding the same or similar position for which the covered employee is currently certified. No
19 teacher with tenure shall be displaced in accordance with the terms of a collective bargaining

1 agreement or otherwise by a more senior teacher with tenure unless the more senior teacher is
2 currently certified and is at least as qualified for the position as the junior teacher holding the
3 position.

4 (ii) The criteria for determining a qualified teacher under this subsection shall be subject
5 to the collective bargaining agreement; provided, however, that any such collectively bargained for
6 qualifications shall include, as the primary factors, indicators of job performance, including overall
7 ratings resulting from comprehensive evaluations and the best interests of the students in the school
8 or district.

9 (iii) A teacher meeting one of the following criteria and who has not received an
10 unsatisfactory performance evaluation in the school year immediately prior to the school year in
11 which a layoff is announced shall be exempted without regard to tenure:

12 (A) A teacher who graduated from an in-district secondary school if the district has higher
13 than the state percentage of high-needs students, as defined by the department;

14 (B) A teacher who works in a school that is among the top twenty percent (20%) of schools
15 with the highest percentage of high-needs students in the district, as defined by the department;

16 (C) A teacher who works in a school that is among the top twenty percent (20%) of schools
17 with the lowest staff retention in the district;

18 (D) A teacher deemed by the department as a teacher of the year;

19 (E) A teacher who received the highest rating on a performance evaluation delivered in
20 either or both of the school years immediately prior to the school year in which a layoff is
21 announced; or

22 (F) A teacher with linguistic proficiency in relation to an in-district language or dialect.
23 For purposes of this subsection, linguistic proficiency means:

24 (I) Holding the state's Bilingual Education Endorsement;

25 (II) Achieving at least an Advanced Low score on the Oral Proficiency Interview or Writing
26 Proficiency Test proficiency tests offered through the American Council for the Teaching of
27 Foreign Languages; or

28 (III) Another method of verification or attestation of proficiency as determined by the
29 district superintendent. For the purpose of this subsection, in relation to an in-district language or
30 dialect shall mean proficiency specifically in a language or dialect other than English that is spoken
31 by the greater of:

32 (aa) Five percent (5%) or more of the students enrolled at the school where a teacher is
33 assigned or, if the teacher is not assigned to a school, of the students enrolled in the district; or

34 (bb) At five percent (5%) or more of the homes of the students enrolled at the school where

1 a teacher is assigned or, if the teacher is not assigned to a school, of the homes of the students
2 enrolled in the district.

3 (iv) Among the remaining teachers without tenure, no teacher shall be laid off pursuant to
4 a reduction in force or reorganization if there is a less qualified teacher without such status holding
5 the same or similar position for which the covered employee is currently certified.

6 (v) The school committee and the collective bargaining representative may negotiate for
7 seniority or length of service only as a tie-breaker in personnel actions under this subsection among
8 teachers whose qualifications are no different using the qualifications collectively bargained for in
9 accordance with this subsection.

10 (b) Notice of suspension under this section and § 16-13-5 shall be given, in writing, by the
11 governing body of schools on or before June 1 notifying the teacher that his or her employment for
12 the ensuing year shall be suspended, provided however, notice by that date need not be provided in
13 the instance of an emergency performance-related cause.

14 SECTION 2. This act shall take effect upon passage.

=====
LC001470
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- TEACHERS' TENURE

1 This act would allow the Providence public school district, by reason of a substantial
2 decrease of pupil population within its school system, to suspend teachers in numbers necessitated
3 by the decrease in pupil population and provide a process for any suspensions.

4 This act would take effect upon passage.

=====
LC001470
=====