

2016 -- H 7781

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LC005198
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO EDUCATION - CERTIFICATION OF TEACHERS

Introduced By: Representative Jan Malik

Date Introduced: March 02, 2016

Referred To: House Veterans` Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 16-11-1, 16-11-2, 16-11-2.3 and 16-11-3 of the General Laws in
2 Chapter 16-11 entitled "Certification of Teachers [See Title 16 Chapter 97 - The Rhode Island
3 Board Of Education Act]" are hereby amended to read as follows:

4 **16-11-1. Certification of public school teachers required -- Deductions from state aid**
5 **for noncompliance.** -- No person shall be employed to teach, as principal or assistant, in any
6 school supported wholly or in part by public money unless the person shall have a certificate of
7 qualification issued by or under the authority of the ~~board of regents for~~ [council on](#) elementary
8 and secondary education. Provided, however, that any person who is employed as a part time
9 speech and language pathologist at the Rhode Island School for the Deaf, for a period of not less
10 than ten (10) years prior to July 11, 1990, shall not be required to have a certificate of
11 qualification, and shall be exempt from the provisions of this section which require the certificate.
12 In case any city or town shall pay or cause to be paid any of the public money to any person for
13 teaching who did not, at the time of teaching, hold a certificate, then the department of
14 elementary and secondary education shall deduct a sum equal to the amount so paid from the
15 amount of the state's money due, or which may thereafter become due, to the city or town, before
16 giving his or her order in favor of the city or town for any of the public money under the
17 provisions of §§ 16-1-10, 16-1-11, and 16-5-22.

18 **16-11-2. Examinations -- Issuance of certificates.** -- The ~~board of regents for~~ [council on](#)
19 elementary and secondary education shall hold, or cause to be held, in any places in different

1 parts of the state and at any times it may determine, examinations for the position of teacher in
2 the public schools of this state; and the ~~board of regents for~~ [council on](#) elementary and secondary
3 education is authorized to issue certificates of qualification which shall be valid throughout the
4 state for the grade and time specified in the certificate. All assessed fees shall be deposited as
5 general revenues.

6 **16-11-2.3. Standardized testing -- Issuance of certificates.** -- (a) No person who
7 obtained an initial certificate prior to January 8, 2002 shall be barred from certification under this
8 chapter solely because of his or her score on any standardized teacher's examination; provided,
9 however, that he or she successfully completes an assessment, based on criteria established by the
10 ~~board of regents for~~ [council on](#) elementary and secondary education, in accordance with 34 CFR
11 § 200.56.

12 (b) The board of regents for elementary and secondary education may administer a
13 written examination to prospective teachers seeking certification.

14 **16-11-3. Certificates without examination.** -- The ~~board of regents for~~ [council on](#)
15 elementary and secondary education may, in its discretion, issue certificates of qualification
16 without examination to persons who may present evidence of qualification and shall comply with
17 the regulations of the board. Provided, that any teacher who is certified in two (2) fields or
18 subjects of science, other than general science, shall also be automatically certified in the field or
19 subject of general science without the need for examination or other proof of qualifications in the
20 subject of general science.

21 SECTION 2. Chapter 16-11 of the General Laws entitled "Certification of Teachers [See
22 Title 16 Chapter 97 - The Rhode Island Board Of Education Act]" is hereby amended by adding
23 thereto the following sections:

24 **16-11-2.4. Service member certification.** – [The council on elementary and secondary](#)
25 [education shall, upon the presentation of satisfactory evidence by an applicant for certificates of](#)
26 [qualification, accept education, training, service and teacher certification in another state](#)
27 [completed by a member of the Armed Forces or Reserves of the United States, the National](#)
28 [Guard of any state, the Military Reserves of any state, or the Naval Militia of any state toward the](#)
29 [qualifications, and in lieu of examination to receive the certification. The council on elementary](#)
30 [and secondary education shall promulgate rules and regulations as necessary to implement the](#)
31 [provisions of this section, including, but not limited to, a procedure to expedite the issuance of a](#)
32 [certificate to a person who is certified in another state if, in the opinion of the board, the](#)
33 [requirements for the certification of such other state are substantially equivalent to the](#)
34 [requirements of this state, or the experience of the applicant demonstrates substantial compliance](#)

1 to the requirements of this state.

2 **16-11-2.5. Military spouse certification.** – (a) The council on elementary and secondary
3 education shall establish rules and regulations to expedite the issuance of a certificate of
4 qualification to a person:

5 (1) Who maintains an active certificate of qualification in another state;

6 (2) Whose spouse is a member of the armed forces of the United States;

7 (3) Whose spouse is subject to a military transfer to Rhode Island; and

8 (4) Who left employment to accompany their spouse to Rhode Island.

9 (b) The rules and regulations shall contain a procedure to issue the person a certificate if
10 in the opinion of the board, the requirements for certification of such other state are substantially
11 equivalent to that required in this state or the person's experience, including evaluations, indicate
12 that the person would meet the qualifications for certification in this state.

13 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION - CERTIFICATION OF TEACHERS

1 This act would amend certain sections of the education law to reference the new council
2 on elementary and secondary education, and would make provisions to allow for certification as
3 teachers, military personnel, and their spouses who are certified in another state.

4 This act would take effect upon passage.

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