

2021 -- H 5355

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO EDUCATION -- RIGHTS AND DUTIES OF TEACHERS GENERALLY

Introduced By: Representatives O'Brien, and Corvese

Date Introduced: February 05, 2021

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-12-1 of the General Laws in Chapter 16-12 entitled "Rights and
2 Duties of Teachers Generally" is hereby amended to read as follows:

3 **16-12-1. "Teacher" defined.**

4 The term "teacher," as used in this chapter, is deemed to include every person employed as
5 a teacher, supervisor, [school nurse, school guidance counselor, school social worker, school](#)
6 [psychologist](#), principal, or superintendent or assistant superintendent, of schools, whether
7 employed in schools supported in whole or in part by public funds, or in colleges, or in public
8 institutions, or in the department of elementary and secondary education.

9 SECTION 2. Chapter 16-12 of the General Laws entitled "Rights and Duties of Teachers
10 Generally" is hereby amended by adding thereto the following section:

11 **16-12-12. Teachers' bill of rights.**

12 [All teachers shall be afforded the following rights:](#)

13 [\(1\) A safe and healthy school environment, which shall:](#)

14 [\(i\) Facilitate a constructive working relationship between teachers and administrators;](#)

15 [\(ii\) Be free from discriminatory attitudes and practices and acts of hate and violence;](#)

16 [\(iii\) Promote overall cleanliness on school grounds, buildings, common areas, and](#)
17 [individual rooms.](#)

18 [\(2\) To be treated with civility and respect;](#)

19 [\(3\) To have all teachers work in an environment free from bullying and harassment from](#)

- 1 administrators, students, parents and/or teachers;
- 2 (4) To be provided a safe, caring, orderly environment, in which the school district shall
3 expect civility from all who engage in school activities including mutual respect, professionalism
4 and common courtesy;
- 5 (5) To not be subject to harassment, abusive language, and/or upbraiding by parents, other
6 citizens, students and/or other school employees;
- 7 (6) To not be required, coerced, intimidated, or subjected to discipline in any manner by
8 school administration to change a grade or a test score;
- 9 (7) To not be required to use their personal out-of-pocket money to appropriately equip a
10 classroom with the supplies needed to teach and reach students;
- 11 (8) To be provided with up-to-date technology, books and whatever else it takes to help
12 students succeed;
- 13 (9) To be free to share information regarding a student's educational experience, health, or
14 safety with the student's parent or legal guardian unless otherwise prohibited by state law or the
15 federal Family Educational Rights and Privacy Act of 1974 (FERPA);
- 16 (10) To be allowed to appropriately discipline students;
- 17 (11) To have their professional judgment and discretion respected by their school and its
18 administrators with respect to any disciplinary action taken by that teacher in accordance with
19 school and district policy;
- 20 (12) To freely communicate with and be allowed to request the participation of parents in
21 appropriate student discipline decisions;
- 22 (13) To have their authority respected which is essential to creating an environment
23 conducive to learning, effective instruction in the classroom, and proper administration of public
24 schools;
- 25 (14) To have their professional judgment and discretion respected;
- 26 (15) To report any errant, offensive, or abusive content or behavior of students to school
27 officials or appropriate agencies;
- 28 (16) To academic freedom which shall be guaranteed to employees, and no special
29 limitations shall be placed upon study, investigation, presenting and interpreting facts and ideas
30 concerning people, human society, the physical and biological world, and other branches of
31 learning subject to accepted standards of professional responsibility;
- 32 (17) To undergo board of education approved evaluations, that are not commenced more
33 frequently than three (3) school years after the completion of the last evaluation, as long as the
34 teacher's most recent rating earned was "highly effective," or a number "four" (4) or any equivalent

1 thereof, or not more than two (2) school years after the completion of the last evaluation, as long
2 as the teacher's most recent ratings earned was "effective" or a number "three" (3) or any equivalent
3 thereof;

4 (18) To be afforded full freedom in expressing personal opinions on all matters relevant to
5 course content, so long as the teacher makes every effort to indicate that they are speaking
6 personally and not on behalf of the school, its administration, or the board; and

7 (19) To have the school department post on its website a summary of laws governing the
8 rights and protections afforded to public school teachers under state and federal law.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would broaden the definition of "teacher" and create a comprehensive bill of rights
- 2 for school teachers.
- 3 This act would take effect upon passage.

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