

2025 -- H 5227

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO EDUCATION -- COUNCIL ON ELEMENTARY AND SECONDARY
EDUCATION

Introduced By: Representatives Edwards, Donovan, Messier, Serpa, Fellela, McNamara,
McEntee, Read, O'Brien, and Potter

Date Introduced: January 29, 2025

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-60-7 of the General Laws in Chapter 16-60 entitled "Council on
2 Elementary and Secondary Education [See Title 16 Chapter 97 — The Rhode Island Board of
3 Education Act]" is hereby amended to read as follows:

4 **16-60-7. Department of elementary and secondary education — Personnel board.**

5 (a) The board of regents shall maintain a department of elementary and secondary
6 education which shall perform the research, administrative, and instructional functions and duties,
7 including technical assistance and statewide educational information services for local school
8 districts, required of the regents by the provisions of this chapter. Within that department the
9 appointment, promotion, salaries, term of service, and dismissal of all professional employees,
10 including instructional and research employees, administrative employees, and secretaries shall be
11 at the pleasure of the commissioner of elementary and secondary education except that the regents
12 shall approve all assistant commissioners; all professional employees, including instructional and
13 research employees, and administrative employees may be initially engaged under contract for not
14 more than two (2) years. All professional employees, including instructional and research
15 employees, and administrative employees shall not be in the classified service of the state nor be
16 subject in any manner of control by the personnel administrator or by any officer or board other
17 than the commissioner of elementary and secondary education; provided, that all permanent
18 appointments of the commissioner to vacant, reestablish or newly established positions shall be

1 subject to approval by the Emergency Hiring Council established by Executive Order 95-2. All
2 appointments to positions at state operated schools shall be exempt from the preceding requirement
3 provided that total full time equivalent positions are within the authorized cap and all these
4 personnel are assigned exclusively to the schools. The hiring of individuals on a contract basis shall
5 be subject to state purchasing requirements. All non-classified employees of the board of regents
6 who shall have twenty (20) years, not necessarily consecutive, of service credit, these credits having
7 been earned in either the classified, non-classified, or unclassified service or any combination of
8 these, shall be deemed to have acquired full status in their positions as the status is defined by §
9 36-4-59; provided, that this provision shall not apply to those employees whose base entry date is
10 after August 7, 1996; and provided that this provision shall not apply to faculty employed by the
11 board of regents nor shall it apply to non-classified employees who have acquired tenure as faculty.
12 Employees who had permanent status prior to May 7, 1981, shall continue to retain their status.
13 Persons employed by the department on February 1, 1974 in either the classified or unclassified
14 service and who were receiving longevity payments on or before February 1, 1974 shall continue
15 to be eligible for longevity benefits upon transfer to the non-classified service within the
16 department.

17 (b) The table of organization, as submitted by the commissioner of elementary and
18 secondary education, together with the pay ranges, shall be subject to approval by the board of
19 regents.

20 (c) Nothing in this section shall be deemed to limit or interfere with the rights of
21 professional, administrative and secretarial employees of the department of education to
22 collectively bargain pursuant to chapters 11 of title 36 and chapter 7 of title 28 over all terms and
23 conditions of employment including, but not limited to, salaries, terms of service, and dismissal, or
24 to allow the commissioner or the department to abrogate any agreement reached by collective
25 bargaining.

26 SECTION 2. 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 provide protection for the rights of professional, administrative and
2 secretarial employees of the department of education to collectively bargain over all terms and
3 conditions of employment.

4 This act would take effect upon passage.

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