

May 8, 2023

## Crowley Act Revisions

The Senate Education Committee met on May 3<sup>rd</sup> to hear testimony on a trio of bills related to the state takeover of public schools under a law known as the Crowley Act, named after former Newport Representative Paul Crowley. All three bills addressed the Providence Schools State takeover.

- [S 190](#) by Senator Zurier would require the Council on Elementary and Secondary Education to ratify all Providence Schools' collective bargaining agreements while the state takeover continues. Andy Andrade of RIDE and Jeremy Sencer of PTU both testified in support of the bill that would bring greater transparency to the ratification process. The K-12 Council has largely abdicated its role in the oversight of Providence public schools.
- [S 481](#) by Senator Zurier would require the Providence School Board to approve policy and senior school district administrators during the state takeover. Providence Superintendent Montanez and Deputy Superintendent Kelvin Roldan testified against the bill, wanting to maintain limited administrative oversight over decisions made by central office administrators. Providence teachers Jeremy Sencer and Shannon McCloud testified in support of the bill. Sencer noted that the Providence School Board was uncertain of its authority and the legislation would provide needed clarity. McCloud talked about other Districts having robust school committee meetings, including student participation in other Districts. She said the legislation would create an environment of greater student and parent participation in Providence.
- [S 761](#) by the late Senate Whip Maryellen Goodwin would create an end date for the Providence school takeover. Under current law, the takeover expires in October 2024 but could be extended for an additional three years. S 761 will end the takeover by June 30, 2025 with a possible 6-month extension. Superintendent Montanez testified against the bill, arguing that positive things were happening and that the takeover should not end too soon.

RIFTHP President Frank Flynn testified in support of the measure. After offering condolences for the recent passing of Maryellen Goodwin, an outstanding advocate for public schools, he urged the Committee to expedite the end of the state takeover. Flynn argued that a possible three-year extension is too long to wait for a return to local control. He noted that there needs to be a reasonable transition time. He testified that all of the exciting activities the Superintendent listed could continue once the state takeover ends. Finally, he cited a recent poll conducted by Fleming and Associates that asked if the state should continue to run Providence schools. He informed the Committee that voters, by a 2-1 margin, favored the return of the schools to the City of Providence

All three bills were held for further study.

## Retiree COLA

On Tuesday, May 2<sup>nd</sup>, the Senate Finance Committee heard four bills related to pension adjustments to public employee retirees.

- [S 215](#) by Senator Gallo would award a one-time pension adjustment of 3% on the first \$30,000 of pension benefit, or \$900. The money to pay this benefit would be general state revenue and would not come from the pension fund. Additional payments are permitted subject to appropriations. The bill covers retired teachers and retired state workers who retired on or before June 30, 2012.
- [S 519](#) by Senator DiPalma would award a \$500 pension stipend in 2023 and another in 2024. The money to pay this benefit would be general state revenue and would not come from the pension fund. The bill only covers retired state workers who retired before January 1, 2023 but Senator DiPalma said it was a drafting error and he meant to include retired teachers as well.
- [S 546](#) by Senator Ciccone would restore the original COLA for individuals who retired prior to July 1, 2012. The money to pay for this benefit would come from the retirement fund. The bill only covers retired state employees, but Senator Ciccone indicated his intent to include retired teachers as well.
- [S 854](#) by Senator Britto would provide a one-time \$500 stipend to all retired state employees, teachers and municipal workers who had retired prior to July 1, 2022. The bill was introduced on behalf of Treasurer DiOssa. The money to pay this benefit would be general state revenue and would not come from the pension fund.

RIFTHP President Frank Flynn sent a [letter](#) in support of all of the efforts to provide a pension payment increase for retirees. RIFTHP James Parisi testified at the hearing highlighting certain aspects of President Flynn's letter. He emphasized our position that all retirees, not just certain groups of workers, should be eligible for any increase in pension payments. He also objected to only adjusting pension payments for those who had already retired in 2012. The RIFTHP explained how the two limited pension adjustments of .74% in 2017 and 1.06% in 2021 pale in comparison to the 33% increase in consumer price index since 2012. Several retirees testified and several dozen retirees were in the room for the bill hearing. The Committee voted to hold all of the bills for further study.

## Municipal Employee Binding Arbitration

On Wednesday May 3<sup>rd</sup>, the Senate Labor Committee took testimony on legislation that would create a system of binding arbitration for municipal employees. Rhode Island municipal employee bargaining law has a provision for binding arbitration, but the arbitrator's decision is not binding on monetary issues.

[S 426](#) by Senator Lawson would extend the existing arbitration law to include all issues, including wages and benefits. RIFTHP lobbyist James Parisi offered [written](#) and verbal testimony in support of the bill.

The RIFTHP urged support for Senator Lawson's bill to create a fairer system governing contract negotiations. He testified that the bill would be an incentive to bargain and reach agreement because each side would want to avoid arbitration. He noted that the mayors who sued to overturn the teacher and municipal contract continuation law raises the possibility of public employees losing contractual

protection of rights, pay and benefits. While the lawsuit is still pending, the fact that mayors would sue the Assembly and the Governor shows how far some municipal leaders would go to weaken worker rights. The Senate Labor Committee also heard testimony in support of the bill from the National Association of Government Employees (NAGE). The League of Cities and Towns opposed the bill. The Committee voted to support the bill on a 7-1 vote. It will be considered on the Senate floor on Thursday.

### **Higher Education Post-Retirement Employment**

On Tuesday May 2<sup>nd</sup>, the Senate Finance Committee heard testimony on [S 225](#) by Senator DiMario. The bill would increase the amount of money a public employee retiree who works as an adjunct faculty could earn without loss of pension benefits. The existing annual cap is \$18,000 per year, and the DiMario legislation would increase the amount to \$25,000. The RIFTHP represents adjunct faculty at Rhode Island College, some of whom are retired teachers, state workers, or municipal workers impacted by the legislation.

RIFTHP lobbyist James Parisi provided [written](#) and verbal testimony in support of the bill. Parisi cited the lack of cost-of-living adjustments for public sector retirees as a rationale to increase the amount of money a retiree could earn without having to stop pension benefits. He informed the Committee of the amount of money RIC adjunct faculty earn teaching three and four credit courses and how someone would be limited in the number of courses taught per year by the current and proposed salary caps. AFSCME Council 94, which represents adjunct faculty at URI, also testified in support of the bill. The Committee voted to hold the bill for further study.

### **Green and Healthy Schools**

The House Finance Committee heard testimony on a series of bills related to school construction on Tuesday May 2<sup>nd</sup>. The RIFTHP offered testimony in support of [H 6008](#) by Representative Handy. The bill would expand state funding incentives for projects that meet certain energy efficiency standards. The bill garnered support from a variety of public-school advocates, including the RIFTHP.

Frank Flynn, RIFTHP President, authored a [letter](#) of support of the legislation. Flynn referenced the recent effort to bolster outdated decrepit school buildings with modern facilities as an ideal time to create and implement energy efficiency in school construction and renovation. Flynn also noted the education benefit of energy efficiency initiatives.

### **Human Services Minimum Wage**

On Thursday, May 4<sup>th</sup>, the RIFTHP offered written testimony in support of legislation to enact a higher minimum wage for human service providers. The bill was heard in the House Finance Committee. RIFTHP lobbyist James Parisi provided a [letter](#) in support of the bill. The legislation is identical to a bill by Senator DiPalma heard in the Senate Finance Committee the previous week. The bill would create a \$25 per hour minimum wage for human service providers, including those providing services to individuals with intellectual and developmental disabilities. [H 5400](#) by Representative Shanley would also raise wages for more senior staff by 10%, 20%, or 30% based on years of service with the agencies. The Committee voted to hold the bill for further study.

## **Universal School Breakfast and Lunch**

RIFTHP President Frank Flynn submitted [written testimony](#) in support of universal free school breakfast and lunch. [H 5639](#) by Representative Caldwell was heard by the House Finance Committee on May 2<sup>nd</sup>. The testimony offered by the Union mirrored the previous week's testimony on a similar bill introduced by Representative Tanzi. Flynn enumerated several specific provisions of the bill and supported the notion that a well-balanced diet is fundamental to student academic success. He also noted the bill would end the "lunch shaming" which sometimes occurs in schools. Federal funds supported free school meals during the pandemic but a state appropriation is needed to reinstate the program. The Committee has voted to hold the bill for further study.

## **AFT Political Engagement Survey**

The American Federation of Teachers has initiated a political engagement survey of AFT members around the country. The brief survey questions members on issues and initial Presidential preferences, can be accessed using the following link: <https://www.research.net/r/2MYNHQW>

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## **Bill Introductions**

### **School Construction Aid - Energy Efficient Schools**

([H 6008](#), Handy, House Finance)

This bill would provide that the Department of Education and the Office of Energy Resources develop regulations for school buildings to meet the latest Northeast Collaborative for High Performance Schools standards of zero energy capable schools.

### **Universal Prekindergarten Education**

([H 6009](#), McNamara, House Finance)

([S 463](#), Gallo, Senate Education)

These bills would further develop a plan to expand public, high quality prekindergarten education programs which are available to all children ages three (3) and four (4) throughout Rhode Island to increase children's school readiness. These bills would require the Department of Education to make funds available to sustain all existing state prekindergarten classrooms and the Department of Human Services to make funds available to layer on top of federal funds to sustain all existing Head Start and Early Head Start classrooms for the school year 2023-2024, with sufficient resources for programs to offer competitive wages to attract and retain qualified and skilled early educators. These bills would repeal the statutory laws pertaining to the initial pilot prekindergarten program.

### **Multilingual Educators Scholarship Program**

([H 6023](#), Morales, House Finance)

([S 559](#), Cano, Senate Finance)

These bills would authorize the Department of Elementary and Secondary Education to establish a program to expand the issuance of teaching certificates to bilingual dual language and world language teachers in urban and urban ring schools; would establish a scholarship program to promote and increase the number of bilingual dual language and world language teachers in urban and urban ring schools; and would establish the scholarship eligibility requirements and preferences.

### **Standard for Closing Public Schools**

([H 6051](#), Morales, House Education)

This bill would establish certain actions a public school district must follow as part of the phase-out or closure of a public school building.

### **Council On Elementary And Secondary Education Membership - Teacher of the Year**

([H 6052](#), Cortvried, House Education)

([S 182](#), DiMario, Senate Education)

These bills would add the Rhode Island Teacher of the Year as an additional ex officio member of the council on Elementary and Secondary Education as well as the Board of Education. These bills would also provide that where the current Rhode Island teacher of the year is unable or unwilling to serve on the Board of Education a former Rhode Island teacher of the year would be selected to serve on the board by the Commissioner of Elementary and Secondary Education, as long as the individual is still teaching in Rhode Island public schools.

### **School Mental Health Strategic Plan**

([H 6053](#), Sanchez, House Education)

This bill would direct that the basic education program incorporate instruction on the connection between alcohol and substance abuse and substance use disorder, and mental health. This bill would also provide that all strategic plans shall include strategies to implement programs and provide additional mental health services for students. These strategies would include increased and guaranteed access to mental health professionals at every school, for all students in each school. This bill would also direct the Department of Elementary and Secondary Education to prepare an annual report on the overall status of student mental health in schools throughout the state.

### **Library Staff Affirmative Defense**

([H 6066](#), Morales, House Judiciary)

This bill would establish, as an affirmative defense to the crimes of circulating obscene publications or shows and selling or exhibiting obscene publications to minors, the person's employment status as an employee of a school, museum, or library.

### **Education Funding Formula - Special Education Costs**

([H 6113](#), Shanley, House Finance)

This bill would include the costs of educating students with intellectual disabilities in calculating direct state aid funding from the permanent foundation education-aid program.

### **State Employee Retiree \$500 Stipends**

([H 6117](#), Cortvriend, House Finance)

([S 519](#), DiPalma, Senate Finance)

These bills would allow effective members and/or beneficiaries of members who retired on or before January 1, 2023 to receive a one-time stipend of five hundred dollars (\$500) within sixty (60) days of the effective date of this bill and an additional five hundred dollar (\$500) stipend one year thereafter.

### **Retired Teacher COLA Adjustment**

([H 6118](#), Shanley, House Finance)

This bill would provide a retired teacher, who has never received a cost of living adjustment, with a four percent (4%) annual increase for ten (10) years, not compounded. This bill would also reduce the period for every year a cost of living adjustment was received. This bill would further provide that once the ten (10) years of increase is achieved then the annual increase shall be reduced to three percent (3%), until death. This bill would also increase the retirement allowance to \$60,000.

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