

February 21, 2023

### **Teacher Post-Retirement Employment**

On Tuesday February 14, 2023, the Senate Finance Committee took testimony on bills related to Teacher Post Retirement Employment. [S 0085](#) by Senator Robert Britto would extend the amount of time retirees could work as a classroom teacher from 90 to 120 days. The bill is similar to Rep. O'Brien's legislation except the O'Brien bill would sunset on June 30, 2025. The Britto bill has no sunset and would permanently change the amount of time retirees could work without loss of pension benefits to 120 days.

The Senate Committee also took testimony on legislation by Senator Bridget Valverde ([S 0020](#)) that would extend teacher post retirement employment to a full year. Her bill also contained a sunset clause and the additional days would expire in June, 2024.

RIFTHP lobbyist James Parisi testified on the legislation and provided a letter ([click here](#)) in support of the Britto bill. He informed the Committee that we could support a longer extension. He also supported the idea that the increased time should sunset after a period of time. He stressed our interest in the bill was driven by the lack of substitute teachers which impact our members who must give up planning periods or take additional students into their classrooms when no substitute is available. He also asked that any legislation preserve the requirement that District's make an attempt to hire a non-retiree before offering a position to a retiree.

Also testifying in support of extending the period of time for post-retirement employment was Andy Andrade for RIDE and Tim Ryan for the Superintendents Association. Jennifer Lima, a member of the North Kingstown School Committee, testified in support of the Valverde legislation. She testified that retiree acting as school administrators in the districts would have to stop working when reaching the 90 day limit of post retirement employment. The Committee had a lively debate on the issue and voted to hold the bills for further study.

On Thursday February 16 the House voted 68-0 to approve [H 5040](#) as amended by Rep. O'Brien. That bill, amended to include language clarifying the use of half-days in calculating the cap, will now be sent to the Senate for its consideration.

### **K-2 Class Size Reduction**

The House Education Committee heard testimony on legislation by Rep. Robert Craven to cap the number of students in Kindergarten, First and Second grade to 20 students on Wednesday February 15. The bill, [H 5085](#) mirrors Senate legislation that Senator Hanna Gallo has proposed and shepherded through the Senate in recent years. RIFTHP lobbyist James Parisi testified in support of the bill and offered written testimony ([click here](#)). In his testimony, he described the data provided which compares

contractual class size limits throughout the state. He emphasized the value of class size reduction as a strategy to improve education and noted that Providence had the highest class size in the entire state (26) for the grades in question.

Several Representatives and witnesses representing RIDE and the Superintendents supported the concept of class size reduction but opposed the bill because of the cost that would be incurred by Districts to hire sufficient teachers to meet the requirement. Questions were also raised about whether or not space was an impediment to class size reduction. Parisi testified that in times of declining enrollment due to demographic trends, this may be an ideal time to reduce class size as proposed.

The Education Committee voted to hold the bill for further study.

### **Senate Education Hearing on Postsecondary Education**

The Senate Education Committee met on Wednesday February 15 to hear from the Postsecondary Commissioner and the Presidents of the three public higher education institutions. The hearing can be viewed on the General Assembly website by [clicking here](#). The Commissioner of Postsecondary Education Shannon Gilkey testified and answered specific questions posed by the Committee prior to the hearing, including addressing the transfer of credit between institutions. URI President Marc Parlange testified about recent developments at the URI Bay Campus and workforce development issues. CCRI President Meghan Hughes spoke about college programs and programs to support student well-being. President Jack Warner of Rhode Island College testified about the program review that is beginning on campus. He also spoke of the importance of enacting the HOPE Scholarship program for RIC students.

### **Education Bills Considered**

On Wednesday February 15, the House Education Committee heard testimony on several bills at the same hearing that the K-2 Class Size Reduction bill was heard. A bill [H 5010](#) by Rep. McNamara would permit school social workers and school psychologists to be eligible for Medicaid reimbursement. Another McNamara bill, [H 5168](#) would amend the recently created Fast Track Principal Program by changing a course requirement from data analysis to supervision of school personnel. There were numerous witnesses who came to support legislation by Rep. Casimiro ([H 5222](#)) that would permit schools to close up to five days in instances when a student or teacher passes away. The bill is responsive to confusion over school closing after the tragic passing of a North Kingstown teacher last school year.

### **Bill Introductions**

#### **Income Tax Deduction - Social Security**

([S 0084](#), Morgan, Senate Finance)

This bill would allow a modification to federal adjusted gross income for all social security income for tax years beginning on or after January 1, 2024.

### **Teacher Post-Retirement Employment - 120 Days**

([S 0085](#), Britto, Senate Finance)

([H 5040](#), O'Brien, House Finance)

These bills would increase the maximum number of days a retired teacher and athletic coach may substitute teach from 90 days to 120 days.

### **Rule of 90**

([S 0086](#), Ciccone III, Senate Finance)

([H 5092](#), Fellela, House Finance)

These bills would allow school teachers, state and municipal employees, to be eligible to retire, effective July 1, 2023, upon the earlier of: (1) Attaining at least the age of sixty (60) and the completion of at least thirty (30) years of total service; (2) The completion of at least five (5) years of contributory service and attainment of social security retirement age, and five (5) or more years contributory service, who have a relevant age of social security retirement age, with the age being adjusted downward in proportion to the service the teacher has earned as of June 30, 2012.

### **Registration Of Homecare Nursing Assistants**

([S 0100](#), Felag, Jr., Senate Health & Human Services)

This bill would establish the position of home care nursing assistants, who are paraprofessionals licensed by the department of health to work exclusively in home care and would require training specific to home-based care for vulnerable homebound patients.

### **Election Day School Closing - Presidential Primary**

([S 0130](#), Euer, Senate Judiciary)

This bill would mandate that on each primary for election of national convention delegates and elections for presidential preference primaries, that all public elementary and secondary schools be closed.

### **Municipal Post-Retirement Employment - 90 Days**

([S 0143](#), Rogers, Senate Labor)

This bill would increase the number of days a retired municipal employee could work in a calendar year without interruption of pension benefits to ninety (90) days.

### **High Cost Special Education Funding**

([H 5322](#), O'Brien, House Finance)

This bill would amend the definition of the term "extraordinary costs" for the purposes of excess costs associated with special education students. The new definition of extraordinary costs would be educational costs that are over three (3) times the average statewide special education cost.

### **Early Childhood Education Regulations**

([H 5339](#), Donovan, House Education)

This bill would amend the applicability of the chapter on education services to very young children, to children aged three (3) to five (5) years of age and would require that, effective July 1, 2025, persons operating schools must maintain a rating through the quality rating and improvement system to be

permitted to establish or maintain any school and would repeal several sections of law relative to the revocation of approval to operate a school.

### **Nontraditional Approach to Education**

([H 5341](#), Place, House Education)

This bill would allow charter schools to engage in nontraditional approaches to learning, which must be approved by the department of education, and would also require that seats allocated to a charter school, whose charter has not been renewed, be reallocated to a school which offers nontraditional approaches and methods to learning.

### **Mandatory Home Economics**

([H 5342](#), Sanchez, House Education)

This bill would require all public high schools to require students, as part of the curriculum, to enroll in a nutrition course, food preparation course and cooking course during any year of a student's four (4) year enrollment.

### **Mandatory Career And Technical Education**

([H 5343](#), Sanchez, House Education)

This bill would require all public high schools to provide instruction on technical and vocational training.

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