

The

SMITH HILL REPORT



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State Budget Moves Ahead

The House Finance Committee voted to approve a state budget for fiscal year 2022 in Committee Thursday, June 17. Next week's edition of the Smith Hill Report will provide budget highlights as it relates to issues important to RIFTHP members. The budget will be considered by the House of Representatives on Thursday, June 24.

Elected Providence School Committee Legislation Heard

On Monday, June 14, RIFTHP President Frank Flynn testified in support of legislation that would require Providence to have an elected school committee. The bill, [S0933](#) by Senate Whip Maryellen Goodwin, was heard in the Senate Judiciary Committee. The Committee heard testimony and voted to hold the bill for further study.

Flynn testified that there is a severe lack of oversight of Providence schools during the state takeover, and that there needed to be some elected body with authority over the schools. He reminded the Committee that the three instances of mass teacher firings (Central Falls, Woonsocket and Providence) all happened at a time when those districts did not have an elected school committee. Flynn stressed the importance of oversight and public input in urging the Committee to restore an elected school committee to Providence Public Schools.

Tim Duffy of the RI Association of School Committees urged caution on the bill based on process. He testified that he thought the Home Rule charter procedures were necessary to restore an elected school committee to Providence, not just passage of legislation

RIFTHP Opposes Funding Reduction Bill

The City of Providence, with the support of the League of Cities and Towns, had legislation introduced to permit a 5% reduction in local spending on public education for a three year period. The bill, [S0871](#) was

heard in the Senate Finance Committee on Tuesday, June 8. Mayor Elorza testified extensively in support of reducing school funding in his support of the City's legislation.

RIFTHP President Frank Flynn provided written testimony in opposition to the bill. His letter ([click here](#)) argued that federal funding made available to schools to address Covid should not be used as an excuse to cut local funding. High poverty districts like Providence need more funding, not less funding. He further argued that some communities (Providence, Pawtucket and Woonsocket) do not meet local spending called for in our funding formula.

School Reconstitution Time Limitation

Senator Maryellen Goodwin introduced legislation to cap the amount of time that the State of Rhode Island would control local schools under the state intervention statute. The bill, [S0930](#), would limit state control to two years, with a possible 6-month extension. S0930 was heard in the Senate Finance Committee on June 8, 2021.

RIFTHP lobbyist James Parisi testified in support of the bill. Among the arguments he made were:

- There are very few procedures outlined in state law governing school reconstitution. The law has been in existence since 1997, but there is no real experience outside of Providence of this statute being in operation.
- Central Falls has direct state oversight through a state-appointed Board of Trustees and has also experienced some increased state oversight in the wake of the 2010 mass firing of teachers and the City's bankruptcy.
- There is no real definition of how state control is structured in our state law. Currently the Commissioner is running Providence schools without oversight by the Board of Education, the Providence appointed School Board, the Providence City Council, or any other entity. Lack of accountability at the highest level of state oversight is a problem that needs to be addressed.
- Limiting the duration of state oversight will expedite returning the schools to the community, a necessary step for creating school improvement strategies that stick.
- Since there is no oversight of the takeover plan, limiting the state control to 2 years of no oversight is better than 5 or 10 years of no oversight.

The bill has been held for further study.

Direct Support Professional Wage Increase

With pressure from the judicial officers overseeing the federal consent decree, Governor McKee's office has proposed an amendment to the state budget to provide a sizeable increase to wages of Direct Support Professionals who supports individuals with intellectual and developmental disabilities. The RIFTHP represents DSPs at the J Arthur Trudeau Memorial Center. Governor McKee's [budget amendment number](#)

[17](#) to support a \$39 million allocation for a DSP wage increase was heard in the House Finance Committee on Thursday, June 10.

RIFTHP lobbyist James Parisi offered written testimony in support of the wage increase. To view a copy of his testimony, [click here](#).

ELL Certification Bill Considered

The RIFTHP offered written testimony in support of legislation that would ask the RI Department of Education to provide a streamline process to obtain an ELL certificate. [H5829 Sub A](#) by Representative Nathan Biah, a Providence school administrator, was heard in the Senate Education Committee on Wednesday, June 9. The bill calls on Rhode Island to model its ELL certification program on Massachusetts requirements.

RIFTHP lobbyist James Parisi provided written testimony in support of the bill. In his [letter](#), he lauded efforts to make the certification process easier to obtain, particularly when the certificate acquisition is a school district need.

BILLS ON THE MOVE

The following bills have passed one chamber of the legislature and have now been referred to the other chamber for approval.

School Committee Agenda - Discussion Items

[H5485 Sub A](#), which was introduced by Representative Edwards, passed the House on 6/10/2021 with a vote of 69 yeas, 1 nays, 4 members not voting, and 1 member recused.

This bill would allow school committees to add item(s) to their agendas for the purposes of discussion only, without having to publish notice of the additional item(s).

Holocaust and Genocide Education Commission

[H5650 Sub A](#), which was introduced by Representative Kislak, passed the House on 5/18/2021 with a vote of 73 yeas, 0 nays, 2 members not voting, and 0 members recused.

This bill would create the Holocaust and genocide education commission to:

1. Gather and disseminate Holocaust and genocide information;
2. Review current statewide Holocaust and genocide education programs and initiatives, and partner with the state department of elementary and secondary education to prepare a program;
3. Promote public awareness of issues relating to Holocaust and genocide education;

4. Advise and educate the governor, general assembly, and state departments and agencies regarding the nature, magnitude and priorities of Holocaust and genocide education, and develop policies and programs to address those needs; and
5. Seek opportunities to provide resources for schools to effectively teach about the Holocaust and genocide.

School Resource Officer Data Collection

[H5827 Sub A](#), which was introduced by Representative McNamara, passed the House on 6/3/2021 with a vote of 70 yeas, 1 nays, 4 members not voting, and 0 members recused.

This bill would require the department of education in coordination with the attorney general to collect and publish data concerning school resource officers in each district, including use of force against students, arrests, and referrals to law enforcement or courts.

Revision of ELL Certification Requirements

[H5829 Sub A](#), which was introduced by Representative Biah, passed the House on 6/3/2021 with a vote of 72 yeas, 0 nays, 3 members not voting, and 0 members recused.

This bill would mandate the Department of Education to provide rules and regulations to streamline the English as a Second Language (ESL) and/or English Language Learner (ELL) teaching certification to allow reciprocity to persons who hold a Massachusetts teaching certificate with similar certifications, provide cohorts for teachers to take classes to obtain a certification, and conduct classes at the individual school level.

Career and Technical Education Participation

[H5836 Sub A](#), which was introduced by Representative Shanley, passed the House on 6/3/2021, with a vote of 63 yeas, 6 nays, 6 members not voting, and 0 members recused.

This bill would ensure that all students who wish to pursue an educational pathway in Career and Technical Education ("CTE") have access to high quality programs both within and outside of their community of residence. This act would provide that the CTE Board of Trustees would annually review and provide recommendations to the Board of Education on a range of career and technical education issues, including but not limited to, program quality, the alignment of CTE education programs to the program industry, and graduation requirements. The act also includes a process and criteria whereby the CTE Board of Trustees would evaluate CTE programs to determine which programs are substantially similar to each other. The act provides that a student could access a state CTE board-approved program anywhere outside of their school district if their home district does not provide a substantially similar state-approved CTE program. The bill also provides for a sharing of transportation costs between a sending and a receiving district when a student attends a CTE program outside of the student's transportation region.

Substance Abuse Prevention Funding - Marijuana Fine

[S0048](#), which was introduced by Senator Miller, passed the Senate on 4/27/2021, with a vote of 36 yeas, 0 nays, 2 members not voting, and 0 members recused.

This bill would:

1. Place approval of drug awareness programs for minors up through high school level charged with civil marijuana offenses in the discretion of the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals (BHDDH);
2. Redirect funds from certain civil fines imposed to the general revenue fund to be expended by BHDDH to fund substance abuse and student assistance programs for youth;
3. Mandate that BHDDH establish funding criteria for distribution of funds and require that municipalities receiving funds file annual reports verifying that the funds are being used for substance abuse prevention programs;
4. Make high schools eligible for assistance programs; and
5. Changes the title of chapter 16-21.3 to reflect high school participation in the programs.

CSNT Staffing Requirement

[S0087](#), which was introduced by Senator Ciccone, passed the Senate on 4/27/2021, with a vote of 35 yeas, 0 nays, 3 members not voting, and 0 members recused.

This bill would require that only certified nurse-teachers may be employed as school nurses in elementary and secondary schools.

K-12 CTE Program Policies

[S0211](#), which was introduced by Senator Gallo, passed the Senate on 5/18/2021, with a vote of 35 yeas, 0 nays, 3 members not voting, and 0 members recused.

This bill would establish courses that include instruction in Career and Technical Education programs, including knowledge of careers and all types of employment opportunities, including but not limited to, registered apprenticeships with the emphasizes on the advantages of completing school with marketable skills.

World Language / Dual Language Immersion Program

[S0457](#), which was introduced by Senator Ciccone, passed the Senate on 4/27/2021, with a vote of 36 yeas, 0 nays, 2 members not voting, and 0 members recused.

This bill would establish and require funding for a world language and dual language immersion program.

College Crusade Scholarship

[S0462 Sub A](#), which was introduced by Senator Cano, passed the Senate on 6/8/2021, with a vote of 37 yeas, 0 nays, 1 member not voting, and 0 members recused.

This bill would provide that scholarships received directly from the College Crusade Scholarship Program would not be considered financial aid pursuant to the Rhode Island Promise Scholarships.

School Contract Employee Work Year

[S0635 Sub A](#), which was introduced by Senator Lawson, passed the Senate on 6/8/2021, with a vote of 31 yeas, 6 nays, 1 member not voting, and 0 members recused.

This bill would prohibit school committees from negotiating, extending, or renewing any public transportation service contract unless the contract provides for payments to school bus drivers, attendants, monitors and aids for one hundred and eighty (180) days or the length of the contracted-for school year, whichever is longer and requires that preference be given to the public transportation service provider utilizing electric buses.

Dating Violence in Schools Data Collection

[S0796](#), which was introduced by Senator Gallo, passed the Senate on 6/8/2021, with a vote of 37 yeas, 0 nays, 1 member not voting, and 0 members recused.

This bill would amend the definition of dating violence to include abusive and coercive behaviors used to exert control and power over current or former dating partners and would provide that dating violence can include online, in person, and technological means and provides that abuse may be physical, verbal, emotional, sexual, financial, or psychological and includes threats, isolation, and intimidation.

ENACTED

The following is a list of bills which have passed both chambers of the legislature and now has been signed by the Governor and became law.

RI Promise Program Extension

[S0079 Sub A](#), which was introduced by Senate President Ruggiero, passed the Senate on 4/13/2021, and [H5224 Sub A](#), which was introduced by House Speaker Shekarchi, passed the House on 5/6/2021, were signed by the Governor on 5/28/2021 and became law.

This law removes the requirement that the scholarship program cease with the enrollment of the high school graduating class of 2021 at the Community College of Rhode Island. The law also provides for students with disabilities to be afforded reasonable accommodations.

Consumer Education Curriculum Standards

[S0349](#), which was introduced by Senator Cano, passed the Senate on 4/13/2021, and [H5491](#), which was introduced by Representative Ackerman, passed the House on 5/25/2021, were signed by the Governor on 6/1/2021 and became law.

This law requires the Council on Elementary and Secondary education, in consultation with the Rhode Island Department of Education, to develop and approve statewide academic standards for the instruction of consumer education in public high schools no later than December 31, 2021.

BILL INTRODUCTIONS

Education Savings Account

([S0455](#) , *de la Cruz, Senate Education*)

([H6149](#) , *Place, House Education*)

These bills would establish an education savings account program to assist and support the parents, guardians, and caretakers of students in any school district of the state with the materials, tutors, technology, and other educational support for any student learning at home or at any other remote-learning site.

Access to Public Buildings - COVID Vaccination

([H6302](#) , *Place, House State Government & Elections*)

This bill would prohibit state, municipal agencies, and any political subdivisions thereof and private businesses from requiring proof of a COVID-19 vaccine before permitting any individual from entering the building or business. Licensing authorities would be permitted to deny and/or revoke business operating licenses of violators.

Right to Read Act Extension

([H6315](#) , *O'Brien, House Education*)

This bill would prohibit state, municipal agencies, and any political subdivisions thereof and private businesses from requiring proof of a COVID-19 vaccine before permitting any individual from entering the building or business. Licensing authorities would be permitted to deny and/or revoke business operating licenses of violators.

School Committee Elections – Providence

([S0933](#) , *Goodwin, Senate Judiciary*)

This bill extends the dates for the creation of a program to prepare teachers to teach reading with scientific reading instruction and structured literacy instruction and various reporting periods, as well as teacher awareness of the characteristics of dyslexia and related disorders, due to the COVID-19 pandemic.

State Funding of CTE Tuition

([H6338](#) , *Fellela, House Finance*)

This bill would require that the state be solely responsible for the costs of students enrolled in career and technical education (CTE) and vocational programs outside their district.

Rhode Island College Board of Trustees

([H6245](#) , *Serpa, House Finance*)

This bill would create a Board of Trustees to manage Rhode Island College, similar to that which was created for the University of Rhode Island in 2019. The Board of Trustees would be a public corporation and as such would have wide-sweeping authority such as appointment of the president of the college and employment of faculty. It would be empowered to sue or be sued, to borrow money, to enter into contracts, to hold legal title to property, to hold property in trust for the state, to enter into contracts and settle claims, to name a few.

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