
The

SMITH HILL REPORT



PUBLISHED BY THE RHODE ISLAND FEDERATION OF TEACHERS & HEALTH PROFESSIONALS/AFT, AFL-CIO

January 26, 2018

Budget Articles

The Governor's proposed state budget was introduced on Thursday, January 16th. The budget contains proposed changes in state law that are associated with the appropriations in the budget. These changes in state law are known as budget articles.

In past years, the RIFTHP has spent considerable time and energy on budget articles. Most changes in our pensions enacted over the last dozen years were budget articles. The creation of the education funding formula was a budget article. Changes in charter school funding were done by budget articles. In past years, major changes to public sector labor rights were threatened in budget articles.

This year's budget contains very few issues impacting RIFTHP members and the institutions they work for. Of course, education aid and state department and agency appropriations are in the proposed state budget. Next week's edition of the Smith Hill Report will identify issues related to state funding. The RIFTHP will follow the following budget articles:

[Article 1](#) – FTE Cap

Article 1 of the state budget contains appropriations for state departments and agencies. Section 11 of Article 1 contains a list of state departments and agencies and a limit on the number of employees that each is allotted. This limit is known as an FTE (fill-time equivalent) cap. The Governor has proposed to increase the FTE cap for Rhode Island College from 926.2 to 949.2. This increase of 23 FTEs will enable the institution to increase its staffing of full-time employees. The RIFTHP represents three bargaining units at RIC: faculty, professional staff and adjunct faculty.

[Article 2](#) – Government Performance Improvement Fund

Article 2 of the state budget contains a new provision that creates a different mechanism for state agencies to contract with private and non-profits that provide services to the state. These contracts, known

as Pay for Success Contracts, are intended to create incentives for private entities that improve service delivery.

[Article 5](#) – **School Construction Bond**

Article 5 of the state budget contains the Governor’s proposed state bonds to go to the voters in November. She has proposed voters consider a \$250 million bond for Rhode Island School Buildings. The RIFTHP was instrumental in the creation of a coalition known as **Fix Our Schools Now** to advocate for increased state funding for school construction and renovation.

[Article 9](#) – **School Construction**

The Governor has proposed some changes in the calculations on how much state money will be refunded to communities that approve bonds for school construction and renovation. Article 9 of the state budget includes changes in the funding mechanism that creates 5% funding increases for school districts that address certain issues such as those that: fix health and safety problems, enhance science, technology, arts, engineering and math (STEAM) instruction, replace decrepit buildings with a Facilities Condition Index of 65% or higher, and consolidate schools. The article also increases the minimum reimbursement to communities from 30% to 35% of the bond.

School for the Deaf Funding

At the end of Article 9, the Governor proposes to permit students who are not deaf or hard of hearing to attend the RI School for the Deaf. The article provides that local school districts would share costs of those additional students attending the school.

Required Dyslexia Professional Development

Representative John Lombardi has reintroduced his bill ([H7007](#)) to require RIDE to establish professional development offerings for the instruction of students with reading disabilities. The bill also requires certain teachers and school staff to receive at least 2 hours of professional development annually on reading disabilities such as dyslexia. The bill was heard in the House HEW Committee on Wednesday, January 24th. The RIFTHP submitted written testimony in support of the RIDE requirement but in opposition to the required annual professional development. The RIFTHP believes that teachers, not the Assembly or school administrators, should develop their own professional development plans. To view a copy of the letter, [click here](#).

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The RIFTHP publishes regular editions of the Smith Hill Report during the legislative session. The newsletter is sent to local union leaders who then distribute it to their membership. If you would like to receive this newsletter directly from the RIFTHP, you may do so by signing up using the following link: [Sign-Up](#)

Bill Introductions

Substance Abuse Prevention Funding

([S2025](#) *Seveney, Senate Judiciary*)

([H7221](#) *Edwards, House Finance*)

The RIFTHP supports these bills which 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 imposed civil fines 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) Change the title of chapter 16-21.3 to reflect high school participation in the programs.

St. Joseph Pension Settlement Release

([S2112](#) *Ruggerio, Senate Judiciary*)

This bill would provide that in connection with judicially approved good faith settlements of claims relating to the St. Joseph Health Services of Rhode Island Retirement Plan, a release by a claimant of one joint tortfeasor shall not discharge other joint tortfeasors unless the release so provides, but shall reduce the claim against the other joint tortfeasors in the amount of the consideration paid.

Student Debt Mortgage Program

([S2118](#) *Archambault, Senate Finance*)

This bill would authorize the creation of a state sponsored loan program to provide financial assistance to purchase a home and to help pay off student debt.

Elimination of Post-Retirement Employment Restrictions

([S2125](#) Archambault, Senate Finance)

This bill would remove some of the restrictions on post-retirement re-employment of public employees.

State Employee Non-member Grievance Representation

([S2159](#) Coyne, Senate Labor)

This bill would relieve state employee bargaining representatives from their obligation to represent employees in grievances/arbitrations if they were not members of the bargaining unit in the ninety (90) days prior to the events that caused the grievance.

Municipal Employee Non-member Grievance Representation

([S2160](#) Coyne, Senate Labor)

This bill would relieve municipal employee bargaining representatives from their obligation to represent employees in grievances/arbitrations if they were not members of the bargaining unit in the ninety (90) days prior to the events that caused the grievance.

Reporting of Sexual Abuse – Education Institutions

([H7166](#) Knight, House Judiciary)

This bill would define the term "sexual abuse" and clarify instances when non-sexual physical contact need not be reported to the Department of Children, Youth and Families.

Education Funding – Student Attendance Adjustment

([H7247](#) Vella-Wilkinson, House Finance)

This bill would provide that the state's share of foundation education aid would follow the student, the school the student is attending, and that districts would make adjustments between themselves for and to the nearest monthly increment. This act would also authorize school districts to enter into compacts or agreements with other schools that are not part of that school district, including, but not limited to, charter schools, that would enable students to remain a student and attend classes in one home district, but to attend classes in a school outside the home district, for academic credit.

Felony – Assault of Person with Developmental Disability

([H7264](#) O'Grady, House Judiciary)

This bill would make it a felony to commit an assault on a person with developmental disabilities.

Elementary and Secondary Education – Waiver Authority

([H7271](#) Edwards, House Health, Education and Welfare)

This bill would authorize the Council on Elementary and Secondary Education to grant variances to any provision of Title 16 other than those provisions enumerated in §16-60-4.2 and to any Department of

Education and school district regulation not affecting the health and safety or civil rights of pupils in a public school.

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