

2013 -- H 6076

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO EDUCATION -- TEACHERS' TENURE

Introduced By: Representatives Serpa, Fellela, Lima, Silva, and O'Brien

Date Introduced: May 02, 2013

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-13-3 of the General Laws in Chapter 16-13 entitled "Teachers'
2 Tenure" is hereby amended to read as follows:

3 **16-13-3. Probationary period -- Tenure after probation.** -- (a) Three (3) annual
4 contracts within five (5) successive school years shall be considered evidence of satisfactory
5 teaching and shall constitute a probationary period. Teachers who complete the probationary
6 period shall be considered in continuous service and shall not be subject to annual renewal or
7 nonrenewal of their contracts. No tenured teacher in continuous service shall be dismissed except
8 for good and just cause. Whenever a tenured teacher in continuous service is to be dismissed, the
9 notice of the dismissal shall be given to the teacher, in writing, on or before March 1st of the
10 school year immediately preceding the school year in which the dismissal is to become effective.
11 The teacher shall be furnished with a complete statement of the cause(s) for the dismissal by the
12 governing body of the school and shall be entitled to a hearing and appeal pursuant to the
13 procedure set forth in section 16-13-4.

14 (b) Nothing contained in this section shall be construed to prohibit or at any time to have
15 prohibited a school committee from agreeing, in a collective bargaining agreement, to the
16 arbitration of disputes arising out of the dismissal of a tenured teacher pursuant to subsection (a)
17 of this section.

18 (c) ~~Any teacher appointed to a position of principal, assistant principal, or vice principal~~
19 ~~within the school system in which the teacher has attained tenure shall, upon termination or~~

1 ~~resignation of the administrative position, be allowed to return to his or her former status as a~~
2 ~~tenured teacher within the system.~~ Any teacher employed by a local or regional school committee
3 who has attained tenure in a Rhode Island public school system, who is appointed to an
4 administrative position of principal, assistant principal, vice principal, superintendent, assistant
5 superintendent, director, or other central office personnel in any Rhode Island public school
6 system, including the original school district of employment, or who is hired for an administrative
7 position as a fellow, education specialist, or director by the Rhode Island department of
8 education, shall be granted an unpaid leave of absence, not to exceed three (3) years, in order to
9 be employed in an administrative position of principal, assistant principal, vice principal,
10 superintendent, assistant superintendent, director, or other central office personnel in any Rhode
11 Island school system or the Rhode Island department of education. Said teachers shall, upon
12 completion of their administrative position employment contract, or termination or resignation of
13 the administrative position, be allowed to return to his or her former status as a tenured teacher
14 within the system from which the leave of absence was taken. Such leaves of absence shall not be
15 deemed to be an interruption of service for the purposes of seniority and teacher retirement.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- TEACHERS' TENURE

1 This act would provide that any teacher employed by a local or regional school
2 committee, who has attained tenure in a Rhode Island public school system, be granted an unpaid
3 leave of absence, not to exceed three (3) years in order to be employed in an appointed
4 administrative position in another Rhode Island public school system, and upon completion of
5 their administrative position employment contract, or termination or resignation, be allowed to
6 return to his or her former status as a tenured teacher within the system from which the leave of
7 absence was taken, and said absence shall not be deemed to be an interruption of service for the
8 purposes of seniority and teacher retirement.

9 This act would take effect upon passage.

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