

2010 -- H 8028

LC02380

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO EDUCATION -- TEACHERS' TENURE

Introduced By: Representative Timothy A. Williamson

Date Introduced: April 13, 2010

Referred To: House Labor

It is enacted by the General Assembly as follows:

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

3 **16-13-2. Annual contract basis -- Automatic continuation.** -- (a) Teaching service
4 shall be on the basis of an annual contract, except as hereinafter provided. ~~and the contract shall~~
5 ~~be deemed to be continuous unless the governing body of the schools shall notify the teacher in~~
6 ~~writing on or before March 1 that the contract for the ensuing year will not be renewed; provided,~~
7 ~~however, that a A teacher, upon request, shall be furnished a statement of cause for dismissal or~~
8 nonrenewal of his or her contract by the school committee; provided further, that whenever any
9 contract is not renewed or the teacher is dismissed, the teacher shall be entitled to a hearing and
10 appeal pursuant to the procedure set forth in section 16-13-4.

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

15 **16-13-3. Probationary period -- Tenure after probation.** -- (a) Three (3) annual
16 contracts within five (5) successive school years shall be considered evidence of satisfactory
17 teaching and shall constitute a probationary period. Teachers who complete the probationary
18 period shall be considered in continuous service and shall not be subject to annual renewal or
19 nonrenewal of their contracts. No tenured teacher in continuous service shall be dismissed except

1 for good and just cause. Whenever a tenured teacher in continuous service is to be dismissed, the
2 notice of the dismissal shall be given to the teacher, in writing, ~~on or before March 1st of the~~
3 ~~school year immediately preceding the school year in which the dismissal is to become effective.~~
4 ~~The~~ Upon request, a teacher shall be furnished with a complete statement of the cause(s) for the
5 dismissal by the governing body of the school and shall be entitled to a hearing and appeal
6 pursuant to the procedure set forth in section 16-13-4.

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

11 ~~(c) Any teacher appointed to a position of principal, assistant principal, or vice principal~~
12 ~~within the school system in which the teacher has attained tenure shall, upon termination or~~
13 ~~resignation of the administrative position, be allowed to return to his or her former status as a~~
14 ~~tenured teacher within the system.~~

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would eliminate the requirement that school districts notify a teacher that the
2 teacher is not being rehired by March 1st of the school year immediately preceding the school
3 year in which the dismissal would become effective.

4 This act would take effect upon passage.

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