

2022 -- H 8151

LC005793

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO EDUCATION -- ATHLETIC COACHES

Introduced By: Representatives Fenton-Fung, McNamara, and Shallcross Smith

Date Introduced: April 14, 2022

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-11.1 of the General Laws entitled "Athletic Coaches" is hereby
2 amended by adding thereto the following section:

3 **16-11.1-3. Termination for cause - List maintained.**

4 (a) Whenever any person is employed as an athletic coach, assistant athletic coach, athletic
5 trainer, or similar position (hereinafter the "athletic coach") in any athletic program sponsored or
6 operated by any school district, including traditional public schools, charter schools, or private
7 schools, and that person is terminated for cause by a school committee or the governing body of a
8 charter or private school, the school committee or the governing body of the charter or private
9 school shall, within sixty (60) days of the termination or in cases where the termination is appealed,
10 within sixty (60) days after the conclusion of the appeal filed by the terminated athletic coach when
11 the termination is upheld, furnish the Rhode Island department of elementary and secondary
12 education (the "department") with the identity of the terminated athletic coach. Provided:

13 (1) This section shall not apply to the nonrenewal of a contract or termination of an athletic
14 coach due to fiscal exigency, the suspension of the particular sport or athletic program the athletic
15 coach was working in, the selection of a different coach, or for anything other than termination for
16 cause;

17 (2) As used herein:

18 (i) The term "for cause" means a legally sufficient reason to terminate based upon
19 misconduct of the athletic coach; and

1 (ii) The term "terminated" includes the complete severance of employment, the ending of
2 all unperformed portions of a conditional contract, and the nonrenewal of a contract.

3 (b) The department shall maintain a list of those athletic coaches who have been terminated
4 for cause (the "list") and shall update the list monthly to include the names of any additional athletic
5 coaches submitted by a school committee or the governing body of a charter or private school
6 pursuant to the provisions of this section. This list of athletic coaches shall be accessible only to
7 the hiring authority of any private, parochial, charter or public school.

8 (c) The list of terminated athletic coaches shall not be a public record pursuant to chapter
9 2 of title 38 ("access to public records"). This section shall not abrogate or modify any existing
10 statutory or common law privileges or immunities.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION -- ATHLETIC COACHES

1 This act would require a school committee or governing body of a charter or private school
2 to submit the identity of any athletic coach terminated for cause to the Rhode Island department of
3 education and this requirement would only apply to terminations for cause based upon misconduct
4 of the athletic coach. The act would apply to athletic coaches, assistant athletic coaches, and athletic
5 trainers. This act would also require the department to maintain a list and allow access to the list
6 by the hiring authority of any private, parochial, charter, or public school and the list of terminated
7 athletic coaches would not be a public record pursuant to the access to public records act.

8 This act would take effect upon passage.

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