

2013 -- S 0889

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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: Senators Lombardi, Cool Rumsey, Ciccone, Archambault, and Conley

Date Introduced: April 25, 2013

Referred To: Senate 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 employed by a local or regional school committee who has attained
19 tenure in a Rhode Island public school system, who is appointed to ~~a~~ an administrative position of

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would provide teachers who have attained tenure status a leave of absence to
2 accept an administrative position without losing tenure status. This leave of absence shall not
3 exceed three (3) years.

4 This act shall take effect upon passage.

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