

2014 -- S 2738 SUBSTITUTE A

LC005098/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

RELATING TO EDUCATION

Introduced By: Senator Maryellen Goodwin

Date Introduced: March 06, 2014

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-12 of the General Laws entitled "Rights and Duties of Teachers  
2 Generally" is hereby amended by adding thereto the following section:

3 **16-12-11. Educator evaluations.** – (a) Any board of education-approved educator  
4 evaluation system for tenured teachers shall include, but not be limited to, the following  
5 provisions:

6 (1) Any teacher who obtains or earns a rating of "highly effective," or a number "4," or  
7 any equivalent thereof shall, subsequent to such evaluation, be evaluated not more than once  
8 every three (3) years thereafter.

9 (2) Any teacher who obtains or earns a rating of "effective," or a number "3," or any  
10 equivalent thereof shall, subsequent to such evaluation, be evaluated not more than once every  
11 two (2) years thereafter.

12 (3) An annual conference shall be required for any "highly effective" or "effective"  
13 teacher included in subsections (a)(1) and (a)(2) herein. Said conference shall be in accordance  
14 with a process and scope determined by each school district's educator evaluation committee.

15 (b) The provisions of this section shall not prohibit annual evaluations in circumstances  
16 including, but not limited to:

17 (1) Any teacher who may request an annual evaluation; or

18 (2) Any teacher during his or her first year teaching under a new teaching certificate.

19 (c) Any non-tenured teacher shall be evaluated annually.

1           (d) Notwithstanding the provisions contained in subsection (a), principals may observe a  
2 teacher's classroom and classroom instruction at any time.

3           (e) Notwithstanding the provisions contained in subsection (a), nothing herein shall  
4 preclude more frequent educator evaluations if they are included in a local school district's  
5 negotiated collective bargaining agreement entered into after July 1, 2014.

6           (f) Notwithstanding the provisions contained in subsection (a), any concerns about a  
7 teacher's performance that arise at anytime shall be handled in accordance with local school  
8 district personnel policies and negotiated collective bargaining agreements.

9           (g) Any regulations of the department of education providing for the evaluation of  
10 teachers shall be modified to conform with the provisions and schedule set forth herein; provided,  
11 however, that nothing herein shall be construed to direct the department of education to act so as  
12 to jeopardize any current funding from a race to the top grant received by the state.

13           SECTION 2. This act shall take effect on August 14, 2014.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would provide that teachers who obtain a rating of "highly effective" or the  
2 equivalent thereof would be evaluated not more than once every three (3) years, and that teachers  
3 who obtain a rating of "effective" or the equivalent thereof would be evaluated not more than  
4 once every two (2) years. This act would not preclude more frequent evaluations to comply with  
5 local school district negotiated collective bargaining agreements.

6           This act would take effect on August 14, 2014.

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