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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO EDUCATION -- PROFESSIONAL DEVELOPMENT INVESTMENT FUND

Introduced By: Senators Pearson, Cano, Lawson, Gallo, DiPalma, Quezada, Murray,  
Seveney, and Valverde

Date Introduced: March 11, 2021

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1           SECTION 1. Subject to the conditions, limitations and restrictions hereinafter contained  
2 in this act, the sum of one million dollars (\$1,000,000) is hereby appropriated to Rhode Island  
3 college in addition to amounts previously appropriated and shall be paid out of any money in the  
4 treasury not otherwise appropriated to be extended during the fiscal year ending June 30, 2021, to  
5 fulfill the provisions of § 16-7.1-10(d) and (e). For purposes and functions hereinafter mentioned,  
6 the state controller is hereby authorized and directed to draw his or her orders upon the general  
7 treasurer for the payment of such sums or such portions thereof as may be required from time to  
8 time upon receipt by him or her of properly authenticated vouchers.

9           SECTION 2. The general assembly from money in the treasury not otherwise appropriated,  
10 shall make an annual appropriation to Rhode Island college in an amount sufficient to cover the  
11 full cost of certifying teachers for teaching English to speakers of other languages, bilingual  
12 education, in multilingual learning, and/or English as a second language through programs offered  
13 at Rhode Island college. For FY 2021 the appropriation amount shall be equal to the appropriation  
14 provided in section 1 of this act.

15           SECTION 3. Section 16-7.1-10 of the General Laws in Chapter 16-7.1 entitled "The Paul  
16 W. Crowley Rhode Island Student Investment Initiative [See Title 16 Chapter 97 - The Rhode  
17 Island Board of Education Act]" is hereby amended to read as follows:

18           **16-7.1-10. Professional development investment fund.**

19           (a) In order to continue developing the skills of Rhode Island's teachers, administrators and

1 staff, the general assembly establishes a Professional Development Investment Fund. The general  
2 assembly shall annually appropriate some sum and distribute it based on a pupil-teacher ratio that  
3 shall be adjusted annually by the commissioner of elementary and secondary education. School  
4 districts, including collaboratives established pursuant to chapter 3.1 of this title, may use funds  
5 received under this category of education aid to replace up to, but no more than, fifty percent (50%)  
6 of the amount the school district spent for professional development programs in the previous fiscal  
7 year. The expenditure of these funds shall be determined by a committee at each school consisting  
8 of the school principal, two (2) teachers selected by the teaching staff of the school, and two (2)  
9 parents of students attending the school. Schools that enroll students in the early grades  
10 (kindergarten through grade three (3)) must expend these funds on the development of scientific  
11 research based, as described in the No Child Left Behind Act of 2001, Title 1, Part B, Section 1208  
12 [20 U.S.C. § 6368], reading instruction to improve students reading performance.

13 Schools that have met their performance targets in reading for the current academic year  
14 and are not designated as a school in need of improvement, may expend their Professional  
15 Development Investment Funds on professional development in the core academic subjects of  
16 mathematics, writing, or reading to improve student performance.

17 Collaborative programs between schools are encouraged. These resources shall be used to  
18 close student performance gaps in accordance with the school's and district's strategic plan pursuant  
19 to § 16-7.1-2. Additional funds shall be allocated to the department of elementary and secondary  
20 education to support teacher and administrator professional development in all districts, including,  
21 but not limited to:

22 (1) Supporting mentoring systems;

23 (2) Providing school districts with program support to assist teachers in local school  
24 districts to improve reading instruction and enhance the integration of reading throughout the  
25 curriculum with the goal of improving student performance to high standards;

26 (3) Support for the design and implementation of leadership development for the teacher  
27 to assume leadership roles or ultimately prepare for administrator;

28 (4) Development of a plan for formal training of school leaders in standards based  
29 instruction, school improvement planning, effective use of data in the decision-making process,  
30 community involvement and creation of governance structures;

31 (5) Support for national board certification of teachers, application fees for a certificate of  
32 clinical competence issued by the American speech-language hearing association, and grants for  
33 coordination and support of school based teacher professional development; and

34 (6) The practice of scientific research based reading instruction to improve reading

1 performance.

2 ~~(b) In FY 2003, the additional funds allocated to the department of elementary and~~  
3 ~~secondary education pursuant to this section shall be used only to support the activities described~~  
4 ~~in subdivisions (a)(2) and (a)(5) of this section.~~

5 ~~(e)~~(b) Out of the funds appropriated by the general assembly for professional development  
6 in subsection (a) of this section, twenty-five percent (25%) shall be set aside for district-wide  
7 professional development activities. The expenditure of this district-wide professional development  
8 set-aside shall be determined by a committee in each district consisting of the superintendent or his  
9 or her designee, three (3) teachers appointed by the collective bargaining agent, and one member  
10 of the Rhode Island department of elementary and secondary education field service team servicing  
11 that school district designated by the commissioner of elementary and secondary education. The  
12 expenditure must be aligned with the district strategic plan as well as ongoing professional  
13 development programs approved by the department of elementary and secondary education.  
14 Collaborative programs between school districts are permissible.

15 ~~(d)~~(c) Except as provided in subsection (d) of this section ~~Beginning beginning~~ in FY 2006,  
16 professional development funds shall only be spent with the prior approval of the commissioner of  
17 elementary and secondary education upon submission of a district level plan which incorporates  
18 the school level plans and which details the use of the funds. These plans shall to the extent possible  
19 call for professional development activities that are embedded or do not otherwise encroach upon  
20 student instruction time. The requirements of this paragraph shall apply to both district-wide  
21 professional development activities and professional development activities determined by the  
22 school-level committees.

23 ~~(e) In FY 2009 payments from the professional development investment fund are hereby~~  
24 ~~suspended through June 30, 2009. Notwithstanding, school districts may continue to maintain~~  
25 ~~professional development programs and may reduce other education programs to achieve savings.~~

26 ~~(f) In FY 2010 payments from the professional development investment fund are hereby~~  
27 ~~suspended through June 30, 2010. Notwithstanding, school districts may continue to maintain~~  
28 ~~professional development programs and may reduce other education programs to achieve savings.~~

29 (d) Notwithstanding any other provision of law to the contrary, any school where the  
30 employer imposes a requirement on any certified teacher to obtain a certification or further  
31 education in teaching English to speakers of other languages, bilingual education, in multilingual  
32 learning, and/or English as a second language that the teacher did not already have, upon pain of  
33 adverse job action or consequences related to employment, and such certification is offered at  
34 Rhode Island college:

1           (1) The teacher shall not be required to pay any cost for application to the program at Rhode  
2 Island college;

3           (2) The teacher shall not be charged any tuition, fees, or expenses for any aspect of the  
4 course of study to obtain the certification or education; and

5           (3) No adverse job action shall be taken against the teacher on the basis of lacking the new  
6 certification or education so long as:

7           (i) Less than one year has elapsed since the announcement of the new certification or  
8 education requirement;

9           (ii) The teacher has submitted an application to Rhode Island college to pursue the  
10 certification or educational program;

11           (iii) The teacher remains on a waitlist for enrollment in the program or any class necessary  
12 to complete the program; or

13           (iv) The teacher is enrolled at Rhode Island college in pursuit of the certification or  
14 educational program.

15           (e) The terms "adverse job action" and "consequences related to employment" in subsection  
16 (d) of this section, shall be read liberally in order to effectuate the purposes of this statute and shall  
17 include, but not be limited to, reassignment to a different grade level, reassignment to a different  
18 school, changes in seniority, changes in pay, changes in benefits, changes in availability of  
19 discretionary funding, or other changes impacting the teacher personally or their chosen method of  
20 providing instruction.

21           SECTION 4. 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 -- PROFESSIONAL DEVELOPMENT INVESTMENT FUND

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1           This act would provide for a one-time appropriation of one million dollars (\$1,000,000)  
2   and an annual appropriation thereafter to Rhode Island college, for providing at no cost,  
3   certification and educational programs to teachers that are teaching English to speakers of other  
4   languages, bilingual education, or in multi-bilingual learning and for English as a second language.

5           This act would take effect upon passage.

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