

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- SUBSTITUTE TEACHER FLAT RATE

Introduced By: Senators Gallo, Lombardo, DiPalma, Ciccone, and Gu

Date Introduced: March 07, 2023

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by
2 adding thereto the following chapter:

3 CHAPTER 112

4 SUBSTITUTE TEACHER FLAT RATE

5 **16-112-1. Short title.**

6 This chapter shall be known and may be cited as the "Substitute Teacher Flat Rate".

7 **16-112-2. Definitions.**

8 As used in this chapter:

9 (1) "Certified" means an individual employed on a temporary basis, that holds a certificate
10 or certificates issued by or under the authority of the council on elementary and secondary
11 education.

12 (2) "Non-certified substitute teacher" means an individual employed on a temporary basis
13 that does not hold a certificate or certificates issued by or under the authority of the council on
14 elementary and secondary education.

15 (3) "School district" means any school district formed pursuant to law.

16 **16-112-3. Application of chapter.**

17 This chapter applies to every school district in this state and all certified and non-certified
18 substitute teachers who teach in state schools of elementary and secondary education.

19 **16-112-4. Hiring of substitute teachers.**

1 The committee or board of a school or school district may employ a student without a
2 teaching certificate as a substitute teacher, as defined by that school or school district. To qualify,
3 the student shall be currently enrolled in an accredited institution of higher education, be enrolled
4 in a program that will culminate in the student becoming eligible for a teaching license in the State
5 of Rhode Island, and have earned at least sixty (60) credits towards their degree.

6 **16-112-5. Rate of pay.**

7 (a) Substitute teaching personnel shall be paid a flat rate of two hundred fifty dollars (\$250)
8 for non-certified personnel and three hundred dollars (\$300) for certified personnel. This rate shall
9 apply to all personnel currently in the pool of substitutes for a particular district, and to newly hired
10 substitute teaching personnel hired after the effective date of this chapter.

11 (b) The general assembly shall allocate funding from the American Rescue Plan Relief
12 Fund to school districts to support hiring of substitute teachers.

13 (1) The funding shall cover the difference between the collectively bargained per diem rate
14 for substitute teachers and the flat rate established in subsection (a) of this section.

15 (i) If, as of the effective date of this chapter, the school administration in a particular district
16 is engaged in the collective bargaining process with the teachers' union, for purposes of enforcing
17 this chapter, the per diem substitute rate shall be the rate established by the most recent collective
18 bargaining agreement.

19 (ii) For the duration of this program, bargaining parties shall be prohibited from bargaining
20 for a per diem rate for substitute teachers which is based on an anticipated allocation of funds
21 pursuant to this chapter.

22 (c) Each school district shall submit to the Rhode Island department of education (RIDE)
23 on a monthly basis an itemized request for reimbursement, including, but not limited to, the
24 following information:

25 (1) The number of new hires to the substitute pool since the effective date of this chapter;

26 (2) Total number of substitute teaching personnel who received the flat rate as established
27 in this chapter, broken down by non-certified and certified personnel; and

28 (3) Total amount paid to substitute teaching personnel for that quarter.

29 (d) Upon receipt, RIDE shall reimburse the district for the total amount itemized within
30 thirty (30) business days. RIDE shall promulgate any necessary rules and regulations for the
31 implementation of this chapter.

32 **16-112-6. Pay in excess of state supported rates.**

33 Nothing contained in this chapter shall prevent any local school board or district from
34 paying an additional amount of salary to any substitute teacher when such additional amount is

1 derived from local funds or appropriations.

2 **16-112-7. Rules and regulations.**

3 The department of education shall make such rules and regulations as it deems appropriate
4 to make the application of the salary structure contained in this chapter uniform throughout the
5 state.

6 **16-112-8. Sunset provision.**

7 This section shall sunset upon the completion of the 2023-2024 school year or upon
8 exhaustion of approved American Rescue Plan Relief Funds for education relief, whichever is
9 earliest.

10 **16-112-9. Reporting.**

11 (a) No later than August 1 each year, for the duration of the program, each school district
12 shall report to the department of education the following data from the previous school year:

13 (1) How many substitute teachers were hired under this program;

14 (2) The race, ethnicity, and gender of the applicant pool;

15 (3) Whether any substitute teachers were hired for full-time status;

16 (4) Education and certifications; and

17 (5) Reason for exiting the position, if they were not hired for full-time status.

18 (b) The department of education shall cull the data from the school districts and prepare a
19 report to be submitted to the general assembly by September 1. The department of education shall
20 appropriately redact any data received and make it publicly available on the department of
21 education website.

22 SECTION 2. 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 -- SUBSTITUTE TEACHER FLAT RATE

1 This act would establish a flat rate for certified and non-certified substitute teaching
2 personnel statewide at two hundred fifty dollars (\$250) and three hundred dollars (\$300),
3 respectively, and would propose using American Rescue Plan Act funds to cover the difference
4 between the per diem rate set by each school district and the flat rate with a sunset date of September
5 1, 2024 or until no funds remain, whichever is earliest.

6 This act would take effect upon passage.

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