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# SMITH HILL REPORT



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## School Takeover Legislation Considered

The Senate Education Committee took testimony on [S2838](#) sponsored by Senator Samuel Zurier. The legislation would create clear process to follow should the state takeover a local public school or a local public school district in the future. The legislation also created a Board of Trustees to oversee the state takeover of the Providence School District which occurred in 2019.

One of the challenges we have seen in trying to understand the existing statute governing state takeovers is that there is merely one paragraph in state law describing increased state control. The current law vests responsibility to oversee state authority over local schools with the Council on Elementary and Secondary Education. Since 2019, the Council has done no actual oversight of Providence schools, with the Commissioner assuming that responsibility.

The RIFTHP supported Senator Zurier's legislation. RIFTHP President Frank Flynn testified that there is a lack of clarity or accountability with the current state takeover of Providence Schools, and that the Assembly ought to clarify roles and responsibilities for future state intervention as well as provide accountability and oversight for the current Providence state intervention.

Flynn argued that one could both support the Turnaround Plan for Providence while creating a new Board of Trustees to oversee the operation of the school district. Additionally, he urged the Committee to consider adding more teacher and some Providence City Council representation to the proposed Board of Trustees without increasing the size of the Board beyond nine members.

Providence Superintendent Javier Montanez testified against the legislation at the hearing on April 27<sup>th</sup>. He conflated the creation of a Board of Trustees to abandoning the Turnaround Plan supported by the community. Two parents spoke against the bill and one community member testified in support of the bill, stressing the need for transparency and accountability. The RI Association of School Committees also supported the bill. The Senate Education voted to hold the bill for further study.

## RIFTHP Supports Rate Review, Early Intervention Funding Legislation

On Thursday April 28, the Senate Finance Committee took testimony on two legislative issues related to reimbursement rates the state gives to organizations that provide human service programs to state residents. The RIFTHP submitted a [letter](#) in support of [S2311](#) by Senator Lou DiPalma. His legislation would create a process to review the reimbursement rates of all human service providers every two years. His bill also creates an advisory board to oversee the data generated by the rate review process. In his letter to the Committee, RIFTHP lobbyist James Parisi urged support of a rate review process. He noted that the review does not guarantee rate increases that are necessary, but data that is generated and shared by the proposed statutory process would benefit workers in the human services field.

RIFTHP also supported another bill related to provider rates. [S2546](#) by Senator Valverde would increase state payments to Early Intervention Providers by 70%. Those rates have not increased in two decades. The RIFTHP represents professionals employed in the Early Intervention Program at the J Arthur Trudeau Memorial Center. In the RIFTHP [letter](#), the union supported the rate increase and called on such an increase to be permanent, not a one-time bonus using federal funds.

### DSP Pay Raise Press Conference

Anna Landolfi, Vice-President of the Center Employees Union and a Direct Support Professional at the J. Arthur Trudeau Memorial Center spoke at a press conference on Thursday April 28. The press conference was called in support of legislation filed to increase the minimum wage of Direct Support Professionals to \$21.00 / hour by July 1, 2023. The legislation provides even higher pay for those with years of experience in the position. [S2407](#) is sponsored by Senator Lou DiPalma and [H7390](#) is sponsored by Representative Evan Shanley. Both bill sponsors and a DSP from Blackstone Valley also spoke at the press conference. To view a copy of the press release, [click here](#).



*Representative Shanley and Senator DiPalma*



*Representative Shanley with CEU leaders Robin Butzier and Anna Landolfi*

## Bills On The Move

The following bills have recently passed one chamber of the General Assembly and have moved to the other chamber for consideration:

### **Municipal Employees' Binding Arbitration**

[S 2244](#), which was introduced by Senator Lawson, passed the Senate on 4/12/2022 with a vote of 31 yeas, 7 nays, and 2 members not voting.

This bill would establish new factors for the interest contract arbitration board for municipal employee unions to consider in rendering a binding decision on the contract, would grant the board power to render an award over all negotiated matters, including the expenditure of money and would provide for a review of the arbitration panel's decision, by writ of certiorari to the supreme court

### **College Crusade Scholarship - RI Promise**

[S 2280](#), which was introduced by Senator Cano, passed the Senate on 4/12/2022 with a vote of 38 yeas, 0 nays, and 0 members not voting.

This act would provide that scholarships received directly from the College Crusade Scholarship Program would not be considered financial aid pursuant to the provisions governing the Rhode Island Promise Scholarships, as set forth in chapter 107 of title 16.

### **State Employee Contract Continuation**

[S 2409](#), which was introduced by Senator McCaffrey, passed the Senate on 4/12/2022 with a vote of 33 yeas, 5 nays, and 0 members not voting.

This bill would require that if state employee unions are engaged in contract negotiations and/or utilizing the dispute resolution process to adopt a successor contract, all the terms and conditions in the existing collective bargaining agreement, shall continue to remain in effect, even after its expiration.

### **Teachers' Retirement - Former Spouse Divorced**

[S 2413](#), which was introduced by Senator Ruggiero, passed the Senate on 4/26/2022 with a vote of 35 yeas, 0 nays, and 3 members not voting.

This bill would, for purposes of teachers' retirement benefits, amend the definition of "former spouse divorced" to include someone who was married to a deceased member for ten (10) or more years and the deceased member was required by court order to contribute support to the person post-divorce and would include the classification of "former spouse divorced" in the spouse and domestic partner's benefits statute.

### **Compensation of Student Athletes**

[H 6673](#), which was introduced by Representative Solomon, passed the House on 4/13/2022 with a vote of 71 yeas, 0 nays, and 4 members not voting.

This bill would expressly allow college athletes, while they are students, to personally profit from the use of their name, image, and likeness, and prohibit the NCAA from preventing these practices.

## Bill Introductions

### Revenue for Rhode Island

*(H 7440, Alzate, House Finance)*

*(S 2264, Murray, Senate Finance)*

These bills would add one new income tax bracket for purposes of Rhode Island state income taxation. The new bracket would be a rate of eight and ninety-nine percent (8.99%) on taxable income over four hundred three thousand five hundred dollars (\$403,500) (in 2011 dollars). Adjusted for inflation, the new tax bracket would apply to taxable income over approximately five hundred thousand dollars (\$500,000) (in 2022 dollars), impacting only the top one percent (1%) of taxpayers.

### Tax Credit for Public School Donation

*(H 7441, Solomon, House Finance)*

This bills would create a tax credit for the amount in excess of ten thousand dollars (\$10,000) contributed to a public school district for the express purpose of making physical improvements to a school.

### Long-Term Care Service Rate Increase

*(H 7446, Serpa, House Finance)*

*(S 2306, Felag, Senate Finance)*

These bills would provide for Medicaid home care, home nursing care and hospice base rate adjustments for services delivered by professionals and paraprofessionals to meet the increasing demand for services for medically-complex and rural patients and to meet the need to grow and sustain the workforce.

These bills would authorize the executive office of health and human services (EOHHS) to develop a methodology for the compliance of United States Department of Labor requirements for time and travel between patients' homes.

### Arming of Campus Police

*(H 7459, O'Brien, House Judiciary)*

*(S 2778, Ciccone, Senate Judiciary)*

These bills would mandate arming campus police at public higher educational institutions and would include campus police in the definition of "law enforcement officer" for the purposes of the "Law Enforcement Officers' Bill of Rights."

### Training School Admissions

*(H 7461, Kislak, House Judiciary)*

*(S 2382, Valverde, Senate Judiciary)*

These bills would prohibit the family court from detaining any juvenile or committing any juvenile, under fourteen (14) years of age to the training school, for any offense unless the offense alleged or for which the juvenile is found responsible, is one that constitutes charges of murder, first degree sexual assault or attempts to commit one of those offenses, and the court determines that there is no other reasonable placement location to ensure the safety of the juvenile and the general public.

### State Funding for School Mental Health Services

*(H 7473, Alzate, House Finance)*

This bill would establish state support for school-based mental health services.

### **Right to Read Act Revisions**

*(H 7479, Quattrocchi, House Education)*

This bill would amend the right to read act allowing for instruction utilizing a multi-sensory, phonics based approach, by providing teachers to have proof of having completed hours phonological awareness Orton-Gillingham training.

### **Funding for Orton-Gillingham Training**

*(H 7480, Amore, House Finance)*

This bill would provide that the general assembly would appropriate \$50,000 annually for a three (3) year pilot program on teacher training in the Orton-Gillingham classroom educator program.

### **School Resource Officer Funding**

*(H 7485, O'Brien, House Finance)*

This bill would extend the reimbursement to a school district or municipality for the employment of newly hired school resource officers only.

### **Education Savings Accounts Program**

*(H 7487, Place, House Finance)*

This bill would require the general treasurer, upon a request to the department of education (RIDE) by a parent or guardian, to establish an education savings account to assist and support the parents, guardians and caretakers of students in any school district of the state with the tuition, materials, tutors, technology and other educational support for any student learning at home or at any other remote-learning site. The amounts contributed and interest earned would be exempt from the state income tax.

### **School Lunch Worker Work Year**

*(H 7488, Amore, House Finance)*

*(S 2411, Lawson, Senate Labor)*

These bills requires school lunch service contracts to provide for payment to school-lunch workers and aides for one hundred eight (180) days or the length of the contract for the school year, whichever is longer.

### **Human Services - Rate Review And Rate Setting Process**

*(H 7489, Casimiro, House Finance)*

*(S 2200, DiPalma, Senate Finance)*

These bills would require the executive office of health and human services (EOHHS) with the assistance of a twenty-four (24) person advisory committee to provide expert review and recommendations for the process for rate setting and ongoing review of rate setting for all medical and clinical service programs contracted by, or with or licensed by the state or any department of the state as well as Medicaid.

### **Taxation of Private K-12 and Higher Education Tuition**

*(H 7492, Morales, House Finance)*

*(S 2146, Bell, Senate Finance)*

These bills would authorize municipalities to tax net tuition income for all private institutions of K-12 or higher education. Financial aid would be exempt. No tax would be imposed on thirteen thousand dollars (\$13,000) annually for tuition for kindergarten through grade twelve (K-12) and for twenty-five thousand dollars (\$25,000)

for postsecondary education and training. These bills would also require municipalities to include an explanation of the basis for tax exemption status for property located in the municipality. Any person or legal entity in the state would be authorized to challenge the exempt status.