



# The SMITH HILL REPORT



PUBLISHED BY THE RHODE ISLAND FEDERATION OF TEACHERS & HEALTH PROFESSIONALS/AFT, AFL-CIO

## Teacher Evaluation Moratorium Bill Heard

Wednesday, April 9 was a busy day for teacher union lobbyists at the State House. An important hearing was held in the Senate Education Committee when they heard testimony on legislation related to teacher evaluations. [S2428](#) by Senator Adam Satchell would put a five year moratorium on using student growth and achievement in evaluating teacher. The moratorium would extend to evaluation done prior to July 1, 2019.

RIFTHP President Frank Flynn testified in support of the bill on behalf of the RIFTHP membership. He decried the over-reliance on student achievement data in the current evaluation matrix for teachers. He questioned how school administrators could effectively use student achievement data in evaluating teachers while the state is in the midst of implementing the common core standards. Under questioning by Senator O'Neill, he reaffirmed that teacher evaluations are subjects of collective bargaining and urged the Senate to restore local control over developing evaluation with support for the legislation.

Those testifying in opposition to the bill were representatives of RIDE, RICAN, school committees and superintendents. Tim Duffy of the RI Association of School Committees conceded that all teacher contracts have evaluation provisions, but that he would not support a bill that reinforced giving teachers the ability to bargain evaluation systems.

## Layoff and Recall Bills Debated

The annual attempt to extend the notification date for teacher layoffs was considered by the Senate Labor Committee on Wednesday, April 9. [S2416](#) by Senator Ciccone would extend the layoff date from March 1 to May 15 while preserving the March 1 date for terminations of tenured and non-tenured teachers. His bill would also expand the scope of the layoff law to include all layoffs, not just those caused by pupil population decline. [S2014](#) by Senator DiPalma would extend the notification date for layoffs and terminations to June 1. His bill would not expand the scope of the layoff law; instead it would permit terminations for "fiscal exigency or program reorganization".

RIFTHP lobbyist James Parisi supported the Ciccone bill and opposed the DiPalma bill. He expressed a willingness to extend the date for layoff notices for a reasonable period of time. He was adamant in not supporting any bill that would signal to school committees that it is permissible to fire someone for fiscal exigency or program reorganization when those situations have been handled through the layoff and recall

**April 14, 2014**

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process for decades. Parisi challenged the superintendents, school committees or RIDE to come up with examples when tenured teachers have been fired (as opposed to being laid off) for budget or program reorganization reasons.

Those opposed to expanding the scope of the existing layoff law were RIDE, RI-CAN, the RI Association of School Committees and the RI Superintendents Association. They all argued against giving teachers clear seniority protection in the event of budget problems or education program reorganization.



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## House Teacher Evaluation Bill Considered

At a hearing before the House Health, Education and Welfare Committee, on April 9, the RIFTHP testified in support of Representative Jay O'Grady's bill ([H7887](#)). This bill would make changes to educator certification provisions implemented by the Department of Education. The bill would ensure that educator evaluation standards would be under local control and continue to be a subject of collective bargaining. The bill also specifies that student growth and achievement as a portion of an overall teacher rating shall not exceed thirty-three and one third percent of the total rating.

In his presentation of the bill to the Committee, Representative O'Grady referenced the holistic approach RIDE often talks about in education, teacher evaluations and student learning objectives, but he pointed out it is not used in practice. Rep. O'Grady introduced Christina Carlotti, the World Languages/English Language Learner Program Department Head at East Providence High School. Carlotti explained the complicated process to the committee, testifying that the number one effect on a teacher's evaluation is student achievement and yet the difficulties in identifying how to weigh student learning is complex.

RIFTHP lobbyist James Parisi testified in support of the bill, and that it is necessary to reduce the overreliance on students' achievement to evaluate teachers. He asked the rhetorical question of Rep. Newberry (a lawyer) if lawyers should be evaluated based on a success rate in trials or of Rep. Bennett (an RN) if nurses should be evaluated based on the recovery and health of their patients? He told the committee that teachers would have been more open to accept an evaluation system if student achievement was a smaller portion of their evaluation, but that over 50% reliance on student achievement was not acceptable.

Additional testimony in support of the bill was given by Colleen Callahan, RIFTHP Director of Professional Issues, who emphasized the bill's language "Student growth and achievement as a portion of an overall teacher rating shall be comprised of multiple measures." She also lauded the bill's requirement that the method of calculating student academic growth and achievement shall be proven and valid and reliable by the State Board of Education prior to its use in the evaluation of teachers.

Joining Parisi and Callahan in supporting the legislation was NEA's Patrick Crowley who told the committee "the current practice is unbelievably complex and unfair." The opposition to the bill came from the usual suspects, RIDE, the RI Association of School Superintendents, RI-CAN, and the RI Association of School Committees.

## Bill Introductions

If you would like to read the full text of a bill, just click on the bill number.

### **Constitutional Amendment – Line Item Veto**

([H8014](#) *Morgan, House Judiciary*)

The RIFTHP opposes this bill which would place a constitutional amendment on the ballot to permit the governor to reduce or veto any item of appropriation in a bill presented to him or her. Portions of the bill not reduced or vetoed shall become law. An item vetoed or reduced shall be returned to the house in which it originated and may be restored to its original amount and become law in the same manner as a veto override. If a reduced item is not so restored, it shall become law in the reduced amount.

### **Charter School Funding**

([H8023](#) *Serpa, House Finance*)

The RIFTHP supports this bill which would change the method of determining the local share of the per pupil cost for each student attending a charter school by subtracting from the local share, allocations not borne by the charter school, based on the Uniform Chart of Accounts (UCOA). It would also provide that local district payments to charter public schools are to be made on a quarterly basis based on student enrollment during that quarter.

### **Charter School Funding**

([H8024](#) *Walsh, House Finance*)

The RIFTHP supports this bill which would adjust the per pupil funding to charter schools for expenses incurred by the local school district and provide that quarterly payments be based on the actual number of students enrolled in a charter school during that quarter.

### **Substitute Teachers - Two Years of College**

([S2428](#) *Pichardo, Senate Education*)

The RIFTHP opposes this bill which would allow individuals with two (2) or more years of a college education to serve as substitute teachers for no more than forty (40) teaching days in any one assignment during a school year, whether the teaching days are consecutive or non-consecutive. The Commissioner of Elementary and Secondary Education would extend this forty (40) day limitation for the appropriate training of the substitute teacher.

### **State Employee Longevity Compensation**

([S2454](#) *Ciccione, Senate Finance*)

The RIFTHP supports this bill which would restore collective bargaining over longevity payments for any state employee, as well as any employees of the Board of Education.

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## Coming Up

On Wednesday, April 16, at the rise, the [House Finance Committee](#) will hear testimony on [H7885](#) (Pension Funding - Maintenance of Effort, Handy). On Thursday, April 17 at the rise, the [House Finance Committee](#) will hear testimony on [H7212](#) (Mayoral Academy Staff - Pension Participation, Fellela) and [H7323](#) (Student Debt Refinancing, Marcello).

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