

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 225

Approved April 12, 1985

WHEREAS, Senate Bill 85-S 845 relates to layoff procedures of teachers for budgetary reasons, and

WHEREAS, Said Act establishes a new time table and procedures for the layoff of teachers for budgetary reasons, and

WHEREAS, On or before April 1 the chief executive of a city or town will inform the superintendent of schools and the bargaining agent of the teachers of the amount of money that will be recommended to the city or town council for the school department, and

WHEREAS, on or before May 15 the superintendent will inform the bargaining agent of the teachers of names of teachers, if any, who may be recommended for layoff in the next fiscal year for budgetary reasons only and provide an opportunity for an administrative hearing as to the basis for those recommendations, and

WHEREAS, on or before July 1 the chairperson of the school committee shall notify any teacher who shall be dismissed for budgeting reasons and allow such teacher those rights to a hearing and appeal as otherwise set forth in section 16-13-4 of the General Laws of the State of Rhode Island, and

WHEREAS, Any contract increasing the cost of education must be approved by the Council and chief executive in order to be valid and enforceable,

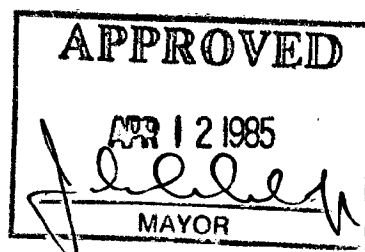
NOW, THEREFORE, BE IT RESOLVED, That the Members of the Providence City Council hereby endorse and urge passage of Senate Bill 85-S 845, presently pending before the Senate Committee on Labor.

IN CITY COUNCIL  
APR 4 1985

READ AND PASSED

*Nicholas W. Easton*  
PRES.

*Rose M. Mendonca*  
CLERK



IN CITY COUNCIL  
MAR 21 1985  
FIRST READING  
REFERRED TO COMMITTEE ON FINANCE

Rose M. Mendonca CLERK

THE COMMITTEE ON  
FINANCE

Approves Passage of  
The Within Resolution

Rose M. Mendonca  
Clerk Chairman

April 1, 1985

Councilman Glavin, Councilman Dillon  
and Councilwoman Sanghvi (By Request)

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PD340  
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8 5 -- S845

S T A T E   O F   R H O D E   I S L A N D

I N   G E N E R A L   A S S E M B L Y

J A N U A R Y   S E S S I O N ,   A . D .   1 9 8 5

A N   A C T

R E L A T I N G   T O   L A Y O F F   P R O C E D U R E S   O F  
T E A C H E R S   F O R   B U D G E T A R Y   R E A S O N S

Introduced By: Senator Bevilacqua (By request)

Date Introduced: March 1, 1985

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1        SECTION 1. Sections 16-13-2 and 16-13-4 of the General Laws in  
2 Chapter 13 of Title 16 entitled "Teachers Tenure" are hereby amended  
3 to read as follows:  
4        16-13-2. Annual contract basis -- Automatic continuation. --  
5 Teaching service shall be on the basis of an annual contract, except  
6 as hereinafter provided, and such contract shall be deemed to be con-  
7 tinuous unless the governing body of the schools shall notify the  
8 teacher in writing on or before March 1, except for the nonrenewal of  
9 a contract for budgetary reasons, that the contract for the ensuing  
10 year will not be renewed; provided, however, that a teacher, upon  
11 request, shall be furnished a statement of cause for dismissal or non-  
12 renewal of his contract by the school committee; provided further,  
13 that whenever any such contract is not renewed or said teacher is dis-  
14 missed, said teacher shall be entitled to a hearing and appeal pur-  
15 suant to the procedure set forth in section 16-13-4.

1        16-13-4. Statement of cause for dismissal -- Hearing -- Appeals.  
2        -- Statement of cause for dismissal, except for dismissals for budget-  
3        ary reasons, shall be given the teacher in writing by the governing  
4        body of the schools at least one (1) month prior to the close of the  
5        school year. The teacher may, within fifteen (15) days of such noti-  
6        fication, request in writing, a hearing before the full board. The  
7        hearing shall be public or private, in the discretion of the teacher.  
8        Both teacher and school board shall be entitled to be represented by  
9        counsel and to present witnesses. The board shall keep a complete  
10       record of the hearing and shall furnish the teacher with a copy. Any  
11       teacher aggrieved by the decision of the school board shall have right  
12       of appeal to the state department of education and shall have the  
13       right of further appeal to the superior court.

14       SECTION 2. Chapter 13 of title 16 of the General Laws entitled  
15       "Teachers Tenure" is hereby amended by adding thereto the following  
16       section:

17       16-13-9. Contract nonrenewal procedures for budgetary reasons.  
18       -- (a) On or before April 1 the chief executive of each city or town  
19       shall file with the chairperson of the school committee a statement  
20       describing the budgeted amount of expenditures to be allowed by the  
21       school department in the next fiscal year on the budget to be recom-  
22       mended to the chief executive to the city or town council or the next  
23       annual financial meeting. A copy of such statement shall be filed  
24       with the bargaining agent of the teachers of said city or town.

25       (b) On or before May 15 the superintendent of schools shall make  
26       available to such bargaining agent a list of any teachers whose con-  
27       tract he shall recommend to the school committee that not be renewed  
28       for budgeting reasons and the superintendent shall further provide for  
29       an administrative hearing to such bargaining agent for the purpose of  
30       allowing such bargaining agent to inquire into the basis for those  
31       nonrenewal recommendations.

1       (c) On or before July 1 the chairperson of the school committee  
2 shall notify each teacher whose contract shall not be renewed for  
3 budgetary reasons. Said teacher shall be then entitled to such right  
4 to a hearing and appeal as otherwise set forth in section 16-13-4.

5       (d) No contract between the school committee and teachers  
6 increasing the cost of educational services shall be valid and  
7 enforceable unless the chief executive and council of the municipality  
8 approves said additional cost by ordinance.

9       SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
AN ACT  
RELATING TO LAYOFF PROCEDURES OF  
TEACHERS FOR BUDGETARY REASONS

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1        This act would establish a new time table and procedures for  
2        the layoff of teachers for budgetary reasons.

3        On or before April 1 the chief executive of a city or town  
4        will inform the superintendent of schools and the bargaining  
5        agent of the teachers of the amount of money that will be recom-  
6        mended to the city or town council for the school department.

7        On or before May 15 the superintendent will inform the bar-  
8        gaining agent of the teachers of names of teachers if any, who  
9        may be recommended for layoff in the next fiscal year for budget-  
10       ary reasons only and provide an opportunity for an administrative  
11       hearing as to the basis for those recommendations.

12       On or before July 1 the chairperson of the school committee  
13       shall notify any teacher who shall be dismissed for budgeting  
14       reasons and allow such teacher those rights to a hearing and  
15       appeal as otherwise set forth in section 16-13-4.

16       Any contract increasing the cost of education must be  
17       approved by the council and chief executive in order to be valid  
18       and enforceable.

19       This act would take effect upon passage.

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