

Basic Education Plan (BEP) of Rhode Island Informational Brief

For the entire document see:

http://www.ride.ri.gov/regents/Docs/RegentsRegulations/BEP_FINAL_070110.pdf

When was the new BEP written? June 4, 2009 under Rhode Island Educational Commissioner Peter McWalters.

When did the BEP become effective? July 1, 2010 and/or at the expiration of the collective bargaining agreement (if applicable).

Pursuant to RIGL 16-7-24, the Board of Regents for Elementary and Secondary Education is required to promulgate the Basic Education Program (BEP). The BEP sets out the minimum standards for education for all public schools in the State of Rhode Island.

The BEP makes the following provisions with respect to human resources:

- G-12-2.2 (a) Human Capital---Improving achievement requires recruitment of talented educators driven by strategic human capital management. Human capital management involves the practices of recruiting, developing, rewarding talented and demonstrably successful staff. The human capital management system enables the LEA (Local Education Agency---District) to address the following functions: Recruit, Support and Retain Highly Effective Staff; Use Information for Planning and Accountability, and ensure Equity and Adequacy of Fiscal and Human Resources. In order to effectively meet these functions, each LEA shall maintain control of its ability to recruit, hire, manage, evaluate and assign its personnel.
- The LEA shall establish a set of policies and an array of strategies to recruit, hire, and retain highly effective district and school personnel, focus on screening methods for determining candidate knowledge and skills to match the needs of the LEA, promote the early identification of openings, use research-based protocols and incentives to address LEA related factors affecting retention and its impact on mobility trends, and address staffing low performing schools with highly effective and experienced staff.
- G-15-1.2 Management Duties and Responsibilities---Within the parameters of law, the chief executive (Superintendent) shall assign administrative and The chief executive officer (Superintendent) shall comply with provisions of federal and state law, including the full implementation of the BEP. Under the supervision of the governing board (school committee) the chief executive shall exercise his or her management authority to accomplish the following responsibilities:
 - Human Capital-The chief executive shall oversee administration of the personnel function consistent with personnel standards, policies, and the and the table organization established by the governing board that includes: policies and procedures for recruiting, supporting and retaining highly effective staff; ongoing supports to improve the effectiveness of staff; cohesive professional development; and evaluation of personnel performance.

On October 20, 2009, Deborah Gist, Commissioner issued the following advisory to Superintendents regarding staffing:

- In sum, the new BEP requires that the system of management, professional training, evaluation, and assignment of instructional staff ensures that highly effective educators

work with classrooms of students who have significant achievement gaps. In my view (as Commissioner), no system that bases teacher assignments solely on seniority can comply with this regulation.

- As the chief administrative officer (Superintendent) of your LEA (district) you must establish a human capital management system that meets the standards set forth in the BEP.
- On July 1, 2010, the BEP will become law in RI. As such, the requirements of the BEP will effectively be read into every collective bargaining agreement entered into after that date. Contract language cannot conflict with state law, including regulations, and contract language that conflicts with existing law may be unenforceable.
- I am writing today to provide you with sufficient time to work with your respective bargaining units to ensure that you have a system in place for ensuring (BEP compliance)
- At a later date, I will ask you to submit a status report explaining how you revised your human capital system to meet the requirements of the BEP.

On Feb 23, 2011, the Commissioner issued a follow up to her advisory by way of a Field Memo to Superintendents concerning teacher layoffs.

- Teacher positions must be filled in accordance with certification requirements, performance criteria, and student need. Under Rhode Island law, these are the personnel-related considerations that must be used in the planning and implementation of a reduction in the teaching force for budgetary or program reasons.

The Commissioner has interpreted the BEP to prohibit seniority as the sole factor to be considered when making decisions on teacher hiring, promotion, transfer and layoffs.