

RHODE ISLAND

OVERALL RANK: 5TH¹
TIER 1 (STRONGEST)

STRONGER WEAKER

OVERALL	5				
1. RESOURCES AND MEMBERSHIP	6				
2. INVOLVEMENT IN POLITICS	4				
3. SCOPE OF BARGAINING			17		
4. STATE POLICIES			15		
5. PERCEIVED INFLUENCE			15		

AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 6TH

Rhode Island’s teacher unions benefit from resources from its members, as well as from spending on K-12 education in the state. First, the Ocean State has one of the highest membership rates in the nation with 97.4 percent of its teachers belonging to unions. Rhode Island’s NEA and AFT state-level affiliates bring in \$552 annually per teacher in the state (17th out of 51 jurisdictions). What’s more, the unions see high per-pupil expenditures (\$14,567; 8th), and 54.5 percent of those funds go toward teacher salaries and benefits (22nd).

AREA 2: INVOLVEMENT IN POLITICS² TIED FOR 4TH

Rhode Island’s teacher unions have been extensively involved in state politics in the past ten years.³ Donations from them amounted to 1.2 percent of all donations to candidates for state office (15th). Those contributions made up 8.3 percent of the money donated by the ten highest-giving sectors in the state (16th), making unions a major player in campaign seasons. They gave to political parties at a similar level, with 3.7 percent of total donations to Rhode Island parties coming from teacher unions (4th). In addition to money, the unions had another source of influence: A whopping one out of three Rhode Island delegates to the Democratic and Republican national conventions were teacher union members (no state was higher on this metric).⁴

AREA 3: SCOPE OF BARGAINING TIED FOR 17TH

Rhode Island is one of thirty-two states that require collective bargaining, and one of twenty-five that permit unions to automatically collect agency fees—a valued source of union revenue—from non-member teachers. But despite its supportive stance toward bargaining in general, state law is fairly neutral about the specifics. Of twenty-one items examined in this report, the state requires only three to be subject to mandatory bargaining (wages, hours, and terms and conditions of employment, including benefits) and is silent on the remaining eighteen (implicitly including them all in the scope of bargaining). The state does not permit teacher strikes.

AREA 4: STATE POLICIES 15TH

While many Rhode Island policies align with teacher union interests, others do not. Rhode Island's charter school laws, in particular, mirror traditional union positions by restricting how many such schools may operate in the state, prohibiting virtual charter schools, and allowing only the state board of regents to authorize charters. It also restricts charter autonomy—state law requires all that charter teachers are certified, and automatically exempts some but not all schools from collective bargaining agreements. District employment policies, however, are less in line with union interests: Rhode Island requires that student achievement be the preponderant criterion in teacher evaluations, and teachers are eligible for dismissal after multiple unsatisfactory ratings. Still, not all employment policies are union-averse. In Rhode Island, teachers are dismissed due to poor performance at a lower rate than in almost every other state.

And, compared to most other states, in the past Rhode Island employers contributed a higher proportion to pensions than employees did—although that may soon change (see sidebar).

AREA 5: PERCEIVED INFLUENCE 15TH

Stakeholders in Rhode Island perceive that their teacher unions are relatively strong. Respondents rate them as the second or third most-influential entity in state education politics, behind the board of regents and alongside education advocacy groups. They agree that, at a time of budgetary constraint, unions are effective in protecting state dollars for education, and in warding off proposed reforms with which they disagree. Further, they note that Democrats running for state office always need teacher union support to be elected (see Area 2). Still, stakeholders report that policies *proposed* by the governor in the latest legislative session were only *somewhat* in line with union priorities, and those *enacted* were mostly *not* in line with them, showing that the union's power in Rhode Island may be in flux—especially when it comes to lawmakers.⁵

OVERALL 5TH

Rhode Island's teacher unions enjoy robust resources. Although they are active and powerful participants in state politics, state policies on teacher employment and the scope of bargaining are not completely union-favorable and recent defeats seem to indicate that the unions, while still strong, face a political environment that has become more contentious of late, or at least more divided (see sidebar).

A SHORT-LIVED TRUCE

After its first Race to the Top (RTTT) proposal was rejected in March 2010, Rhode Island education commissioner Deborah Gist knew she had to have the unions on board. “Every point is going to count, so [we were] very concerned and really wanted that sign-on,” she said.⁶ While she didn’t get universal support—the National Education Association of Rhode Island (NEARI) refused to endorse the second proposal—Rhode Island’s AFT affiliate, and many of its local unions, fell in line after their demands to rehire laid-off teachers were met.⁷ The state’s revised RTTT application was ultimately accepted in September 2010.⁸

The tenuous harmony between labor and management shattered in November 2011 when lawmakers overhauled the state’s troubled pension system. The Retirement Security Act forced state workers and teachers to move a portion of pension funds to a 401(k)-style account and suspended cost-of-living adjustments for current retirees.⁹ Democratic State Treasurer Gina Raimondo maintained that the law was “carefully designed by the General Assembly in an effort to save our state-administered retirement system” amid escalating costs to an already-underfunded pension.¹⁰ But in June 2012 the state’s major unions filed a suit against the Act, declaring that, under the law, benefits must be negotiated.¹¹ Bob Walsh, president of NEARI, is confident that the courts will overturn the Act, declaring that the changed pension system “is going to be short lived—because it was illegal.”¹² Now we’ll see if the courts agree...and if they don’t, who is going to foot the bill.

RHODE ISLAND RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 5TH

Area and Rank ^a	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status ^b
AREA 1: RESOURCES & MEMBERSHIP 6*	Membership	By rank, what percentage of public-school teachers in the state are union members?	5th
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/or AFT affiliate(s)?	17th
	Spending on education	By rank, what percentage of state expenditures (of state general funds, state restricted funds, state bonds, and federal "pass-through" funds) is directed to K-12 education?	45th
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	8th
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	22nd
AREA 2: INVOLVEMENT IN POLITICS 4*	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	15th
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	4th
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	16th
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	1st
AREA 3: SCOPE OF BARGAINING 17*	Legal scope of bargaining	What is the legal status of collective bargaining?	Mandatory
		By rank, how broad is the scope of collective bargaining?	24th*
	Automatic revenue streams	What is the unions' legal right to automatically collect agency fees from non-members and/or collect member dues via automatic payroll deductions?	Permitted
	Right to strike	What is the legal status of teacher strikes?	Prohibited
AREA 4: STATE POLICIES 15	Performance pay	Does the state support performance pay for teachers?	State does not support
	Retirement	By rank, what is the employer- versus employee-contribution rate to the teacher pension system?	5th
	Evaluations	What is the maximum potential consequence for veteran teachers who receive unsatisfactory evaluation(s)?	Eligible for dismissal
		Is classroom effectiveness included in teacher evaluations? If so, how is it weighted?	Required; Preponderant criterion
	Terms of employment	How long before a teacher earns tenure?	Three years
		Is student/teacher performance considered in tenure decisions? If so, how is it weighted?	Required; Included as one of multiple criteria
		Is seniority considered in teacher layoff decisions? If so, how is it weighted?	Optional; May be considered among other factors
		Is teacher performance included in teacher layoff decisions? If so, how is it weighted?	Required; Considered among other factors
	By rank, what percentage of the teaching workforce was dismissed due to poor performance?	6th	
Class size	Is class size restricted for grades 1-3? If so, is the restriction higher or lower than the national average (20)?	Yes; Higher	

Area and Rank	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status
AREA 4: STATE POLICIES 15 (cont.)	Charter school structural limitations	Is there a cap (limit) placed on the number of charter schools that can operate in the state (or other jurisdiction) and/or on the number of students who can attend charter schools?	State cap with some room for growth
		Does the state allow a variety of charter schools: start-ups, conversions, and virtual schools?	Start-ups and conversions only
		How many charter authorizing options exist? How active are those authorizers?	Single option; Some activity
	Charter school exemptions	Are all charter schools automatically exempt from state laws and state/district regulations (except those that safeguard students and fiscal accountability)? If not, are they eligible for exemptions?	No; Schools can apply for exemptions
		Are all charter schools automatically exempt from state teacher-certification requirements? If not, are they eligible for exemptions?	No; Schools cannot apply for exemptions
		Are all charter schools automatically exempt from collective bargaining agreements (CBAs)? If not, are they eligible for exemptions?	Partially; Full automatic exemption for some schools, others must apply for waivers

AREA 5: PERCEIVED INFLUENCE^c 15	Relative influence of teacher unions	How do you rank the influence of teacher unions on education policy compared with other influential entities?	Second- or third-most influential
	Influence over campaigns	On a scale from always to never, how often do Democratic candidates need teacher-union support to get elected?	Always
		On a scale from always to never, how often do Republican candidates need teacher-union support to get elected?	Rarely/Sometimes
	Influence over spending	To what extent, from strongly agree to strongly disagree, do you agree that even in times of cutbacks, teacher unions are effective in protecting dollars for education?	Agree
		Given recent budgetary constraints, would you say that teacher unions generally make concessions to prevent reductions in pay and benefits or fight hard to prevent those reductions?	Generally fight
	Influence over policy	To what extent, from strongly agree to strongly disagree, do you agree that teacher unions ward off proposals in your state with which they disagree?	Agree
		On a scale from always to never, how often do existing state education policies reflect teacher-union priorities?	Sometimes
		To what extent, from totally in line to not at all in line, were state education policies proposed by the governor during your state's latest legislative session in line with teacher-union priorities?	Mostly not in line/ Somewhat in line
		To what extent, from totally in line to not at all in line, were legislative outcomes of your state's latest legislative session in line with teacher-union priorities?	Mostly not in line/ Somewhat in line
	Influence over key stakeholders	On a scale from always to never, how often have the priorities of state education leaders aligned with teacher-union positions in the past three years?	Rarely/Sometimes
Would you say that teacher unions typically compromise with policymakers to ensure that their preferred policies are enacted, or typically need not make concessions?		Does not concede	

* Tied with another state

^a Area ranks are calculated using a weighted average of sub-indicators. For a more detailed description, see Appendix A.

^b Where possible, we report a state's rank as compared to other states on a given metric. For example, out of 51 states, Rhode Island has the 5th-highest percentage of teachers who are union members. Otherwise, we report a status: Rhode Island has mandatory collective bargaining, and union agency fees are permitted. For a more detailed description of our metrics and methodology, see Appendix A. To request the raw data for your state, send an email to uniondata@edexcellence.net.

^c For all survey questions, stakeholders were asked specifically about teacher unions, candidates, policies, and leaders in their state. In addition, we asked about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

ENDNOTES

¹ A state's overall rank is calculated as follows: First, we score it on multiple sub-indicators (sub-indicator data and scores for Rhode Island are shown in the table, *Rhode Island Rankings by Area and Indicator*). Second, we take a weighted average of the sub-indicators in each of five areas. In each area, we use that average to place the states in rank order. For example, in Area 1: Resources and Membership, Rhode Island is ranked 6th of 51 based on the weighted average of its sub-indicators. To generate the state's overall rank, we average the five area ranks together, then re-order the states. For a more detailed description of data sources and methodology, see Appendix A.

² Readers should note that these figures include only direct donations from unions and union-connected PACs, but not their spending on electioneering/advertising, mobilizing the union's own membership, lobbying, or advocacy. A recent *Wall Street Journal* report found that donations and lobbying activities account for a small share of union political spending compared with their expenditures on member mobilization and advocacy. Even the AFT agreed, making the argument that since its mission is organizing and activism, it will naturally spend significant amounts on these activities. Thus, the percentages we report here are extremely conservative representations of what unions actually spend on politics. For more information, see Appendix A, Area 2; Tom McGinty and Brody Mullins, "Political Spending by Unions Far Exceeds Direct Donations," *Wall Street Journal*, July 10, 2012; and Jeff Hauser, "Wall Street Journal Compares Union Political Spending to Corporate Donations," AFL-CIO, July 10, 2012.

³ A large number of local NEA and (especially) AFT affiliates in Rhode Island contributed nearly as much to state politics as did the Rhode Island Education Association and the Rhode Island Federation of Teachers, making those unions significant players at the state level as well.

⁴ At the time of publication, the 2000 conventions were the most recent for which such detailed data were available in forms that met rigorous standards. However, 2008 data provided by the Democratic National Convention were highly correlated with the reliable figures from 2000.

⁵ We asked stakeholders about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

⁶ Michelle R. Smith, "More Teachers' Unions Throw Support Behind R.I.'S Race To Top," *Associated Press*, May 25, 2010, http://articles.boston.com/2010-05-25/news/29307687_1_teachers-unions-broad-stakeholder-support-districts.

⁷ Ibid.

⁸ Jennifer D. Jordan, "NEARI Declines To Sign On To Race to the Top," *Providence Journal*, May 27, 2010, <http://news.providencejournal.com/breaking-news/2010/05/neari-declines-to-sign-on-to-r-1.html>.

⁹ Michael Corkery, "Rhode Island Public Workers To See Reduced Benefits," *Wall Street Journal*, November 18, 2011, <http://online.wsj.com/article/SB10001424052970203611404577045132098830806.html>.

¹⁰ David Klepper, "RI Unions Sue To Block State Pension Overhaul; Chafee, Raimondo Say State Ready For Challenge," *The Republic*, June 22, 2012, <http://www.therepublic.com/view/story/d1e1076843934123abf565d26fe7ef57/RI--Pension-Lawsuit>.

¹¹ Ibid.

¹² Ted Nesi, "Unions To RI: Negotiate A Pension Deal Before You Lose In Court," WPRI.com, February 7, 2012, <http://blogs.wpri.com/2012/02/07/unions-to-ri-negotiate-a-pension-deal-before-you-lose-in-court/>.