



State of Rhode Island and Providence Plantations
DEPARTMENT OF EDUCATION
Shepard Building
255 Westminster Street
Providence, Rhode Island 02903-3400

Deborah A. Gist
Commissioner

June 7, 2012

Neil P. Galvin, Esquire
Corcoran, Peckham, Hayes & Galvin, P.C.
31 America's Cup Avenue
P.O. Box 389
Newport, Rhode Island 02840

RE: Accrual of Seniority as Administrator

Dear Mr. Galvin:

This letter comes in response to your request for an advisory opinion dated of May 7, 2012.

Please be advised that it is the position of the Rhode Island Department of Education that the Rhode Island Teacher Tenure Act (R.I.G.L.16-13-1, *et seq*) recognizes that a tenured teacher who becomes an administrator is entitled to *return* to tenured teacher status if he or she resigns from the administrative position or said position is otherwise eliminated. However, it is deemed implicit by the statutory wording in RIGL 16-13-3(c), particularly the phrase "return to his or her former status" that the period spent in school administration is not necessarily included in the calculation of seniority.

However, please be advised that seniority questions such as that raised by you may be subject to the terms of a collective bargaining agreement or school district policy.

Very truly yours,

Deborah A. Gist
Commissioner of Education

DAG/crb