

2023 -- H 5323

LC000199

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- THE EDUCATION EQUITY AND PROPERTY TAX  
RELIEF ACT

Introduced By: Representatives Cortvriend, Carson, Donovan, McNamara, Fogarty,  
Speakman, Tanzi, Shallcross Smith, Biah, and McGaw

Date Introduced: February 01, 2023

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7.2-6 of the General Laws in Chapter 16-7.2 entitled "The  
2 Education Equity and Property Tax Relief Act" is hereby amended to read as follows:

3 **16-7.2-6. Categorical programs, state funded expenses.**

4 In addition to the foundation education aid provided pursuant to § 16-7.2-3, the permanent  
5 foundation education-aid program shall provide direct state funding for:

6 (a) Excess costs associated with special education students. Excess costs are defined when  
7 an individual special education student's cost shall be deemed to be "extraordinary." Extraordinary  
8 costs are those educational costs that ~~exceed the state approved threshold based on an amount~~  
9 ~~above five times the core foundation amount (total of core instruction amount plus student success~~  
10 ~~amount). The department of elementary and secondary education shall prorate the funds available~~  
11 ~~for distribution among those eligible school districts if the total approved costs for which school~~  
12 ~~districts are seeking reimbursement exceed the amount of funding appropriated in any fiscal year~~  
13 are over three (3) times the average statewide special education cost; and the department of  
14 elementary and secondary education shall also collect data on those educational costs that exceed  
15 the state-approved threshold based on an amount above two (2), three (3), and four (4) times the  
16 core-foundation amount;

17 (b) Career and technical education costs to help meet initial investment requirements  
18 needed to transform existing, or create new, comprehensive, career and technical education

1 programs and career pathways in critical and emerging industries and to help offset the higher-  
2 than-average costs associated with facilities, equipment maintenance and repair, and supplies  
3 necessary for maintaining the quality of highly specialized programs that are a priority for the state.  
4 The department shall develop criteria for the purpose of allocating any and all career and technical  
5 education funds as may be determined by the general assembly on an annual basis. The department  
6 of elementary and secondary education shall prorate the funds available for distribution among  
7 those eligible school districts if the total approved costs for which school districts are seeking  
8 reimbursement exceed the amount of funding available in any fiscal year;

9 (c) Programs to increase access to voluntary, free, high-quality pre-kindergarten programs.  
10 The department shall recommend criteria for the purpose of allocating any and all early childhood  
11 program funds as may be determined by the general assembly;

12 (d) Central Falls, Davies, and the Met Center Stabilization Fund is established to ensure  
13 that appropriate funding is available to support their students. Additional support for Central Falls  
14 is needed due to concerns regarding the city's capacity to meet the local share of education costs.  
15 This fund requires that education aid calculated pursuant to § 16-7.2-3 and funding for costs outside  
16 the permanent foundation education-aid formula, including, but not limited to, transportation,  
17 facility maintenance, and retiree health benefits shall be shared between the state and the city of  
18 Central Falls. The fund shall be annually reviewed to determine the amount of the state and city  
19 appropriation. The state's share of this fund may be supported through a reallocation of current  
20 state appropriations to the Central Falls school district. At the end of the transition period defined  
21 in § 16-7.2-7, the municipality will continue its contribution pursuant to § 16-7-24. Additional  
22 support for the Davies and the Met Center is needed due to the costs associated with running a  
23 stand-alone high school offering both academic and career and technical coursework. The  
24 department shall recommend criteria for the purpose of allocating any and all stabilization funds as  
25 may be determined by the general assembly;

26 (e) Excess costs associated with transporting students to out-of-district non-public schools.  
27 This fund will provide state funding for the costs associated with transporting students to out-of-  
28 district non-public schools, pursuant to chapter 21.1 of this title. The state will assume the costs of  
29 non-public out-of-district transportation for those districts participating in the statewide system.  
30 The department of elementary and secondary education shall prorate the funds available for  
31 distribution among those eligible school districts if the total approved costs for which school  
32 districts are seeking reimbursement exceed the amount of funding available in any fiscal year;

33 (f) Excess costs associated with transporting students within regional school districts. This  
34 fund will provide direct state funding for the excess costs associated with transporting students

1 within regional school districts, established pursuant to chapter 3 of this title. This fund requires  
2 that the state and regional school district share equally the student transportation costs net any  
3 federal sources of revenue for these expenditures. The department of elementary and secondary  
4 education shall prorate the funds available for distribution among those eligible school districts if  
5 the total approved costs for which school districts are seeking reimbursement exceed the amount  
6 of funding available in any fiscal year;

7 (g) Public school districts that are regionalized shall be eligible for a regionalization bonus  
8 as set forth below:

9 (1) As used herein, the term “regionalized” shall be deemed to refer to a regional school  
10 district established under the provisions of chapter 3 of this title, including the Chariho Regional  
11 School district;

12 (2) For those districts that are regionalized as of July 1, 2010, the regionalization bonus  
13 shall commence in FY 2012. For those districts that regionalize after July 1, 2010, the  
14 regionalization bonus shall commence in the first fiscal year following the establishment of a  
15 regionalized school district as set forth in chapter 3 of this title, including the Chariho Regional  
16 School District;

17 (3) The regionalization bonus in the first fiscal year shall be two percent (2.0%) of the  
18 state’s share of the foundation education aid for the regionalized district as calculated pursuant to  
19 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

20 (4) The regionalization bonus in the second fiscal year shall be one percent (1.0%) of the  
21 state’s share of the foundation education aid for the regionalized district as calculated pursuant to  
22 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

23 (5) The regionalization bonus shall cease in the third fiscal year;

24 (6) The regionalization bonus for the Chariho regional school district shall be applied to  
25 the state share of the permanent foundation education aid for the member towns; and

26 (7) The department of elementary and secondary education shall prorate the funds available  
27 for distribution among those eligible regionalized school districts if the total, approved costs for  
28 which regionalized school districts are seeking a regionalization bonus exceed the amount of  
29 funding appropriated in any fiscal year;

30 (h) Additional state support for English learners (EL). The amount to support EL students  
31 shall be determined by multiplying an EL factor of ten percent (10%) by the core-instruction per-  
32 pupil amount defined in § 16-7.2-3(a)(1) and applying that amount of additional state support to  
33 EL students identified using widely adopted, independent standards and assessments identified by  
34 the commissioner. All categorical funds distributed pursuant to this subsection must be used to

1 provide high-quality, research-based services to EL students and managed in accordance with  
2 requirements set forth by the commissioner of elementary and secondary education. The  
3 department of elementary and secondary education shall collect performance reports from districts  
4 and approve the use of funds prior to expenditure. The department of elementary and secondary  
5 education shall ensure the funds are aligned to activities that are innovative and expansive and not  
6 utilized for activities the district is currently funding. The department of elementary and secondary  
7 education shall prorate the funds available for distribution among eligible recipients if the total  
8 calculated costs exceed the amount of funding available in any fiscal year;

9 (i) State support for school resource officers. For purposes of this subsection, a school  
10 resource officer (SRO) shall be defined as a career law enforcement officer with sworn authority  
11 who is deployed by an employing police department or agency in a community-oriented policing  
12 assignment to work in collaboration with one or more schools. School resource officers should have  
13 completed at least forty (40) hours of specialized training in school policing, administered by an  
14 accredited agency, before being assigned. Beginning in FY 2019, for a period of three (3) years,  
15 school districts or municipalities that choose to employ school resource officers shall receive direct  
16 state support for costs associated with employing such officers at public middle and high schools.  
17 Districts or municipalities shall be reimbursed an amount equal to one-half (½) of the cost of  
18 salaries and benefits for the qualifying positions. Funding will be provided for school resource  
19 officer positions established on or after July 1, 2018, provided that:

20 (1) Each school resource officer shall be assigned to one school:

21 (i) Schools with enrollments below one thousand two hundred (1,200) students shall  
22 require one school resource officer;

23 (ii) Schools with enrollments of one thousand two hundred (1,200) or more students  
24 shall require two school resource officers;

25 (2) School resource officers hired in excess of the requirement noted above shall not be  
26 eligible for reimbursement; and

27 (3) Schools that eliminate existing school resource officer positions and create new  
28 positions under this provision shall not be eligible for reimbursement; and

29 (j) Categorical programs defined in subsections (a) through (g) shall be funded pursuant to  
30 the transition plan in § 16-7.2-7.

31 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- THE EDUCATION EQUITY AND PROPERTY TAX  
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1           This act would amend the definition of the term "extraordinary costs" for the purposes of  
2 excess costs associated with special education students. The new definition of extraordinary costs  
3 would be educational costs that are over three (3) times the average statewide special education  
4 cost.

5           This act would take effect upon passage.

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