

2023 -- H 6464

LC003081

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 Speakman, Spears, Donovan, Biah, Morales, McNamara,  
Kislak, Newberry, and Cortvriend

Date Introduced: May 31, 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 and the department of elementary and secondary education shall also collect data on those  
14 educational costs that exceed the state-approved threshold based on an amount above two (2), three  
15 (3), and four (4) times the core-foundation amount;

16 (b) Career and technical education costs to help meet initial investment requirements  
17 needed to transform existing, or create new, comprehensive, career and technical education  
18 programs and career pathways in critical and emerging industries and to help offset the higher-

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

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

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

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

32 (f) Excess costs associated with transporting students within regional school districts. This  
33 fund will provide direct state funding for the excess costs associated with transporting students  
34 within regional school districts, established pursuant to chapter 3 of this title. This fund requires

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (k) Civics education. This fund shall provide funding to support the effective instruction of  
31 civics education in every district. The percentage of funding assigned to each district shall be  
32 determined by district needs, including variables such as the size of the student population,  
33 socioeconomic status, the amount of student who are multilingual learners, and other dimensions  
34 of need as defined by the department of elementary and secondary education. This categorical

1 funding shall be, provided for and administered as follows:

2 (1) For the fiscal year beginning July 1, 2023, and for each fiscal year thereafter, the  
3 categorical funding provided pursuant to the provisions of § 16-7.2-6(k) shall be increased by a  
4 minimum of fifty percent (50%) over the funding provided in the fiscal year ending June 30, 2023.  
5 The increased funding shall be used exclusively for teacher professional development in civics,  
6 including, but not limited to, specific pedagogical needs such as culturally responsive teaching,  
7 media literacy, and project-based learning; the purchase and creation of civic education curriculum;  
8 technical assistance and support for the implementation of student-led civic projects; partnerships  
9 with local community organizations; and the evaluation of civic learning at the district level, with  
10 the results made accessible to the public upon review by the department of elementary and  
11 secondary education. Further uses of funding may include a state civics showcase, at the conclusion  
12 of the instructional period in a given academic year, with the exact date to be specified at the  
13 beginning of each instructional period, not less than four (4) weeks into the period. Allocation of  
14 the increased funding shall be subject to approval of the commissioner of elementary and secondary  
15 education;

16 (2) For the fiscal year beginning July 1, 2023, and each fiscal year thereafter, funding shall  
17 include one million dollars (\$1,000,000), with six hundred thousand dollars (\$600,000) specifically  
18 designated for teacher professional development, support implementing student-led civics projects,  
19 and other civic education related uses described and defined in subsection (k)(1) of this section.  
20 The remaining funding shall be dedicated to oversight from the department of elementary and  
21 secondary education which may include personnel, assessment, accountability systems, guidelines  
22 and resources specifically designated to civics education. The allocation of funding shall be  
23 approved and implemented by the commissioner of elementary and secondary education pursuant  
24 to a request for proposal (RFP) process;

25 (3) Any funds appropriated but unutilized in the appropriated fiscal year shall be retained,  
26 carried forward, and used in subsequent fiscal years;

27 (4) The department of elementary and secondary education shall be responsible for  
28 oversight of the fund and assessing the effectiveness of its use throughout each school district of  
29 the state. That assessment shall include, but not be limited to, direct input from teachers, parents,  
30 and consideration of district need, as defined in the provisions of § 16-7.2-6(k); and

31 (5) If any one or more provision, section, subsection, sentence, clause, phrase, or word of  
32 this legislation or the application thereof to any person or circumstance is found to be invalid,  
33 illegal, unenforceable or unconstitutional, the same is hereby declared to be severable and the  
34 balance of this legislation shall remain effective and functional notwithstanding such invalidity,

1 illegality, unenforceability or unconstitutionality. The general assembly hereby declares that it  
2 would have passed this legislation, and each provision, section, subsection, sentence, clause, phrase  
3 or word thereof, irrespective of the fact that any one or more provision, section, subsection,  
4 sentence, clause, phrase, or word be declared invalid, illegal, unenforceable or unconstitutional,  
5 including, but not limited to, each of the courses, assessment, funding, and diverse teacher  
6 workforce provisions of this legislation.

7 SECTION 2. This act shall take effect on July 1, 2023.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- THE EDUCATION EQUITY AND PROPERTY TAX  
RELIEF ACT

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1           This act would establish a new categorical funding category for civics education. A new  
2 fund would be created and dedicated to civics education. This fund would be approved and  
3 implemented by the commissioner of elementary and secondary education pursuant to a request for  
4 proposal process.

5           This act would take effect on July 1, 2023.

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