

2026 -- H 8511

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

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

Introduced By: Representatives Morales, DeSimone, Biah, Ajello, J. Lombardi, Sanchez,
Cruz, Potter, Stewart, and Slater

Date Introduced: May 01, 2026

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7.2-3 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 **16-7.2-3. Permanent foundation education aid established.**

4 (a) Beginning in the 2012 fiscal year, the following foundation education-aid formula shall
5 take effect. The foundation education aid for each district shall be the sum of the core instruction
6 amount in subsection (a)(1) of this section and the amount to support high-need students in
7 subsection (a)(2) of this section, which shall be multiplied by the district state-share ratio calculated
8 pursuant to § 16-7.2-4 to determine the foundation aid.

9 (1) The core instruction amount shall be an amount equal to a statewide, per-pupil core
10 instruction amount as established by the department of elementary and secondary education,
11 derived from the average of northeast regional expenditure data for the states of Rhode Island,
12 Massachusetts, Connecticut, and New Hampshire from the National Center for Education Statistics
13 (NCES) that will adequately fund the student instructional needs as described in the basic education
14 program and multiplied by the district average daily membership as defined in § 16-7-22.
15 Expenditure data in the following categories: instruction and support services for students,
16 instruction, general administration, school administration, and other support services from the
17 National Public Education Financial Survey, as published by NCES, and enrollment data from the
18 Common Core of Data, also published by NCES, will be used when determining the core

1 instruction amount. The core instruction amount will be updated annually. For the purpose of
2 calculating this formula, school districts' resident average daily membership shall exclude charter
3 school and state-operated school students.

4 (2) The amount to support high-need students beyond the core instruction amount shall be
5 determined by:

6 (i) Multiplying a student success factor of ~~forty percent (40%)~~ forty-three percent (43%)
7 by the core instruction per-pupil amount described in subsection (a)(1) of this section and applying
8 that amount for each resident child whose family income is at or below one hundred eighty-five
9 percent (185%) of federal poverty guidelines, hereinafter referred to as "poverty status." By
10 October 1, 2022, as part of its budget submission pursuant to § 35-3-4 relative to state fiscal year
11 2024 and thereafter, the department of elementary and secondary education shall develop and
12 utilize a poverty measure that in the department's assessment most accurately serves as a proxy for
13 the poverty status referenced in this subsection and does not rely on the administration of school
14 nutrition programs. The department shall utilize this measure in calculations pursuant to this
15 subsection related to the application of the student success factor, in calculations pursuant to § 16-
16 7.2-4 related to the calculation of the state share ratio, and in the formulation of estimates pursuant
17 to subsection (b) below. The department may also include any recommendations which seek to
18 mitigate any disruptions associated with the implementation of this new poverty measure or
19 improve the accuracy of its calculation. Beginning with the FY 2024 calculation, students whose
20 family income is at or below one hundred eighty-five percent (185%) of federal poverty guidelines
21 will be determined by participation in the supplemental nutrition assistance program (SNAP). The
22 number of students directly certified through the department of human services shall be multiplied
23 by a factor of 1.6. In FY 2027, due to disruptions in the supplemental nutrition assistance program,
24 the number of students whose family income is at or below one hundred eighty-five percent (185%)
25 of federal poverty guidelines shall not be decreased below the number determined for FY 2026;
26 and

27 (ii) Multiplying a multilingual learner (MLL) factor of twenty percent (20%) by the core
28 instruction per-pupil amount described in subsection (a)(1) of this section, applying that amount
29 for each resident child identified in the three lowest proficiency categories using widely adopted,
30 independent standards and assessments in accordance with subsection (f)(1) of this section and as
31 identified by the commissioner and defined by regulations of the council on elementary and
32 secondary education. Local education agencies shall report annually to the department of
33 elementary and secondary education by September 1, outlining the planned and prior year use of
34 all funding pursuant to this subsection to provide services to MLL students in accordance with

1 requirements set forth by the commissioner of elementary and secondary education. The
2 department shall review the use of funds to ensure consistency with established best practices.

3 (b) The department of elementary and secondary education shall provide an estimate of the
4 foundation education aid cost as part of its budget submission pursuant to § 35-3-4. The estimate
5 shall include the most recent data available as well as an adjustment for average daily membership
6 growth or decline based on the prior year experience.

7 (c) In addition, the department shall report updated figures based on the average daily
8 membership as of October 1 by December 1.

9 (d) Local education agencies may set aside a portion of funds received under subsection
10 (a) to expand learning opportunities such as after school and summer programs, full-day
11 kindergarten and/or multiple pathway programs, provided that the basic education program and all
12 other approved programs required in law are funded.

13 (e) The department of elementary and secondary education shall promulgate such
14 regulations as are necessary to implement fully the purposes of this chapter.

15 (f)(1) By October 1, 2023, as part of its budget submission pursuant to § 35-3-4 relative to
16 state fiscal year 2025, the department of elementary and secondary education shall evaluate the
17 number of students by district who qualify as multilingual learner (MLL) students and MLL
18 students whose family income is at or below one hundred eighty-five percent (185%) of federal
19 poverty guidelines. The submission shall also include segmentation of these populations by levels
20 as dictated by the WIDA multilingual learner assessment tool used as an objective benchmark for
21 English proficiency. The department shall also prepare and produce expense data sourced from the
22 uniform chart of accounts to recommend funding levels required to support students at the various
23 levels of proficiency as determined by the WIDA assessment tool. Utilizing this information, the
24 department shall recommend a funding solution to meet the needs of multilingual learners; this may
25 include but not be limited to inclusion of MLL needs within the core foundation formula amount
26 through one or multiple weights to distinguish different students of need or through categorical
27 means.

28 (2) By October 1, 2024, as part of its budget submission pursuant to § 35-3-4 relative to
29 state fiscal year 2026, the department of elementary and secondary education shall develop
30 alternatives to identify students whose family income is at or below one hundred eighty-five percent
31 (185%) of federal poverty guidelines through participation in state-administered programs,
32 including, but not limited to, the supplemental nutrition assistance program (SNAP), and RiteCare
33 and other programs that include the collection of required supporting documentation. The
34 department may also include any recommendations that seek to mitigate any disruptions associated

1 with implementation of this new poverty measure or improve the accuracy of its calculation.

2 (3) The department shall also report with its annual budget request information regarding
3 local contributions to education aid and compliance with §§ 16-7-23 and 16-7-24. The report shall
4 also compare these local contributions to state foundation education aid by community. The
5 department shall also report compliance to each city or town school committee and city or town
6 council.

7 (4) By October 1, 2025, as part of its budget submission pursuant to § 35-3-4 relative to
8 state fiscal year 2027, the department of elementary and secondary education shall submit a report
9 developed in coordination with the department of administration and the Rhode Island longitudinal
10 data system within the office of the postsecondary commissioner. The report shall provide an
11 overview of the process for matching the department of human services program participation data
12 to the department of elementary and secondary education student enrollment records for use in the
13 education funding formula and recommend methods to ensure consistency and accuracy in future
14 matching processes.

15 (5) As part of its FY 2027 budget submission, the department shall also submit an estimate
16 of foundation education aid that uses expanded direct certification with Medicaid matching in
17 consultation with the Rhode Island longitudinal data system and the executive office of health and
18 human services to identify students whose family income is at or below one hundred eighty-five
19 percent (185%) of federal poverty guidelines, in addition to an estimate under the current law
20 poverty determination.

21 (6) By December 31, 2025, the department of elementary and secondary education shall
22 also develop and submit a report to the governor, speaker of the house, and senate president on
23 current and recommended processes to ensure the consistency and validity of submitted high-cost
24 special education data from local education agencies.

25 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
RELIEF ACT

- 1 This act would amend the school funding formula to ensure that local education authorities
- 2 do not lose funding due to disruptions in the supplemental nutrition assistance program.
- 3 This act would take effect upon passage.

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