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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- STATE DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION

Introduced By: Representatives Craven, Caldwell, McGaw, Corvese, Casey, McNamara,
Solomon, and Edwards

Date Introduced: May 03, 2023

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-1-5 of the General Laws in Chapter 16-1 entitled "State
2 Department of Elementary and Secondary Education [See Title 16 Chapter 97 — The Rhode Island
3 Board of Education Act]" is hereby amended to read as follows:

4 **16-1-5. Duties of commissioner of elementary and secondary education.**

5 It shall be the duty of the commissioner of elementary and secondary education:

- 6 (1) To carry out the policies and program formulated by the council on elementary and
7 secondary education.
- 8 (2) To evaluate credentials of applicants for certificates, to verify that the certification of
9 teachers is in accordance with law and established standards, and to issue certificates at the direction
10 of the board.
- 11 (3) To certify the approval of accredited schools.
- 12 (4) To recommend to the board an outline of the subjects and courses of study and the
13 instructional standards for elementary and secondary schools.
- 14 (5) To approve the distribution of state school funds in accordance with law and the
15 regulations of the board.
- 16 (6) To verify that school sites and school building plans are in accordance with law and
17 regulations.
- 18 (7) To exercise supervision over school libraries and library services.

1 (8) To certify that school bus routes and schedules and all contracts for pupil transportation
2 conform with provisions of law and the rules and regulations of the board.

3 (9) To require the observance of all laws relating to schools and education.

4 (10) To interpret school law and to decide such controversies as may be appealed to the
5 commissioner from decisions of local school committees.

6 (11) To prepare and recommend standard forms for the use of local schools.

7 (12)(i) To prepare, with the assistance of the department of administration, manuals of
8 uniform budgetary and standard financial records and procedures for local school officers. The
9 board of regents shall adopt uniform local school budgeting procedures no later than July 1, 1989,
10 and those procedures should include, at a minimum, the following:

11 (A) Provision for uniform classification of revenues and expenditures;

12 (B) Requirements of detailed expenditure estimates and a table of organization including
13 the proposed staffing of each school;

14 (C) Estimates of receipts and expenditures for the last two (2) completed fiscal years, the
15 current and ensuing fiscal years; and

16 (ii) To carry out the purpose of this subsection a sum of ten thousand dollars (\$10,000) not
17 otherwise appropriated shall be included in the appropriation made to support the department of
18 elementary and secondary education.

19 (13) To receive general supervision from the council on elementary and secondary
20 education and to appoint the several officers and employees of the department subject to the
21 provisions of the state merit system act, chapters 3 and 4 of title 36.

22 (14) To establish health education, alcohol and substance abuse programs for students in
23 grades kindergarten (K) through twelve (12), in accordance with § 35-4-18. The program will
24 consist of the following: A mandated state health education, alcohol and substance abuse
25 curriculum for grades kindergarten (K) through twelve (12), a mandated assessment program in the
26 areas of health, fitness, alcohol and substance abuse, and an in-service training program that will
27 be developed specifically for the implementation of the mandated curriculum.

28 (15)(i) To appoint a three-member (3) committee for the purpose of choosing a “teacher of
29 the year” among teachers in public school grades kindergarten (K) through twelve (12). The
30 “teacher of the year” shall receive an award of one thousand dollars (\$1,000).

31 (ii) It is the intent of the general assembly that the funds necessary to carry out the
32 provisions of this subdivision shall be provided within the annual appropriations act.

33 (16) To institute a process to review, revise, and adopt statewide academic standards that
34 align with state assessments for the core subjects of mathematics, English language arts, science

1 and technology, history and social studies, world languages, and the arts.

2 (17) To institute a process for adapting, adopting, and developing curriculum frameworks
3 for mathematics, English language arts, science and technology, history and social studies, world
4 languages, and the arts covered by the academic standards.

5 (18) To institute a process for reviewing and identifying high-quality curriculum and
6 materials in mathematics, English language arts, and science and technology.

7 (19) To prepare each year a plan for providing statewide assistance in the preparation and
8 implementation of professional development plans.

9 (20) To assign two (2) individuals within the department to be tasked exclusively to work
10 on career and technical education (CTE). One individual shall be exclusively responsible for
11 increasing CTE enrollment and supporting the creation of new CTE programs. One individual shall
12 be exclusively responsible for implementing and supporting employer outreach programs and the
13 expansion of existing programs to align with current and future employers' needs.

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

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

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

19 (a) Excess costs associated with special education students. Excess costs are defined when
20 an individual special education student's cost shall be deemed to be "extraordinary." Extraordinary
21 costs are those educational costs that exceed the state-approved threshold based on an amount
22 above five times the core foundation amount (total of core-instruction amount plus student success
23 amount). The department of elementary and secondary education shall prorate the funds available
24 for distribution among those eligible school districts if the total approved costs for which school
25 districts are seeking reimbursement exceed the amount of funding appropriated in any fiscal year;
26 and the department of elementary and secondary education shall also collect data on those
27 educational costs that exceed the state-approved threshold based on an amount above two (2), three
28 (3), and four (4) times the core-foundation amount;

29 (b) Career and technical education ("CTE") costs to help meet initial investment
30 requirements needed to transform existing, or create new, comprehensive, career and technical
31 education programs and career pathways in critical and emerging industries and to help offset the
32 higher-than-average costs associated with facilities, equipment maintenance and repair, and
33 supplies necessary for maintaining the quality of highly specialized programs that are a priority for
34 the state. The department shall develop criteria for the purpose of allocating any and all career and

1 technical education funds as may be determined by the general assembly on an annual basis. The
2 department of elementary and secondary education shall prorate the funds available for distribution
3 among those eligible school districts if the total approved costs for which school districts are
4 seeking reimbursement exceed the amount of funding available in any fiscal year; provided,
5 however, that funding at a minimum shall include:

6 (1) For the fiscal year beginning July 1, 2023, and for each fiscal year thereafter, the
7 categorical funding provided pursuant to the provisions of § 16-7.2-6(b) shall be increased by a
8 minimum of one hundred percent (100%) over the funding provided in the fiscal year ending June
9 30, 2023. The increased funding shall be used exclusively for the establishment of new programs
10 to develop and promote high-wage, high-growth and high-demand jobs to support or enhance the
11 state's economy. Allocation of the increased funding shall be subject to approval of the
12 commissioner of elementary and secondary education ("commissioner") after consultation with the
13 board established pursuant to § 16-53-1;

14 (2) For the fiscal year beginning July 1, 2023, and each fiscal year thereafter, funding shall
15 include two million dollars (\$2,000,000) specifically for infrastructure, equipment and tools for
16 new approved CTE programs to be implemented in the fiscal year. The allocation of funding shall
17 be approved and implemented by the commissioner pursuant to a request for proposal (RFP)
18 process pursuant to the provisions of chapter 2 of title 37;

19 (3) For the fiscal year beginning July 1, 2023, and each fiscal year thereafter, funding shall
20 include two million dollars (\$2,000,000) specifically for new middle school CTE elective and/or
21 exploratory programs. The allocation of funding shall be approved and implemented by the
22 commissioner pursuant to an RFP process pursuant to the provisions of chapter 2 of title 37;

23 (4) For the fiscal year beginning July 1, 2023, two (2) new advanced manufacturing centers
24 shall be established. One advanced manufacturing center shall be established in the east bay region
25 of the state and the other shall be located in Washington county. The commissioner, after
26 consultation with the board established pursuant to § 16-53-1, shall determine the location of the
27 centers. Prior to establishment of the centers or the selection of a location, an RFP grant application
28 process shall be utilized and a primary consideration for selection shall be prospective employer
29 demand and needs; and

30 (5) Any funds appropriated but unutilized in the appropriated fiscal year shall be retained,
31 carried forward and used in subsequent fiscal years;

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

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

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

22 (f) Excess costs associated with transporting students within regional school districts. This
23 fund will provide direct state funding for the excess costs associated with transporting students
24 within regional school districts, established pursuant to chapter 3 of this title. This fund requires
25 that the state and regional school district share equally the student transportation costs net any
26 federal sources of revenue for these expenditures. The department of elementary and secondary
27 education shall prorate the funds available for distribution among those eligible school districts if
28 the total approved costs for which school districts are seeking reimbursement exceed the amount
29 of funding available in any fiscal year;

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

32 (1) As used herein, the term "regionalized" shall be deemed to refer to a regional school
33 district established under the provisions of chapter 3 of this title, including the Chariho Regional
34 School district;

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

6 (3) The regionalization bonus in the first fiscal year shall be two percent (2.0%) of the
7 state's share of the foundation education aid for the regionalized district as calculated pursuant to
8 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

9 (4) The regionalization bonus in the second fiscal year shall be one percent (1.0%) of the
10 state's share of the foundation education aid for the regionalized district as calculated pursuant to
11 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

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

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

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

19 (h) Additional state support for English learners (EL). The amount to support EL students
20 shall be determined by multiplying an EL factor of ten percent (10%) by the core-instruction per-
21 pupil amount defined in § 16-7.2-3(a)(1) and applying that amount of additional state support to
22 EL students identified using widely adopted, independent standards and assessments identified by
23 the commissioner. All categorical funds distributed pursuant to this subsection must be used to
24 provide high-quality, research-based services to EL students and managed in accordance with
25 requirements set forth by the commissioner of elementary and secondary education. The
26 department of elementary and secondary education shall collect performance reports from districts
27 and approve the use of funds prior to expenditure. The department of elementary and secondary
28 education shall ensure the funds are aligned to activities that are innovative and expansive and not
29 utilized for activities the district is currently funding. The department of elementary and secondary
30 education shall prorate the funds available for distribution among eligible recipients if the total
31 calculated costs exceed the amount of funding available in any fiscal year;

32 (i) State support for school resource officers. For purposes of this subsection, a school
33 resource officer (SRO) shall be defined as a career law enforcement officer with sworn authority
34 who is deployed by an employing police department or agency in a community-oriented policing

1 assignment to work in collaboration with one or more schools. School resource officers should have
2 completed at least forty (40) hours of specialized training in school policing, administered by an
3 accredited agency, before being assigned. Beginning in FY 2019, for a period of three (3) years,
4 school districts or municipalities that choose to employ school resource officers shall receive direct
5 state support for costs associated with employing such officers at public middle and high schools.
6 Districts or municipalities shall be reimbursed an amount equal to one-half (½) of the cost of
7 salaries and benefits for the qualifying positions. Funding will be provided for school resource
8 officer positions established on or after July 1, 2018, provided that:

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

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

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

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

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

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

20 SECTION 3. 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 -- STATE DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION

1 This act would provide that the commissioner of elementary and secondary education
2 would assign two (2) individuals to be tasked exclusively to work on career and technical
3 educational (CTE) issues. This act would also double the current categorical funding for CTE and
4 provide for the establishment of new CTE programs. Additionally, two million dollars (\$2,000,000)
5 annually would be allocated for CTE infrastructure, equipment and tools, and two million dollars
6 (\$2,000,000) annually would be allocated for new middle school programs. Finally, this act would
7 also provide for the establishment of two (2) new advanced manufacturing centers with one to be
8 located in the east bay area and the other in Washington County.

9 This act would take effect upon passage.

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