

**2013 -- S 1035 SUBSTITUTE A**

=====  
LC02913/SUB A  
=====

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2013**

—————  
A N A C T

RELATING TO EDUCATION -- FULL-DAY KINDERGARTEN ACCESSIBILITY ACT

Introduced By: Senator Hanna M. Gallo

Date Introduced: June 27, 2013

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 16-99-4 and 16-99-5 of the General Laws in Chapter 16-99  
2 entitled "Full-Day Kindergarten Accessibility Act" are hereby amended to read as follows:

3           **16-99-4. Eligible school districts; funding. --**

4           (a) A school district shall be eligible to ~~receive~~ request funding pursuant to subsection  
5 ~~16-96-4(b)~~ 16-99-4(b), if:

6           (1) The school district is a public school district; and

7           (2) The school district operates a half-day kindergarten program as of September 1, ~~2011~~  
8 2012, but not a full-day kindergarten, as defined herein, serving more than one-half of the  
9 kindergarten students in the district as determined on a headcount basis.

10          (b) Subject to appropriation, beginning with school year 2013-2014, the commissioner of  
11 elementary and secondary education shall approve up to four (4) eligible public school districts  
12 per year to voluntarily implement a full-day kindergarten program as defined herein. The  
13 aforementioned ~~schools~~ school district shall receive funding to offset a portion of the reasonable  
14 one-time, start-up costs including, but not limited to, desks, books, facility upgrades, ancillary  
15 costs associated with relocation of students, costs associated with the development and  
16 implementation of new curriculum, and any other necessary expenses associated with each  
17 school's implementation of a full-day kindergarten program. Funds will be appropriated based  
18 upon criteria established by the commissioner of elementary and secondary education to ensure  
19 the quality and sustainability of the full-day kindergarten programs implemented.

1 (c) If more than four (4) eligible school districts apply in one year, or if the appropriation  
2 does not support four (4) eligible districts, the commissioner of elementary and secondary  
3 education shall determine which districts shall access the available funds for start-up costs. The  
4 commissioner's decision shall consider the sustainability of the program and the average number  
5 of children eligible for USDA reimbursable school meals served by the respective district's  
6 elementary schools. The commissioner may consider the school district's plan ~~ability of the~~  
7 ~~district~~ to house the kindergarten enrollment, implement a quality full-day program, ~~and sustain~~  
8 ~~the program once implemented, and the decision should maximize the number of students that~~  
9 ~~can enter full-day kindergarten program for that year.~~

10 (d) School districts receiving funds pursuant to this chapter must operate only a full-day  
11 program, no half-day programs. The full-day kindergarten program must continue to operate for  
12 five (5) years.

13 (e) All funding provided under this section is subject to appropriation.

14 (f) Notwithstanding the provisions of subsection (d), school districts who request funding  
15 pursuant to this chapter may be allowed to phase-in the implementation of a full-day kindergarten  
16 program, provided that the district provides the department of elementary and secondary  
17 education with a schedule and plan as to the implementation of such program.

18 **16-99-5. Reporting.--**

19 The Rhode Island department of elementary and secondary education shall report to the  
20 senate president, speaker of the house, and the governor on the progress of this initiative on or  
21 before May 1st, ~~2013~~ 2014, and on an annual basis by May 1st of each year thereafter.

22 SECTION 2. Section 16-7-22 of the General Laws in Chapter 16-7 entitled "Foundation  
23 Level School Support" is hereby amended to read as follows:

24 **16-7-22. Determination of average daily membership. --** Each community shall be  
25 paid pursuant to the provisions of section 16-7-17 an amount based upon the following  
26 provisions:

27 (1) On or before September 1 of each year the average daily membership of each city  
28 and town for the reference year shall be determined by the commissioner of elementary and  
29 secondary education from data supplied by the school committee in each community in the  
30 following manner: The aggregate number of days of membership of all pupils enrolled full time  
31 in grade twelve (12) and below, except that pupils below grade one who are not full time shall be  
32 counted on a full time equivalent basis: (i) increased by the aggregate number of days of  
33 membership of pupils residing in the particular city or town whose tuition in schools approved by  
34 the department of elementary and secondary education in other cities and towns is paid by the

1 particular city or town; and (ii) decreased by the aggregate number of days of membership of  
2 nonresident pupils enrolled in the public schools of the particular city or town and further  
3 decreased by the aggregate number of days of membership equal to the number of group home  
4 beds calculated for the purposes of reimbursement pursuant to section 14-64-1.1; and (iii)  
5 decreased further, in the case of a city or town which is a member of a regional school district  
6 during the first year of operation of the regional school district, by the aggregate number of days  
7 of membership of pupils residing in the city or town who would have attended the public schools  
8 in the regional school district if the regional school district had been operating during the  
9 previous year, divided by the number of days during which the schools were officially in session  
10 during the reference year. The resulting figures shall be the average daily membership for the city  
11 or town for the reference year. For purposes of calculating the permanent foundation education  
12 aid as described in section 16-7.2-3(1) and (2), the average daily membership for school districts  
13 shall exclude charter school and state school students, and beginning in school year 2014-2015,  
14 include an estimate to ensure that districts converting from a half-day to a full-day kindergarten  
15 program pursuant to section 16-99-4 are, credited on a full-time basis beginning in the first year  
16 of enrollment.

17 (2) The average daily membership of pupils attending public schools shall apply for the  
18 purposes of determining the percentage of the state's share under the provisions of sections 16-7-  
19 16(3), 16-7-16(10), 16-7-18, 16-7-19, 16-7-20, 16-7-21 and 16-7.2-4.

20 (3) In the case of regional school districts, the aggregate number of days of membership  
21 by which each city or town is decreased in subdivision (1)(iii) of this section divided by the  
22 number of days during which the schools attended by the pupils were officially in session shall  
23 determine the average daily membership for the regional school district during the first year of  
24 operation. After the first year of operation, the average daily membership of each regional school  
25 district, except the Chariho regional high school district, shall be determined by the commissioner  
26 of elementary and secondary education from data supplied by the school committee of each  
27 regional school district for the reference year in the manner provided in subdivision (1) of this  
28 section.

29 SECTION 3. This act shall take effect upon passage and shall include additional funding  
30 in the foundation educational aid estimate.

=====  
LC02913/SUB A  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- FULL-DAY KINDERGARTEN ACCESSIBILITY ACT

\*\*\*

1           This act would expand the criteria to be considered by the commissioner of elementary  
2 and secondary education when selecting and approving school districts that will receive state  
3 funding to assist in commencing a full-day kindergarten program. This act would also expand  
4 upon areas where districts could expend such funds if selected by the commissioner.

5           This act would take effect upon passage, and would include additional funding in the  
6 foundation educational aid estimate.

=====  
LC02913/SUB A  
=====