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# ARTICLE 12 AS AMENDED

## RELATING TO EDUCATION AID

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

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

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

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

(b) Career and technical education costs to help meet initial investment requirements needed to transform existing, or create new, comprehensive, career and technical education programs and career pathways in critical and emerging industries and to help offset the higher-than-average costs associated with facilities, equipment maintenance and repair, and supplies necessary for maintaining the quality of highly specialized programs that are a priority for the state. The department shall develop criteria for the purpose of allocating any and all career and technical education funds as may be determined by the general assembly on an annual basis. The department of elementary and secondary education shall prorate the funds available for distribution among those eligible school districts if the total approved costs for which school districts are seeking reimbursement exceed the amount of funding available in any fiscal year;

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

1 (d) Central Falls, Davies, and the Met Center Stabilization Fund is established to assure  
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 state  
9 appropriations to the Central Falls school district. At the end of the transition period defined in §  
10 16-7.2-7, the municipality will continue its contribution pursuant to § 16-7-24. Additional support  
11 for the Davies and the Met Center is needed due to the costs associated with running a stand-alone  
12 high school offering both academic and career and technical coursework. The department shall  
13 recommend criteria for the purpose of allocating any and all stabilization funds as may be  
14 determined by the general assembly; and

15 (e) Excess costs associated with transporting students to out-of-district non-public schools,  
16 ~~and within regional school districts. (1) This fund will provide state funding for the costs associated~~  
17 ~~with transporting students to out-of-district non-public schools, pursuant to chapter 21.1 of title 16.~~  
18 ~~The state will assume the costs of non-public out-of-district transportation for those districts~~  
19 ~~participating in the statewide system. ; and (2) This fund will provide direct state funding for the~~  
20 ~~excess costs associated with transporting students within regional school districts, established~~  
21 ~~pursuant to chapter 3 of title 16. This fund requires that the state and regional school district share~~  
22 ~~equally the student transportation costs net any federal sources of revenue for these expenditures.~~  
23 The department of elementary and secondary education shall prorate the funds available for  
24 distribution among those eligible school districts if the total approved costs for which school  
25 districts are seeking reimbursement exceed the amount of funding available in any fiscal year.

26 (f) Excess costs associated with transporting students within regional school districts. This  
27 fund will provide direct state funding for the excess costs associated with transporting students  
28 within regional school districts, established pursuant to chapter 3 of title 16. This fund requires that  
29 the state and regional school district share equally the student transportation costs net any federal  
30 sources of revenue for these expenditures. The department of elementary and secondary education  
31 shall prorate the funds available for distribution among those eligible school districts if the total  
32 approved costs for which school districts are seeking reimbursement exceed the amount of funding  
33 available in any fiscal year.

34 ~~(f)~~(g) Public school districts that are regionalized shall be eligible for a regionalization

1 bonus as set forth below.

2 (1) As used herein, the term "regionalized" shall be deemed to refer to a regional school  
3 district established under the provisions of chapter 3 of title 16 including the Chariho Regional  
4 School district.

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

10 (3) The regionalization bonus in the first fiscal year shall be two percent (2.0%) of the  
11 state's share of the foundation education aid for the regionalized district as calculated pursuant to  
12 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year.

13 (4) The regionalization bonus in the second fiscal year shall be one percent (1.0%) of the  
14 state's share of the foundation education aid for the regionalized district as calculated pursuant to  
15 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year.

16 (5) The regionalization bonus shall cease in the third fiscal year.

17 (6) The regionalization bonus for the Chariho regional school district shall be applied to  
18 the state share of the permanent foundation education aid for the member towns.

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

23 ~~(e)~~(h) Additional state support for English learners (EL). ~~For FY 2017 only, the~~ The  
24 amount to support EL students shall be determined by multiplying an EL factor of ten percent  
25 (10%) by the core-instruction per-pupil amount defined in § 16-7.2-3(a)(1) and applying that  
26 amount of additional state support to EL students identified using widely adopted, independent  
27 standards and assessments identified by the Commissioner. All categorical funds distributed  
28 pursuant to this subsection must be used to provide high-quality, research-based services to EL  
29 students and managed in accordance with requirements set forth by the commissioner of elementary  
30 and secondary education. The department of elementary and secondary education shall collect  
31 performance reports from districts and approve the use of funds prior to expenditure. The  
32 department of elementary and secondary education shall ensure the funds are aligned to activities  
33 that are innovative and expansive and not utilized for activities the district is currently funding. The  
34 department of elementary and secondary education shall prorate the funds available for distribution

1 among eligible recipients if the total calculated costs exceed the amount of funding available in any  
2 fiscal year.

3 ~~(h)~~(i) Categorical programs defined in (a) through ~~(g)~~ shall be funded pursuant to the  
4 transition plan in § 16-7.2-7.

5 SECTION 2. Section 16-95-4 of the General Laws in Chapter 16-95 entitled "The  
6 Recovery High Schools Act [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]"  
7 is hereby amended to read as follows:

8 **16-95-4. Transfer of aid.**

9 (a) Any school district in Rhode Island that may have a student, or students, who are  
10 currently or were last enrolled in said district and who are diagnosed with substance-use disorder  
11 or dependency, as defined by the Diagnostic and Statistical Manual of Mental Disorders IV-TR,  
12 may be referred to a Rhode Island recovery high school by a clinician licensed pursuant to chapter  
13 69 of title 5 for voluntary enrollment in such school. If said student is admitted to said school, the  
14 sending school district shall ensure that payment, pursuant to subsection (b) for students who attend  
15 the recovery high school, is paid, and further, that upon completion of all other graduation  
16 requirements, said student or students shall receive a diploma.

17 (b) A sending school district shall transfer the per-pupil core-instructional amount,  
18 pursuant to chapter 7.2 of title 16 ("The Education Equity and Property Tax Relief Act") to a  
19 recovery high school for any student attending the recovery high school and meeting the following  
20 criteria: (1) The student is currently enrolled in the district or currently resides in the municipality  
21 in which the district is located; (2) The student is considered by a clinician, licensed pursuant to  
22 chapter 69 of title 5, to be clinically appropriate, using the criteria for substance-use disorders as  
23 defined in the Diagnostic and Statistical Manual of Mental Disorders IV-TR; and (3) The student  
24 meets all matriculation criteria as outlined by the sending district and the department of elementary  
25 and secondary education, with determination of academic eligibility based on existing  
26 documentation provided by the district. The district and the recovery high school shall arrange to  
27 confer a diploma when a student completes state- and district-mandated graduation requirements.

28 (c) ~~For FY 2017, the~~ The state shall appropriate no less than five hundred thousand dollars  
29 (\$500,000) for the administration and programmatic costs of each recovery high school.

30 (d) A recovery high school shall submit to the council on elementary and secondary  
31 education academic data considered necessary by the board to provide information regarding each  
32 student's academic performance, subject to applicable health confidentiality laws and regulations.

33 (e) The council on elementary and secondary education, in consultation with the  
34 department of behavioral health, developmental disabilities and hospitals shall promulgate rules

1 and regulations as necessary to implement and carry out the intent of this chapter.

2 SECTION 3. Section 16-100-3 of the General Laws in Chapter 16-100 entitled "Dual  
3 Enrollment Equal Opportunity Act" is hereby amended to read as follows:

4 **16-100-3. Policy implemented.**

5 (a) The Board of Education shall prescribe by regulation a statewide dual enrollment policy  
6 that shall allow students to enroll in courses at postsecondary institutions to satisfy academic credit  
7 requirements in both high school and the aforementioned postsecondary institutions. The  
8 regulations shall address the postsecondary institution's graduation requirements, if any; the  
9 institution's ability to award degrees/certificates in Rhode Island; the minimum course grade to  
10 receive credit at the student's secondary school; and any other criteria that the Board deems  
11 appropriate.

12 (b) The board shall convene a workgroup, including, but not limited to, representatives  
13 from the department of elementary and secondary education, the office of higher education,  
14 superintendents, school committees, public higher education institutions, guidance counselors, and  
15 teachers. The purpose of the workgroup is to consider and advise the board as to a dual enrollment  
16 policy and its possible effect on school funding pursuant to section 16-7.2, academic supports,  
17 transportation, possible shared costs of the education, possible fee schedules, manners in which  
18 low-income students could access the program and, possible contracted tuition costs with our public  
19 higher education institutions.

20 (c) Notwithstanding any law to the contrary, payments to public institutions of higher  
21 education for dual and concurrent enrollment shall be limited to no greater than the appropriation  
22 contained in the Appropriations Act. On or before September 30, 2017, the Council on  
23 Postsecondary Education shall promulgate rules and regulations enforcing this limitation.

24 SECTION 4. This article shall take effect upon passage.