

2017 -- S 0731

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LC002254  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

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

Introduced By: Senator Adam J. Satchell

Date Introduced: April 12, 2017

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7.2-5 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 **16-7.2-5. Charter public schools, the William M. Davies, Jr. Career and Technical**  
4 **High School, and the Metropolitan Regional Career and Technical Center.**

5 (a) Charter public schools, as defined in chapter 77 of this title, the William M. Davies,  
6 Jr. Career and Technical High School (Davies), and the Metropolitan Regional Career and  
7 Technical Center (the Met Center) shall be funded pursuant to § 16-7.2-3. If the October 1 actual  
8 enrollment data for any charter public school shows a ten percent (10%) or greater change from  
9 the prior year enrollment which is used as the reference year average daily membership, the last  
10 six (6) monthly payments to the charter public school will be adjusted to reflect actual enrollment.  
11 The state share of the permanent foundation education aid shall be paid by the state directly to the  
12 charter public schools, Davies, and the Met Center pursuant to § 16-7.2-9 and shall be calculated  
13 using the state-share ratio of the district of residence of the student as set forth in § 16-7.2-4. The  
14 department of elementary and secondary education shall provide the general assembly with the  
15 calculation of the state share of permanent foundation education aid for charter public schools  
16 delineated by school district.

17 (b) The local share of education funding shall be paid to the charter public school,  
18 Davies, and the Met Center by the district of residence of the student and shall be the local, per-

1 pupil cost calculated by dividing the local appropriation to education from property taxes, net of  
2 debt service, and capital projects, as defined in the uniform chart of accounts by the average daily  
3 membership for each city and town, pursuant to § 16-7-22, for the reference year.

4 (c) Beginning in FY 2017, there shall be a reduction to the local per pupil funding paid by  
5 the district of residence to charter public schools, Davies, and the Met Center. This reduction  
6 shall be equal to the greater (i) Of seven percent (7%) of the local, per-pupil funding of the  
7 district of residence pursuant to subsection (b) or (ii) The per-pupil value of the district's costs for  
8 non-public textbooks, transportation for non-public students, retiree health benefits, out-of-district  
9 special-education tuition and transportation, services for students age eighteen (18) to twenty-one  
10 (21) years old, pre-school screening and intervention, and career and technical education, tuition  
11 and transportation costs, debt service and rental costs minus the average expenses incurred by  
12 charter schools for those same categories of expenses as reported in the uniform chart of accounts  
13 for the prior preceding fiscal year pursuant to § 16-7-16(11) and verified by the department of  
14 elementary and secondary education. In the case where audited financials result in a change in the  
15 calculation after the first tuition payment is made, the remaining payments shall be based on the  
16 most recent audited data. For those districts whose greater reduction occurs under the calculation  
17 of (ii), there shall be an additional reduction to payments to mayoral academies with teachers who  
18 do not participate in the state teacher's retirement system under chapter 8 of title 36 equal to the  
19 per-pupil value of teacher retirement costs attributable to unfunded liability as calculated by the  
20 state's actuary for the prior preceding fiscal year.

21 (d) Local district payments to charter public schools, Davies, and the Met Center for each  
22 district's students enrolled in these schools shall be made ~~on a quarterly basis in July, October,~~  
23 ~~January, and April; however, the first local district payment shall be made by August 15, instead~~  
24 ~~of July. Failure of the community to make the local district payment for its student(s) enrolled in~~  
25 ~~a charter public school, Davies, and/or the Met Center may result in the withholding of state~~  
26 ~~education aid pursuant to § 16-7-31. only for those periods which the student is enrolled and~~  
27 attending the charter public school, Davies or the Met Center. The local district shall not be  
28 responsible for making payment to any school for periods in which the student is listed as being  
29 enrolled at a charter public school, Davies or the Met Center but has not physically presented  
30 themselves for attendance. Student enrollment shall be calculated on a per diem basis on  
31 November 15, February 1, April 15, and June 30 of each school year.

32 (1) Charter public schools, Davies and the Met Center shall issue an invoice to the  
33 sending public school districts. Such invoices shall include the following:

34 (i) A detail of student enrollment by student name, current residence, attendance, student

1 identification number and any other information reasonably requested by the sending district; and

2 (ii) A certification from the Chief Executive Officer or Chief Financial Officer of the  
3 charter public school, Davies or Met Center affirming that all information contained on the  
4 invoice is true and accurate.

5 (2) Charter Public schools, Davies and the Met Center shall make all reasonable efforts to  
6 prohibit students from simultaneously registering at their school and in the student's home school  
7 district.

8 (e) Beginning in FY 2017, school districts with charter public school, Davies, and the  
9 Met Center enrollment, that, combined, comprise five percent (5%) or more of the average daily  
10 membership as defined in § 16-17-22, shall receive additional aid for a period of three (3) years.  
11 Aid in FY 2017 shall be equal to the number of charter public school, open-enrollment schools,  
12 Davies, or the Met Center students as of the reference year as defined in § 16-7-16 times a per-  
13 pupil amount of one hundred seventy-five dollars (\$175). Aid in FY 2018 shall be equal to the  
14 number of charter public school, open-enrollment schools, Davies, or the Met Center students as  
15 of the reference year as defined in § 16-7-16 times a per-pupil amount of one hundred dollars  
16 (\$100). Aid in FY 2019 shall be equal to the number of charter public school, open-enrollment  
17 schools, Davies, or the Met Center students as of the reference year as defined in § 16-7-16 times  
18 a per-pupil amount of fifty dollars (\$50.00). The additional aid shall be used to offset the adjusted  
19 fixed costs retained by the districts of residence.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would require local district payments to Davies, and the Met Center schools only  
2 for those periods where a student is both enrolled and physically present in attendance at those  
3 schools.

4           This act would take effect upon passage.

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