

2018 -- H 7904

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LC005059
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT

Introduced By: Representative Kenneth A. Marshall

Date Introduced: February 28, 2018

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 16-7-16 and 16-7-36 of the General Laws in Chapter 16-7 entitled
2 "Foundation Level School Support " are hereby amended to read as follows:

3 **16-7-16. Definitions.**

4 The following words and phrases used in §§ 16-7-15 to 16-7-34 have the following
5 meanings:

6 (1) "Adjusted equalized weighted assessed valuation" means the equalized weighted
7 assessed valuation of a community as determined by the department of revenue or as apportioned
8 by the commissioner pursuant to the provisions of § 16-7-21;

9 (2) "Average daily membership" means the average number of pupils in a community
10 during a school year as determined pursuant to the provisions of § 16-7-22, less any students who
11 are served in a program operated by the state and funded through the permanent foundation
12 education aid formula pursuant to chapter 16-7.2;

13 (3) "Basic education program" means the cost of education of resident pupils in grades
14 twelve (12) and below in average daily membership for the reference year as determined by the
15 mandated minimum program level;

16 (4) "Certified personnel" means all persons who are required to hold certificates issued by
17 or under the authority of the board of regents for elementary and secondary education;

18 (5) "Community" means any city, town, or regional school district established pursuant to
19 law and/or the department of children, youth, and families; provided, however, that the

1 department of children, youth, and families shall not have those administrative responsibilities
2 and obligations as set forth in chapter 2 of this title; provided, however, that the member towns of
3 the Chariho regional high school district, created by P.L. 1958, chapter 55 as amended, and
4 effective for the 2018-2019 fiscal year and thereafter, any regional school district established
5 pursuant to law, shall constitute separate and individual communities for the purpose of
6 determining and distributing the foundation level school support including state aid for noncapital
7 excess expenses for the special education of children with disabilities provided for in § 16-24-6
8 for all grades financed in whole or in part by the towns irrespective of any regionalization and
9 any school operated by the state department of elementary and secondary education;

10 (6) "Department of children, youth, and families" means that department created pursuant
11 to chapter 72 of title 42. For purposes of this section, §§ 16-7-20, 16-24-2, and 42-72-5(b)(22),
12 "children" means those children who are placed, assigned, or otherwise accommodated for
13 residence by the department of children, youth, and families in a state operated or supported
14 community residence licensed by a state agency and the residence operates an educational
15 program approved by the department of elementary and secondary education;

16 (7) "Equalized weighted assessed valuation" means the equalized weighted assessed
17 valuation for a community as determined by the division of property valuation pursuant to the
18 provisions of § 16-7-21;

19 (8) "Full time equivalency students" means the time spent in a particular activity divided
20 by the amount of time in a normal school day;

21 (9) "Incentive entitlement" means the sum payable to a local school district under the
22 formula used;

23 (10) "Mandated minimum program level" means the amount that shall be spent by a
24 community for every pupil in average daily membership as determined pursuant to the provisions
25 of § 16-7-18;

26 (11) "Reference year" means the next year prior to the school year immediately preceding
27 that in which the aid is to be paid. For the purposes of calculating the permanent foundation
28 education formula aid as described in § 16-7.2-3, the reference date shall be one year prior to the
29 year in which aid is paid; and

30 (12) "Regularly employed" and "service" as applied to certified personnel have the same
31 meaning as defined in chapter 16 of this title.

32 (13) "Taxing regional school district" means a regional school district which has the
33 authority once ratified by member cities and towns annually to levy and collect educational taxes
34 upon property located within the municipalities served by the regional school district. All such

1 [educational taxes collected by member cities and towns would be distributed and used by the](#)
2 [regional school district for the education of students in the district. All regional school districts in](#)
3 [effect and operative as a regional school district as of July 1, 2018, shall be enabled to be a taxing](#)
4 [regional school district, with oversight and ratification of an annual budget by member cities and](#)
5 [towns.](#)

6 **16-7-36. Definitions.**

7 The following words and phrases used in §§ 16-7-35 to 16-7-47 have the following
8 meanings:

9 (1) "Adjusted equalized weighted assessed valuation" means the equalized weighted
10 assessed valuation for a community as determined by the division of property valuation within the
11 department of revenue in accordance with § 16-7-21; provided, however, that in the case of a
12 regional school district the commissioner of elementary and secondary education shall apportion
13 the adjusted equalized weighted assessed valuation of the member cities or towns among the
14 regional school district and the member cities or towns according to the proportion that the
15 number of pupils of the regional school district bears to the number of pupils of the member cities
16 or towns.

17 (2) "Approved project" means a project which has complied with the administrative
18 regulations governing §§ 16-7-35 through 16-7-47, and which has been authorized to receive state
19 school housing reimbursement by the commissioner of elementary and secondary education.

20 (3) "Community" means any city, town, or regional school district established pursuant to
21 law; provided, however, that the member towns of the Chariho regional high school district,
22 created by P.L. 1958, ch. 55, as amended, [and effective for the 2018-2019 fiscal year and](#)
23 [thereafter, any regional school district established pursuant to law,](#) shall constitute separate and
24 individual communities for the purposes of distributing the foundation level school support for
25 school housing for all grades financed in whole or in part by the towns irrespective of any
26 regionalization. ["Community" shall also mean and include a taxing regional school district as](#)
27 [defined in § 16-7-16.](#)

28 (4) "Reference year" means the year next prior to the school year immediately preceding
29 that in which aid is to be paid.

30 SECTION 2. This act shall take effect upon passage and be effective for the 2018-2019
31 fiscal year and thereafter.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT

1 This act would enable all regional school districts in effect as of July 1, 2018, as taxing
2 regional school districts, with authority to levy and collect property taxes from member cities and
3 towns for educational purposes upon property located within the municipalities served by the
4 regional school district upon authorization and ratification of the annual budget request by
5 member cities and towns.

6 This act would take effect upon passage and be effective for the 2018-2019 fiscal year
7 and thereafter.

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