

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

ARTICLE 10

RELATING TO UNIVERSAL PREKINDERGARTEN

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~~ consistent with chapter 16-87;

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 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;

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 (1/2) 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 (a) through (g) shall be funded pursuant to the transition
19 plan in § 16-7.2-7.

20 SECTION 2. Sections 16-87-2 and 16-87-4 of the General Laws in Chapter 16-87 entitled
21 "Rhode Island Prekindergarten Education Act" are hereby amended to read as follows:

22 **16-87-2. Findings.**

- 23 (a) The general assembly hereby finds that attending high quality early childhood education
24 programs help children develop important social and cognitive skills and knowledge that prepares
25 children to succeed in school. Research has shown long-lasting benefits for children who participate
26 in very high quality, educationally focused early childhood programs. The benefits to children can
27 also generate substantial government cost savings, including reduced need for special education
28 services, reduced need for cash assistance and other public benefits, and reduced rates of
29 incarceration.
- 30 (b) The general assembly finds that there are substantial numbers of children in Rhode
31 Island entering kindergarten who are not adequately prepared to succeed in school. Early school
32 failure may ultimately contribute to such children dropping out of school at an early age, failing to
33 achieve their full potential, becoming dependent upon public assistance, or becoming involved in
34 criminal activities.

1 (c) Furthermore, the general assembly finds that there is an existing infrastructure of early
2 childhood programs in Rhode Island serving preschool age children in full-day and half-day
3 programs that is supported through state and federal investments in child care, Head Start and
4 special education. It is the goal of the general assembly to support a system of publicly-funded,
5 high quality prekindergarten education programs that are operated through a diverse delivery
6 network, including child care, Head Start and public school districts.

7 (d) By enacting this law, the general assembly acknowledges the need to adequately
8 prepare all children to succeed in school by providing access to publicly-funded high quality
9 prekindergarten education programs.

10 (e) Since 2008, Rhode Island's state prekindergarten program has expanded to offer more
11 than one thousand high-quality prekindergarten seats to four-year-olds across eleven communities.
12 Rhode Island's mixed delivery prekindergarten model has been nationally recognized as one of the
13 highest quality state prekindergarten programs in the United States.

14 **16-87-4. Early childhood workforce development.**

15 The Rhode Island department of elementary and secondary education and the department
16 of human services shall work with other state departments and private philanthropy to establish a
17 statewide, comprehensive, research-based early childhood workforce development scholarship
18 program to expand the numbers of early childhood educators who have an associate's or bachelor's
19 degree in early childhood education and who work with children from birth to age five (5).

20 SECTION 3. Chapter 16-87 of the General Laws entitled "Rhode Island Prekindergarten
21 Education Act" is hereby amended by adding thereto the following section:

22 **16-87-6. High Quality, Universal Prekindergarten.**

23 (a) The general assembly acknowledges the need to adequately prepare all children to
24 succeed in school by providing access to publicly funded, high quality prekindergarten education
25 programs for all four-year-olds.

26 (b) Access to Rhode Island's mixed delivery system of high-quality prekindergarten
27 classrooms in child care centers, public school districts, and Head Start centers shall be expanded
28 across all communities in Rhode Island.

29 (c) Expansion shall continue until every family who wants a high quality, prekindergarten
30 seat for their four-year-old has one. Universal access will be considered achieved when seventy
31 percent of four-year-olds are enrolled in high-quality prekindergarten programs.

32 **16-87-7. Prekindergarten Facilities.**

33 The Rhode Island department of elementary and secondary education and the department
34 of human services shall work with other state departments and private philanthropy to research and

1 establish programs to improve, expand, and renovate facilities to ensure providers meet licensing
2 and facilities standards to expand access to high-quality prekindergarten learning environments.

3 **16-87-8. High quality elements.**

4 (a) To expand access to high-quality prekindergarten education programs, it is essential to
5 invest in expanding high-quality early learning in order to meaningfully increase children's school
6 readiness.

7 (b) The Rhode Island department of elementary and secondary education is hereby
8 authorized to promulgate and adopt regulations for the implementation of high quality, universal
9 prekindergarten. The following quality standards shall be established in regulation by the Rhode
10 Island department of elementary and secondary education:

11 (i) Teacher education and certification;

12 (ii) Class size and staff ratios;

13 (iii) Learning time;

14 (iv) Learning standards;

15 (v) Curriculum;

16 (vi) Support for students with special needs;

17 (vii) Support for dual English language learners;

18 (viii) Professional development;

19 (ix) Child assessments; and

20 (x) Observations to improve practice

21 **16-87-9. Successful transitions.**

22 (a) Successful coordination between Rhode Island's high-quality prekindergarten and
23 kindergarten programs is essential for setting a solid foundation for all students. In order to have a
24 seamless pathway from prekindergarten to third grade, standards, curriculum, instruction and
25 assessments shall be aligned.

26 (b) Effective transition programs and practices to help students and families move
27 successfully from one setting to another shall be established.

28 (c) All Local Education Agencies (LEAs) in Rhode Island shall develop a transition plan
29 to kindergartens for all incoming students and families. These plans must contain two parts --
30 student and family transition strategies, and program-level transition planning strategies:

31 (1) For student and family transition the following strategies shall be considered:

32 (i) Student visits to their future kindergarten classroom;

33 (ii) Kindergarten teacher visits to the prekindergarten classrooms;

34 (iii) Workshops for families of incoming kindergarten children; and

- 1 (iv) Kindergarten orientation sessions the summer before school starts.
- 2 (2) For program-level transition planning the following strategies shall be considered;
- 3 (i) Creation of transition teams and liaisons between prekindergarten programs and district
- 4 schools;
- 5 (ii) Joint professional development and data sharing for prekindergarten to third grade
- 6 teachers; and
- 7 (iii) Teacher-to-teacher conferences.

8 **16-87-10. Early childhood education governance and data system.**

9 (a) The Rhode Island department of elementary and secondary education and the

10 department of human services shall work with other state departments that comprise the Children's

11 Cabinet including, but not limited to, Rhode Island's department of health, department of children,

12 youth and families, and the executive office of health and human services to facilitate the

13 coordination of federal, state, and local policies concerning early learning and care, as well as

14 seeking, applying for and encouraging the use of any federal funds for early learning and care.

15 These departments shall work together to identify ways to streamline decision-making, eliminate

16 inefficiencies, and ensure that all state systems are coordinated and aligned to the same goals.

17 (b) In order to support a successful early learning system, including the expansion of high-

18 quality prekindergarten programs, the Early Childhood and Education Data System (ECEDS) shall

19 receive continued investment, development and support. ECEDS is an integrated data system to

20 facilitate the sharing of information and data-driven decision-making. ECEDS has become the

21 centralized source for much our early learning data across multiple state agencies. It also has the

22 capability to share essential child level data with state agencies and early childhood programs and

23 key information about early learning providers and programs with families.

24 SECTION 4. Sections 16-87-3 and 16-87-5 of the General Laws in Chapter 16-87 entitled

25 "Rhode Island Prekindergarten Education Act" are hereby repealed.

26 **~~16-87-3. Planning phase for a prekindergarten program.~~**

27 ~~(a) The Rhode Island department of elementary and secondary education shall begin~~

28 ~~planning an initial, pilot prekindergarten program that meets high quality standards, builds on the~~

29 ~~existing early childhood education infrastructure in the state (including child care, Head Start and~~

30 ~~public schools) and serves children ages three (3) and four (4) who reside in communities with~~

31 ~~concentrations of low performing schools. This planning phase will develop specific goals to~~

32 ~~expand the pilot prekindergarten program over time and will also identify opportunities to~~

33 ~~strengthen care and learning programs for infants and toddlers.~~

34 ~~(b) During this planning phase, the Rhode Island department of elementary and secondary~~

~~education will quantify the resources needed to achieve and maintain high quality standards in prekindergarten programs and identify incentives and supports to develop a qualified early education workforce, including opportunities for experienced early childhood educators and paraprofessionals to acquire college degrees and earn early childhood teacher certification.~~

~~(c) The Rhode Island department of elementary and secondary education will begin to develop plans to collect and analyze data regarding the impact of the pilot prekindergarten program on participating children's school readiness and school achievement.~~

~~**16-87-5. Reporting.**~~

~~The Rhode Island department of elementary and secondary education shall report back to the general assembly and the governor on the progress of the pilot planning phase no later than October 31, 2008.~~

SECTION 5. Section 40-6.2-1.1 of the General Laws in Chapter 40-6.2 entitled "Child Care - State Subsidies" is hereby amended to read as follows:

40-6.2-1.1. Rates established.

(a) Through June 30, 2015, subject to the payment limitations in subsection (c), the maximum reimbursement rates to be paid by the departments of human services and children, youth and families for licensed childcare centers and licensed family-childcare providers shall be based on the following schedule of the 75th percentile of the 2002 weekly market rates adjusted for the average of the 75th percentile of the 2002 and the 2004 weekly market rates:

LICENSED CHILDCARE CENTERS	75th PERCENTILE OF WEEKLY MARKET RATE
INFANT	\$182.00
PRESCHOOL	\$150.00
SCHOOL-AGE	\$135.00
LICENSED FAMILY CHILDCARE PROVIDERS	75th PERCENTILE OF WEEKLY MARKET RATE
INFANT	\$150.00
PRESCHOOL	\$150.00
SCHOOL-AGE	\$135.00

Effective July 1, 2015, subject to the payment limitations in subsection (c), the maximum reimbursement rates to be paid by the departments of human services and children, youth and families for licensed childcare centers and licensed family-childcare providers shall be based on the above schedule of the 75th percentile of the 2002 weekly market rates adjusted for the average of the 75th percentile of the 2002 and the 2004 weekly market rates. These rates shall be increased

1 by ten dollars (\$10.00) per week for infant/toddler care provided by licensed family-childcare
2 providers and license-exempt providers and then the rates for all providers for all age groups shall
3 be increased by three percent (3%). For the fiscal year ending June 30, 2018, licensed childcare
4 centers shall be reimbursed a maximum weekly rate of one hundred ninety-three dollars and sixty-
5 four cents (\$193.64) for infant/toddler care and one hundred sixty-one dollars and seventy-one
6 cents (\$161.71) for preschool-age children.

7 (b) Effective July 1, 2018, subject to the payment limitations in subsection (c), the
8 maximum infant/toddler and preschool-age reimbursement rates to be paid by the departments of
9 human services and children, youth and families for licensed childcare centers shall be
10 implemented in a tiered manner, reflective of the quality rating the provider has achieved within
11 the state's quality rating system outlined in § 42-12-23.1.

12 (1) For infant/toddler childcare, tier one shall be reimbursed two and one-half percent
13 (2.5%) above the FY 2018 weekly amount, tier two shall be reimbursed five percent (5%) above
14 the FY 2018 weekly amount, tier three shall be reimbursed thirteen percent (13%) above the FY
15 2018 weekly amount, tier four shall be reimbursed twenty percent (20%) above the FY 2018 weekly
16 amount, and tier five shall be reimbursed thirty-three percent (33%) above the FY 2018 weekly
17 amount.

18 (2) For preschool reimbursement rates, tier one shall be reimbursed ~~two and one-half~~
19 ~~(2.5%)~~ three and two-tenths percent (3.2%) above the FY 2018 weekly amount, tier two shall be
20 reimbursed five ~~percent (5%)~~ and eight-tenths percent (5.8%) above the FY 2018 weekly amount,
21 tier three shall be reimbursed ~~ten percent (10%)~~ thirteen percent (13%) above the FY 2018 weekly
22 amount, tier four shall be reimbursed ~~thirteen percent (13%)~~ fifteen percent (15%) above the FY
23 2018 weekly amount, and tier five shall be reimbursed ~~twenty-one percent (21%)~~ thirty-three
24 percent (33%) above the FY 2018 weekly amount.

25 ~~(e) The departments shall pay childcare providers based on the lesser of the applicable rate~~
26 ~~specified in subsection (a), or the lowest rate actually charged by the provider to any of its public~~
27 ~~or private childcare customers with respect to each of the rate categories, infant, preschool and~~
28 ~~school-age.~~

29 ~~(d)~~ (c) By June 30, 2004, and biennially through June 30, 2014, the department of labor
30 and training shall conduct an independent survey or certify an independent survey of the then
31 current weekly market rates for childcare in Rhode Island and shall forward such weekly market
32 rate survey to the department of human services. The next survey shall be conducted by June 30,
33 2016, and triennially thereafter. The departments of human services and labor and training will
34 jointly determine the survey criteria including, but not limited to, rate categories and sub-categories.

1 ~~(e)~~ (d) In order to expand the accessibility and availability of quality childcare, the
2 department of human services is authorized to establish by regulation alternative or incentive rates
3 of reimbursement for quality enhancements, innovative or specialized childcare and alternative
4 methodologies of childcare delivery, including non-traditional delivery systems and collaborations.

5 (f) Effective January 1, 2007, all childcare providers have the option to be paid every two
6 (2) weeks and have the option of automatic direct deposit and/or electronic funds transfer of
7 reimbursement payments.

8 SECTION 6. This article shall take effect upon passage.