

2019 -- H 5370

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LC000769  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

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

Introduced By: Representatives O'Brien, Craven, Ucci, and Lima

Date Introduced: February 08, 2019

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7.2-6 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 **16-7.2-6. Categorical programs, state funded expenses.**

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

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

16 (b) Career and technical education costs to help meet initial investment requirements  
17 needed to transform existing, or create new, comprehensive, career and technical education  
18 programs and career pathways in critical and emerging industries and to help offset the higher-

1 than-average costs associated with facilities, equipment maintenance and repair, and supplies  
2 necessary for maintaining the quality of highly specialized programs that are a priority for the  
3 state. The department shall develop criteria for the purpose of allocating any and all career and  
4 technical education funds as may be determined by the general assembly on an annual basis. The  
5 department of elementary and secondary education shall prorate the funds available for  
6 distribution among those eligible school districts if the total approved costs for which school  
7 districts are seeking reimbursement exceed the amount of funding available in any fiscal year;

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

11 (d) Central Falls, Davies, and the Met Center Stabilization Fund is established to ensure  
12 that appropriate funding is available to support their students. Additional support for Central Falls  
13 is needed due to concerns regarding the city's capacity to meet the local share of education costs.  
14 This fund requires that education aid calculated pursuant to § 16-7.2-3 and funding for costs  
15 outside the permanent foundation education-aid formula, including, but not limited to,  
16 transportation, facility maintenance, and retiree health benefits shall be shared between the state  
17 and the city of Central Falls. The fund shall be annually reviewed to determine the amount of the  
18 state and city appropriation. The state's share of this fund may be supported through a reallocation  
19 of current state appropriations to the Central Falls school district. At the end of the transition  
20 period defined in § 16-7.2-7, the municipality will continue its contribution pursuant to § 16-7-24.  
21 Additional support for the Davies and the Met Center is needed due to the costs associated with  
22 running a stand-alone high school offering both academic and career and technical coursework.  
23 The department shall recommend criteria for the purpose of allocating any and all stabilization  
24 funds as may be determined by the general assembly;

25 (e) Excess costs associated with transporting students to out-of-district non-public  
26 schools. This fund will provide state funding for the costs associated with transporting students to  
27 out-of-district non-public schools, pursuant to chapter 21.1 of this title. The state will assume the  
28 costs of non-public out-of-district transportation for those districts participating in the statewide  
29 system. The department of elementary and secondary education shall prorate the funds available  
30 for distribution among those eligible school districts if the total approved costs for which school  
31 districts are seeking reimbursement exceed the amount of funding available in any fiscal year;

32 (f) Excess costs associated with transporting students within regional school districts.  
33 This fund will provide direct state funding for the excess costs associated with transporting  
34 students within regional school districts, established pursuant to chapter 3 of this title. This fund

1 requires that the state and regional school district share equally the student transportation costs  
2 net any federal sources of revenue for these expenditures. The department of elementary and  
3 secondary education shall prorate the funds available for distribution among those eligible school  
4 districts if the total approved costs for which school districts are seeking reimbursement exceed  
5 the amount of funding available in any fiscal year;

6 (g) Public school districts that are regionalized shall be eligible for a regionalization  
7 bonus as set forth below:

8 (1) As used herein, the term "regionalized" shall be deemed to refer to a regional school  
9 district established under the provisions of chapter 3 of this title, including the Chariho Regional  
10 School district;

11 (2) For those districts that are regionalized as of July 1, 2010, the regionalization bonus  
12 shall commence in FY 2012. For those districts that regionalize after July 1, 2010, the  
13 regionalization bonus shall commence in the first fiscal year following the establishment of a  
14 regionalized school district as set forth in chapter 3 of this title, including the Chariho Regional  
15 School District;

16 (3) The regionalization bonus in the first fiscal year shall be two percent (2.0%) of the  
17 state's share of the foundation education aid for the regionalized district as calculated pursuant to  
18 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

19 (4) The regionalization bonus in the second fiscal year shall be one percent (1.0%) of the  
20 state's share of the foundation education aid for the regionalized district as calculated pursuant to  
21 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

22 (5) The regionalization bonus shall cease in the third fiscal year;

23 (6) The regionalization bonus for the Chariho regional school district shall be applied to  
24 the state share of the permanent foundation education aid for the member towns; and

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

29 (h) Additional state support for English learners (EL). The amount to support EL students  
30 shall be determined by multiplying an EL factor of ten percent (10%) by the core-instruction per-  
31 pupil amount defined in § 16-7.2-3(a)(1) and applying that amount of additional state support to  
32 EL students identified using widely adopted, independent standards and assessments identified by  
33 the commissioner. All categorical funds distributed pursuant to this subsection must be used to  
34 provide high-quality, research-based services to EL students and managed in accordance with

1 requirements set forth by the commissioner of elementary and secondary education. The  
2 department of elementary and secondary education shall collect performance reports from  
3 districts and approve the use of funds prior to expenditure. The department of elementary and  
4 secondary education shall ensure the funds are aligned to activities that are innovative and  
5 expansive and not utilized for activities the district is currently funding. The department of  
6 elementary and secondary education shall prorate the funds available for distribution among  
7 eligible recipients if the total calculated costs exceed the amount of funding available in any fiscal  
8 year;

9 (i) State support for school resource officers. The general assembly recognizes that the  
10 safety and security of all persons in public schools throughout the state are paramount in the  
11 overall scheme. The general assembly shall work together with the school districts to achieve  
12 such goal. For purposes of this subsection, a school resource officer (SRO) shall be defined as a  
13 career law enforcement officer with sworn authority who is deployed by an employing police  
14 department or agency in a community-oriented policing assignment to work in collaboration with  
15 one or more schools. School resource officers should have completed at least forty (40) hours of  
16 specialized training in school policing, administered by an accredited agency, before being  
17 assigned. Beginning in FY 2019, ~~for a period of three (3) years,~~ school districts or municipalities  
18 that choose to employ new hires as school resource officers shall receive direct state support for  
19 costs associated with employing such officers at public middle and high schools. For purposes of  
20 this subsection, a "new hire" school resource officer shall be defined as a school resource officer  
21 who is hired after June 30, 2018, and is not replacing a school resource officer who has since  
22 retired. Districts or municipalities shall be reimbursed an amount equal to one-half (1/2) of the  
23 cost of salaries and benefits for the qualifying positions. Funding will be provided for school  
24 resource officer positions established on or after July 1, 2018, provided that:

25 (1) Each school resource officer shall be assigned to one school:

26 (i) Schools with enrollments below one thousand twelve hundred (1,200) students shall  
27 require one school resource officer;

28 (ii) Schools with enrollments of one thousand twelve hundred (1,200) or more students  
29 shall require two school resource officers;

30 (2) School resource officers hired in excess of the requirement noted above shall not be  
31 eligible for reimbursement; and

32 (3) Schools that eliminate existing school resource officer positions and create new  
33 positions under this provision shall not be eligible for reimbursement; and

34 (j) Categorical programs defined in (a) through (g) shall be funded pursuant to the

1 transition plan in § 16-7.2-7.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

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1           This act would extend the reimbursement to a school district or municipality for the  
2           employment of a school resource officer from a period of three (3) years to ongoing. It would also  
3           apply to only school districts or municipalities that obtain new hires as school resource officers.

4           This act would take effect upon passage.

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