

2021 -- H 5237

LC001104

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO EDUCATION

Introduced By: Representatives McNamara, Amore, Noret, Casimiro, Potter, and Baginski

Date Introduced: January 29, 2021

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7.2-3 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 **16-7.2-3. Permanent foundation education aid established.**

4 (a) Beginning in the 2012 fiscal year, the following foundation education-aid formula shall  
5 take effect. The foundation education aid for each district shall be the sum of the core instruction  
6 amount in subdivision (a)(1) and the amount to support high-need students in subdivision (a)(2),  
7 which shall be multiplied by the district state-share ratio calculated pursuant to § 16-7.2-4 to  
8 determine the foundation aid.

9 (1) The core-instruction amount shall be an amount equal to a statewide, per-pupil core-  
10 instruction amount as established by the department of elementary and secondary education,  
11 derived from the average of northeast regional expenditure data for the states of Rhode Island,  
12 Massachusetts, Connecticut, and New Hampshire from the National Center for Education Statistics  
13 (NCES) that will adequately fund the student instructional needs as described in the basic education  
14 program and multiplied by the district average daily membership as defined in § 16-7-22.  
15 Expenditure data in the following categories: instruction and support services for students,  
16 instruction, general administration, school administration, and other support services from the  
17 National Public Education Financial Survey, as published by NCES, and enrollment data from the  
18 Common Core of Data, also published by NCES, will be used when determining the core-  
19 instruction amount. The core-instruction amount will be updated annually. For the purpose of

1 calculating this formula, school districts' resident average daily membership shall exclude charter  
2 school and state-operated school students.

3 (2) The amount to support high-need students beyond the core-instruction amount shall be  
4 determined by multiplying a student success factor of forty percent (40%) by the core instruction  
5 per-pupil amount described in subdivision (a)(1) and applying that amount for each resident child  
6 whose family income is at or below one hundred eighty-five percent (185%) of federal poverty  
7 guidelines, hereinafter referred to as "poverty status."

8 (3) Provided, the Covid-19 Pandemic has skewed and impacted numbers in a way that may  
9 not reflect or address the needs of school districts that are anticipated as students return to a more  
10 traditional school schedule with increased in-person learning. Accordingly, for the 2021-2022  
11 school year only, in calculating both the core-instruction amount and the additional amount to  
12 support high-need students, the state shall use the three (3) year average from years 2019-2020,  
13 2019-2018, and 2018-2017, for both:

14 (i) The total student enrollment and average daily membership as provided in subsection  
15 (c) of this section; and

16 (ii) The total number of students who are in "poverty status" or otherwise qualify for a free  
17 and reduced lunch.

18 (b) The department of elementary and secondary education shall provide an estimate of the  
19 foundation education aid cost as part of its budget submission pursuant to § 35-3-4. The estimate  
20 shall include the most recent data available as well as an adjustment for average daily membership  
21 growth or decline based on the prior year experience.

22 (c) In addition, the department shall report updated figures based on the average daily  
23 membership as of October 1 by December 1.

24 (d) Local education agencies may set aside a portion of funds received under subsection  
25 (a) to expand learning opportunities such as after school and summer programs, full-day  
26 kindergarten and/or multiple pathway programs, provided that the basic education program and all  
27 other approved programs required in law are funded.

28 (e) The department of elementary and secondary education shall promulgate such  
29 regulations as are necessary to implement fully the purposes of this chapter.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION

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1           This act would amend the method of calculating state aid to education for the 2021-2022  
2 school year only.

3           This act would take effect upon passage.

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