

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

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

Introduced By: Senator Roger Picard

Date Introduced: February 01, 2023

Referred To: Senate 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 permanent  
5 foundation education-aid program shall provide direct state funding for:

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

8 (c) Programs to increase access to voluntary, free, high-quality pre-kindergarten programs.  
9 The department shall recommend criteria for the purpose of allocating any and all early childhood  
10 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 outside  
15 the permanent foundation education-aid formula, including, but not limited to, transportation,  
16 facility maintenance, and retiree health benefits shall be shared between the state and the city of  
17 Central Falls. The fund shall be annually reviewed to determine the amount of the state and city  
18 appropriation. The state's share of this fund may be supported through a reallocation of current  
19 state appropriations to the Central Falls school district. At the end of the transition period defined  
20 in § 16-7.2-7, the municipality will continue its contribution pursuant to § 16-7-24. Additional  
21 support for the Davies and the Met Center is needed due to the costs associated with running a  
22 stand-alone high school offering both academic and career and technical coursework. The  
23 department shall recommend criteria for the purpose of allocating any and all stabilization funds as  
24 may be determined by the general assembly;

25 (e) Excess costs associated with transporting students to out-of-district non-public schools.  
26 This fund will provide state funding for the costs associated with transporting students to out-of-  
27 district non-public schools, pursuant to chapter 21.1 of this title. The state will assume the costs of  
28 non-public out-of-district transportation for those districts participating in the statewide system.  
29 The department of elementary and secondary education shall prorate the funds available for  
30 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. This  
33 fund will provide direct state funding for the excess costs associated with transporting students  
34 within regional school districts, established pursuant to chapter 3 of this title. This fund requires

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

6 (g) Public school districts that are regionalized shall be eligible for a regionalization bonus  
7 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 available  
26 for distribution among those eligible regionalized school districts if the total, approved costs for  
27 which regionalized school districts are seeking a regionalization bonus exceed the amount of  
28 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 districts  
3 and approve the use of funds prior to expenditure. The department of elementary and secondary  
4 education shall ensure the funds are aligned to activities that are innovative and expansive and not  
5 utilized for activities the district is currently funding. The department of elementary and secondary  
6 education shall prorate the funds available for distribution among eligible recipients if the total  
7 calculated costs exceed the amount of funding available in any fiscal year;

8 (i) State support for school resource officers. For purposes of this subsection, a school  
9 resource officer (SRO) shall be defined as a career law enforcement officer with sworn authority  
10 who is deployed by an employing police department or agency in a community-oriented policing  
11 assignment to work in collaboration with one or more schools. School resource officers should have  
12 completed at least forty (40) hours of specialized training in school policing, administered by an  
13 accredited agency, before being assigned. Beginning in FY 2019, for a period of three (3) years,  
14 school districts or municipalities that choose to employ school resource officers shall receive direct  
15 state support for costs associated with employing such officers at public middle and high schools.  
16 Districts or municipalities shall be reimbursed an amount equal to one-half (½) of the cost of  
17 salaries and benefits for the qualifying positions. Funding will be provided for school resource  
18 officer positions established on or after July 1, 2018, provided that:

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

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

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

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

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

28 (j) Categorical programs defined in subsections (a) through (g) shall be funded pursuant to  
29 the transition plan in § 16-7.2-7; ~~and~~

30 (k) Expenditures for services and instructional programs for students residing in  
31 conventional public housing units owned by public housing authorities which are not on local tax  
32 rolls. Payments shall be made when the services and programs have been carried out in accordance  
33 with the requirements of state law and regulations of the state board of education.

34 (1) The following terms shall have the following meanings:

1 (i) "Conventional public housing" means those properties identified as eligible low rent  
2 housing projects under title I of Pub. L. 81-874, 20 U.S.C. 236, et seq.

3 (ii) "Incentive entitlement" means the sum payable to a local school district under this  
4 formula.

5 (iii) "State share ratio" means the state share ratio as calculated under § 16-7.2-4.

6 (2) The incentive entitlement for a district shall be the product of the average per pupil cost  
7 for the district based upon the Uniform Chart of Accounts, the number of full-time equivalent pupils  
8 in grade twelve (12) and below residing in conventional public housing, and the state share ratio  
9 for the district.

10 (3) The department of elementary and secondary education shall prorate the funds available  
11 for distribution among those eligible school districts if the total approved costs for which school  
12 districts are seeking reimbursements exceed the amount of funding appropriated in any fiscal year.

13 SECTION 2. Section 16-7-34.3 of the General Laws in Chapter 16-7 entitled "Foundation  
14 Level School Support [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is  
15 hereby repealed.

16 ~~**16-7-34.3. Reimbursement by the state for conventional public housing students.**~~

17 ~~(a) Each school district shall be reimbursed for expenditures for services and instructional~~  
18 ~~programs for students residing in conventional public housing units owned by public housing~~  
19 ~~authorities which are not on local tax rolls. Reimbursement shall be made when the services and~~  
20 ~~programs have been carried out in accordance with the requirements of state law and regulations~~  
21 ~~of the board of regents for elementary and secondary education. The following formula shall be~~  
22 ~~used to distribute aid for the students residing in the public housing units:~~

23 ~~(1)(i) The following formula and definitions are to be used to determine the entitlement for~~  
24 ~~each school district:~~

25 ~~(ii) The incentive entitlement for a district shall be the product of the average per pupil cost~~  
26 ~~for the district, the number of full-time equivalent pupils in grade 12 and below residing in~~  
27 ~~conventional public housing, and the state share ratio for the district.~~

28 ~~(2) In this formula the following terms have the following meanings:~~

29 ~~(i) "Incentive entitlement" means the sum payable to a local school district under this~~  
30 ~~formula.~~

31 ~~(ii) "Average per pupil costs for the district" means all expenditures approved by the state~~  
32 ~~board of regents for elementary and secondary education as defined in § 16-7-20 plus the costs of~~  
33 ~~special education required under chapter 24 of this title divided by average daily membership of~~  
34 ~~pupils as determined in § 16-7-22(1).~~

1           ~~(iii) "State share ratio" means the effective state share ratio as calculated under § 16-7-20.~~

2           ~~(iv) "Conventional public housing" means those properties identified as eligible low rent~~  
3 ~~housing projects under title I of P.L. 81-874, 20 U.S.C. § 236 et seq.~~

4           ~~(b) Students living on property owned by the Rhode Island resource recovery corporation~~  
5 ~~shall also be included in computations under this section.~~

6           ~~(c) Students living in the North Kingstown Traveler's Aid housing project shall also be~~  
7 ~~included in computations under this section.~~

8           ~~(d) An amount shall be appropriated for the purpose of reimbursing school districts as~~  
9 ~~required pursuant to subsection (a) for conventional public housing.~~

10           ~~(e) If the sum appropriated in subsection (a) of this section is not sufficient to pay in full~~  
11 ~~the amount for conventional public housing which each city and town is entitled to receive in any~~  
12 ~~fiscal year, the maximum amount which all cities and towns are entitled to receive under this section~~  
13 ~~shall be deducted from the sum appropriated for all cities and towns under § 16-7-20. If, after final~~  
14 ~~allocation of §§ 16-7-15 through 16-7-34, a district receives more than one hundred percent (100%)~~  
15 ~~reimbursement, the excess shall be deducted from this conventional public housing allocation in~~  
16 ~~the following fiscal year.~~

17           ~~(f) Reimbursement payments as calculated under this chapter shall be made according to §~~  
18 ~~16-7-16. All payments under this chapter shall be used exclusively to support services for~~  
19 ~~conventional public housing students.~~

20           ~~(g) Expenditure reports shall be submitted by the local school districts to the commissioner~~  
21 ~~of elementary and secondary education in accordance with rules and regulations of the board of~~  
22 ~~regents for elementary and secondary education.~~

23           SECTION 3. 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 -- THE EDUCATION EQUITY AND PROPERTY TAX  
RELIEF ACT

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1           This act would repeal the provisions of § 16-7-34.3 regarding reimbursement by the state  
2 for conventional public housing students, and would add similar language to § 16-7.2-6 providing  
3 permanent foundation education aid funding for services and instructional services for students  
4 residing in conventional public housing units.

5           This act would take effect upon passage.

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