

2017 -- H 6131

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LC002209
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO EDUCATION - FUNDING OF CHARTER PUBLIC SCHOOLS

Introduced By: Representatives O'Grady, Serpa, and Amore

Date Introduced: April 14, 2017

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-77.1-2 of the General Laws in Chapter 16-77.1 entitled
2 "Funding of Charter Public Schools [See Title 16 Chapter 97 - The Rhode Island Board of
3 Education Act]" is hereby amended to read as follows:

4 **16-77.1-2. Operating costs.**

5 (a) Operating costs of a charter public school shall be the total of the per pupil payments
6 for each student attending the charter public school. The per pupil payment for each student shall
7 be determined based on the per pupil cost for the district of residence of each student. The state's
8 share of the per pupil amount for each student attending the charter public school shall be paid by
9 the state directly to the charter public school and shall be the percent, or share ratio, previously
10 calculated under chapter 7 of this title; provided, that in no case shall the ratio be less than thirty
11 percent (30%), minus the five percent (5%) of per pupil cost designated for indirect cost support
12 to the student's school district as defined in subsection (b). The five percent (5%) indirect cost
13 amount shall be deducted from the district per pupil cost before the state share is derived by
14 applying the share ratio to the district per pupil cost. The local share of the per pupil amount for
15 each student attending the charter public school shall be paid to the charter public school by the
16 district of residence of the student and shall be the per pupil cost for the district of residence of
17 the student minus the state share of that per pupil cost as designated in this section.

18 (b) In addition to all state aid to education paid to a local district pursuant to chapter 7.1
19 of this title, the state will pay an additional amount to the district for each student from this

1 district who is attending a charter public school. The additional amount of state aid per pupil shall
2 be five percent (5%) of the districts per pupil cost. The additional state aid shall be for the
3 purpose of assisting local school districts to undertake the indirect costs borne by a district when
4 its student attends a charter public school.

5 (c) The state department of elementary and secondary education shall annually determine
6 both the state and local share of each charter public school's operating costs by deriving the
7 respective shares associated with each student reported as a member of the charter public school
8 as of June 30 of the reference year as defined in § 16-7-16(11) (or the enrollment as of October 1
9 of the current school year in the first year of operation of a charter school). All other data used in
10 this determination shall be based upon the reference year as defined in § 16-7-16(11).

11 (d) The state shall make payments of its share of operating costs to each charter public
12 school on a quarterly basis in July, October, January, and April. The July and October payments
13 will be based upon the reported student membership of the charter public school as of June 30 of
14 the reference year as defined in § 16-7-16(11) (or the enrollment as of October 1 of the current
15 school year in the first year of operation of a charter school). Charter public schools will report
16 current student enrollment, including district of residence for school purposes of each student
17 enrolled, and each district will report current total district operating expenses and total district
18 enrollments (including district students enrolled in charter public schools) annually by October 1.
19 If the October 1 data on a charter public school's student enrollment show a ten percent (10%) or
20 greater increase or decrease in students from the June membership count, the third and fourth
21 quarter payments to the charter public school will be adjusted to reflect actual student enrollment
22 in the charter public school.

23 (e) Local district payments to charter public schools for each district's students enrolled in
24 the charter public school shall ~~also be made quarterly as designated in subsection (d); the first~~
25 ~~local district payment shall be made by August 15 instead of July. Any local school district more~~
26 ~~than thirty (30) days in arrears on a quarterly payment for its student(s) enrolled in a charter~~
27 ~~public school shall have the amount of the arrearage deducted from state aid to that district and~~
28 ~~the withheld arrearage shall be paid by the state directly to the charter public school. only for~~
29 ~~those periods which the student is enrolled and attending the charter school. The local district~~
30 ~~shall not be responsible for making payment to the charter public schools for periods in which the~~
31 ~~student is listed as being enrolled in the charter public school but has not physically presented~~
32 ~~themselves for attendance. Student enrollment shall be calculated on a per diem basis on~~
33 ~~November 15, February 1, April 15, and June 30 of each school year.~~

34 (1) Charter public schools shall issue an invoice to the sending public school districts

1 only for those resident students who are enrolled at the charter public school during the quarter
2 prior to said date.

3 (2) Such invoices shall include the following:

4 (i) Detail of student enrollment by student name, current residence, attendance and
5 student identification number and any other information reasonably requested by the sending
6 district.

7 (ii) A certification from the chief executive officer or chief financial officer of the charter
8 public school affirming that all information contained on the invoice is true and accurate.

9 (3) Charter public schools shall make all reasonable efforts to prohibit students from
10 simultaneously registering at the charter and home school district.

11 ~~(f) Local school districts with student(s) enrolled in a charter public school shall continue~~
12 ~~to report these students in the total census of district public school students and will receive state~~
13 ~~aid for all these students pursuant to the provisions of chapter 7.1 of this title. Local school~~
14 ~~districts with students enrolled in a charter public school shall report said students in the total~~
15 ~~census of district public school students and will receive state aid for all these students pursuant~~
16 ~~to the provisions of chapter 7.1 and 7.2 of this title.~~

17 (g) All entitlements except those provided for in § 16-24-6.2 shall be ratably reduced if
18 less than one hundred percent (100%) of the expenditures is appropriated.

19 (h) For fiscal year 2007, the indirect aid paid to districts pursuant to this section shall
20 equal the amount received in the fiscal year 2006 enacted budget by the 2005 general assembly.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION - FUNDING OF CHARTER PUBLIC SCHOOLS

- 1 This act would have local district payments to charter public schools made only for those
- 2 periods during which a student is enrolled and attending the charter school.
- 3 This act would take effect upon passage.

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