

2021 -- S 0353

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

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

Introduced By: Senators DiPalma, Pearson, Cano, Rogers, and Seveney

Date Introduced: February 25, 2021

Referred To: Senate 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-

1 instruction amount. The core-instruction amount will be updated annually. For the purpose of
2 calculating this formula, school districts' resident average daily membership shall exclude charter
3 school and state-operated school students.

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

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

13 (c) In addition, the department shall report updated figures based on the average daily
14 membership as of October 1 by December 1. The general assembly hereby establishes an education
15 aid fund that shall be administered by the department of education for the purposes of addressing
16 increases in local education agency ("LEA") enrollment of at least twenty-five (25) students that is
17 realized on the October 1 data update, as required in § 35-3-4, but was not included in the enacted
18 budget; provided, however, that if the general assembly's appropriation to this fund is not sufficient
19 to compensate for all increases in enrollment described in this subsection, the disbursements shall
20 be prorated to the LEAs.

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

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

27 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 -- THE EDUCATION EQUITY AND PROPERTY TAX
RELIEF ACT

1 This act would require the general assembly to establish an education aid fund to be
2 administered by the department of education for increases in enrollment of at least twenty five (25)
3 students.

4 This act would take effect upon passage.

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