

2022 -- H 7019

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LC003375  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT (SEE TITLE  
16 CHAPTER 97 -- THE RHODE ISLAND BOARD OF EDUCATION ACT)

Introduced By: Representatives McNamara, McEntee, Newberry, Solomon, Potter,  
Casimiro, Ackerman, and Noret

Date Introduced: January 10, 2022

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7-40 of the General Laws in Chapter 16-7 entitled "Foundation  
2 Level School Support [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is  
3 hereby amended to read as follows:

4 **16-7-40. Increased school housing ratio.**

5 (a)(1) In the case of regional school districts, the school housing aid ratio shall be increased  
6 by two percent (2%) for each grade so consolidated.

7 (2) Regional school districts undertaking renovation project(s) shall receive an increased  
8 share ratio of four percent (4%) for those specific project(s) only, in addition to the combined share  
9 ratio calculated in § 16-7-39 and this subsection.

10 (b) In the case of projects undertaken by districts specifically for the purposes of school  
11 safety and security, the school housing aid share ratio shall be increased by five percent (5%) for  
12 these specific projects only, in the calculation of school housing aid. The increased share ratio shall  
13 continue to be applied for as long as the project(s) receives state housing aid. In order to qualify for  
14 the increased share ratio, seventy-five percent (75%) of the project costs must be specifically  
15 directed to school safety and security measures. The council on elementary and secondary  
16 education shall promulgate rules and regulations for the administration and operation of this  
17 section.

18 (c) For purposes of addressing health and safety deficiencies as defined by the school

1 building authority, including the remediation of hazardous materials, the school housing aid ratio  
2 shall be increased by five percent (5%) so long as the construction of the project commences by  
3 December 30, ~~2022~~ 2023, is completed by December ~~30~~ 31, 2027, and a two hundred fifty million  
4 dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot. In order  
5 to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum  
6 of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

7 (d) For purposes of educational enhancement, including projects devoted to the  
8 enhancement of early childhood education and career and technical education, the school housing  
9 aid ratio shall be increased by five percent (5%) so long as construction of the project commences  
10 by December 30, ~~2022~~ 2023, is completed by December 30, 2027, and a two hundred fifty million  
11 dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot. In order  
12 to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum  
13 of five hundred thousand dollars (\$500,000) must be specifically directed to these purposes.

14 (e) For replacement of a facility that has a facilities condition index of sixty-five percent  
15 (65%) or higher, the school housing ratio shall be increased by five percent (5%) so long as  
16 construction of the project commences by December 30, 2023, is completed by December 30, 2028,  
17 does not receive a bonus pursuant to subsection (f) or subsection (g), and a two hundred fifty million  
18 dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot. In order  
19 to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum  
20 of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

21 (f) For any new construction or renovation that increases the functional utilization of any  
22 facility from less than sixty percent (60%) to more than eighty percent (80%), including the  
23 consolidation of school buildings within or across districts, the school housing aid ratio shall be  
24 increased by five percent (5%) so long as construction of the project commences by December 30,  
25 2023, is completed by December 30, 2028, and a two hundred fifty million dollar (\$250,000,000)  
26 general obligation bond is approved on the November 2018 ballot. In order to qualify for the  
27 increased share ratio, twenty-five percent (25%) of the project costs or a minimum of five hundred  
28 thousand dollars (\$500,000) must be specifically directed to this purpose.

29 (g) For any new construction or renovation that decreases the functional utilization of any  
30 facility from more than one hundred twenty percent (120%) to between eighty-five percent (85%)  
31 to one hundred five percent (105%), the school housing ratio shall be increased by five percent  
32 (5%) so long as construction of the project commences by December 30, 2023, is completed by  
33 December 30, 2028, and a two hundred fifty million dollar (\$250,000,000) general obligation bond  
34 is approved on the November 2018 ballot. In order to qualify for the increased share ratio, twenty-

1 five percent (25%) of the project costs or a minimum of five hundred thousand dollars (\$500,000)  
2 must be specifically directed to this purpose.

3 (h) For consolidation of two (2) or more school buildings, within or across districts into  
4 one school building, the school housing aid ratio shall be increased by five percent (5%) so long as  
5 construction of the project commences by December 30, 2023, is completed by December 30, 2028,  
6 a two hundred fifty million dollar (\$250,000,000) general obligation bond is approved on the  
7 November 2018 ballot, and does not receive a bonus pursuant to subsection (f) or subsection (g).  
8 In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a  
9 minimum of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

10 (i) Any regionalized and/or non-regionalized school district receiving an increased share  
11 ratio for a project approved prior to July 1, 2018, shall continue to receive the increased share ratio  
12 for as long as the project receives state housing aid.

13 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 -- FOUNDATION LEVEL SCHOOL SUPPORT (SEE TITLE  
16 CHAPTER 97 -- THE RHODE ISLAND BOARD OF EDUCATION ACT)

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- 1           This act would extend the date of commencement of construction projects for health and
- 2 safety deficiencies and educational enhancement to December 30, 2023.
- 3           This act would take effect upon passage.

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