

2022 -- H 8093

LC005646

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

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

Introduced By: Representatives Barros, Amore, Kislak, McGaw, Cortvriend, Biah,
O'Brien, Fogarty, McEntee, and Morales

Date Introduced: April 06, 2022

Referred To: House Finance

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%)~~ forty-five percent (45%)
6 by the core instruction per-pupil amount described in subdivision (a)(1) and applying that amount
7 for each resident child whose family income is at or below one hundred eighty-five percent (185%)
8 of federal poverty guidelines, hereinafter referred to as "poverty status."

9 (3) In local education agencies, when over forty-five percent (45%) of resident children are
10 classified as "poverty status," the student success factor will be fifty percent (50%) by the core
11 instruction per-pupil amount described in subsection (a)(1) of this section and applying that amount
12 for each resident child whose family income is at or below one hundred eight-five percent (185%)
13 of federal poverty guidelines.

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

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

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

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would provide that in local educational agencies when over forty-five percent
2 (45%) of the children have a family income that is at or below one hundred eighty-five percent
3 (185%) of federal poverty guidelines then the student success factor will be fifty percent (50%) by
4 the core instruction per-pupil amount.

5 This act would take effect upon passage.

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