

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: Senators Cano, Quezada, Lawson, Pearson, Anderson, Seveney, DiMario,  
Kallman, Burke, and Murray

Date Introduced: February 08, 2022

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 either:

8 (i) ~~whose~~ Whose family income is at or below one hundred eighty-five percent (185%) of  
9 federal poverty guidelines; ~~or hereinafter referred to as "poverty status."~~

10 (ii) Identified as an English language learner, as defined in the Rhode Island department of  
11 elementary and secondary education department regulations.

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

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

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

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

24 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 add to the determination of the need to support high-need students a separate  
2 and independent qualifying factor of whether the student is an English language learner as defined  
3 by the department of education's regulations.

4           This act would take effect upon passage.

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