

2024 -- S 2162

LC003581

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

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

Introduced By: Senators Ujfusa, Pearson, DiPalma, Bell, Gu, Burke, Picard, Kallman,
Lauria, and Valverde

Date Introduced: January 24, 2024

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7.2-6 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 **16-7.2-6. Categorical programs, state funded expenses.**

4 In addition to the foundation education aid provided pursuant to § 16-7.2-3, the permanent
5 foundation education-aid program shall provide direct state funding for:

6 (a) Excess costs associated with special education students. Excess costs are defined when
7 an individual special education student's cost shall be deemed to be "extraordinary." Extraordinary
8 costs are those educational costs that exceed the state-approved threshold based on an amount
9 above four times the core foundation amount (total of core-instruction amount plus student success
10 amount); provided, that extraordinary costs in fiscal year 2026 are educational costs that exceed
11 the state-approved threshold based on an amount above three and one-half times (3 ½) the core
12 foundation amount (total of core-instruction amount plus student success amount); and provided
13 further, that extraordinary costs in fiscal year 2027 are educational costs that exceed the state-
14 approved threshold based on an amount above three (3) times the core foundation amount (total of
15 core-instruction amount plus student success amount). The department of elementary and
16 secondary education shall ~~prorate the~~ appropriate funds ~~available~~ for ~~distribution among those~~
17 ~~eligible school districts if~~ the total approved costs for which school districts are seeking
18 reimbursement ~~exceed the amount of funding appropriated~~ in any fiscal year and shall also

1 appropriate funds in the following fiscal year for approved excess costs associated with special
2 education students who move into a district after a district has approved its district fiscal year
3 budget; and the department of elementary and secondary education shall also collect data on those
4 educational costs that exceed the state-approved threshold based on an amount above two (2), ~~three~~
5 ~~(3), and five (5)~~ times the core-foundation amount;

6 (b) Career and technical education costs to help meet initial investment requirements
7 needed to transform existing, or create new, comprehensive, career and technical education
8 programs and career pathways in critical and emerging industries and to help offset the higher-
9 than-average costs associated with facilities, equipment maintenance and repair, and supplies
10 necessary for maintaining the quality of highly specialized programs that are a priority for the state.
11 The department shall develop criteria for the purpose of allocating any and all career and technical
12 education funds as may be determined by the general assembly on an annual basis. The department
13 of elementary and secondary education shall prorate the funds available for distribution among
14 those eligible school districts if the total approved costs for which school districts are seeking
15 reimbursement exceed the amount of funding available in any fiscal year;

16 (c) Programs to increase access to voluntary, free, high-quality pre-kindergarten programs.
17 The department shall recommend criteria for the purpose of allocating any and all early childhood
18 program funds as may be determined by the general assembly;

19 (d) Central Falls, Davies, and the Met Center Stabilization Fund is established to ensure
20 that appropriate funding is available to support their students. Additional support for Central Falls
21 is needed due to concerns regarding the city's capacity to meet the local share of education costs.
22 This fund requires that education aid calculated pursuant to § 16-7.2-3 and funding for costs outside
23 the permanent foundation education-aid formula, including, but not limited to, transportation,
24 facility maintenance, and retiree health benefits shall be shared between the state and the city of
25 Central Falls. The fund shall be annually reviewed to determine the amount of the state and city
26 appropriation. The state's share of this fund may be supported through a reallocation of current
27 state appropriations to the Central Falls school district. At the end of the transition period defined
28 in § 16-7.2-7, the municipality will continue its contribution pursuant to § 16-7-24. Additional
29 support for the Davies and the Met Center is needed due to the costs associated with running a
30 stand-alone high school offering both academic and career and technical coursework. The
31 department shall recommend criteria for the purpose of allocating any and all stabilization funds as
32 may be determined by the general assembly;

33 (e) Excess costs associated with transporting students to out-of-district non-public schools.
34 This fund will provide state funding for the costs associated with transporting students to out-of-

1 district non-public schools, pursuant to chapter 21.1 of this title. The state will assume the costs of
2 non-public out-of-district transportation for those districts participating in the statewide system.
3 The department of elementary and secondary education shall prorate the funds available for
4 distribution among those eligible school districts if the total approved costs for which school
5 districts are seeking reimbursement exceed the amount of funding available in any fiscal year;

6 (f) Excess costs associated with transporting students within regional school districts. This
7 fund will provide direct state funding for the excess costs associated with transporting students
8 within regional school districts, established pursuant to chapter 3 of this title. This fund requires
9 that the state and regional school district share equally the student transportation costs net any
10 federal sources of revenue for these expenditures. The department of elementary and secondary
11 education shall prorate the funds available for distribution among those eligible school districts if
12 the total approved costs for which school districts are seeking reimbursement exceed the amount
13 of funding available in any fiscal year;

14 (g) Public school districts that are regionalized shall be eligible for a regionalization bonus
15 as set forth below:

16 (1) As used herein, the term “regionalized” shall be deemed to refer to a regional school
17 district established under the provisions of chapter 3 of this title, including the Chariho Regional
18 School district;

19 (2) For those districts that are regionalized as of July 1, 2010, the regionalization bonus
20 shall commence in FY 2012. For those districts that regionalize after July 1, 2010, the
21 regionalization bonus shall commence in the first fiscal year following the establishment of a
22 regionalized school district as set forth in chapter 3 of this title, including the Chariho Regional
23 School District;

24 (3) The regionalization bonus in the first fiscal year shall be two percent (2.0%) of the
25 state’s share of the foundation education aid for the regionalized district as calculated pursuant to
26 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

27 (4) The regionalization bonus in the second fiscal year shall be one percent (1.0%) of the
28 state’s share of the foundation education aid for the regionalized district as calculated pursuant to
29 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

30 (5) The regionalization bonus shall cease in the third fiscal year;

31 (6) The regionalization bonus for the Chariho regional school district shall be applied to
32 the state share of the permanent foundation education aid for the member towns; and

33 (7) The department of elementary and secondary education shall prorate the funds available
34 for distribution among those eligible regionalized school districts if the total, approved costs for

1 which regionalized school districts are seeking a regionalization bonus exceed the amount of
2 funding appropriated in any fiscal year;

3 (h) Additional state support for English learners (EL). The amount to support EL students
4 shall be determined by multiplying an EL factor of fifteen percent (15%) by the core-instruction
5 per-pupil amount defined in § 16-7.2-3(a)(1) and applying that amount of additional state support
6 to EL students identified using widely adopted, independent standards and assessments identified
7 by the commissioner. All categorical funds distributed pursuant to this subsection must be used to
8 provide high-quality, research-based services to EL students and managed in accordance with
9 requirements set forth by the commissioner of elementary and secondary education. The
10 department of elementary and secondary education shall collect performance reports from districts
11 and approve the use of funds prior to expenditure. The department of elementary and secondary
12 education shall ensure the funds are aligned to activities that are innovative and expansive and not
13 utilized for activities the district is currently funding;

14 (i) State support for school resource officers. For purposes of this subsection, a school
15 resource officer (SRO) shall be defined as a career law enforcement officer with sworn authority
16 who is deployed by an employing police department or agency in a community-oriented policing
17 assignment to work in collaboration with one or more schools. School resource officers should have
18 completed at least forty (40) hours of specialized training in school policing, administered by an
19 accredited agency, before being assigned. Beginning in FY 2019, for a period of three (3) years,
20 school districts or municipalities that choose to employ school resource officers shall receive direct
21 state support for costs associated with employing such officers at public middle and high schools.
22 Districts or municipalities shall be reimbursed an amount equal to one-half (½) of the cost of
23 salaries and benefits for the qualifying positions. Funding will be provided for school resource
24 officer positions established on or after July 1, 2018, provided that:

25 (1) Each school resource officer shall be assigned to one school:

26 (i) Schools with enrollments below one thousand two hundred (1,200) students shall
27 require one school resource officer;

28 (ii) Schools with enrollments of one thousand two hundred (1,200) or more students shall
29 require two school resource officers;

30 (2) School resource officers hired in excess of the requirement noted above shall not be
31 eligible for reimbursement; and

32 (3) Schools that eliminate existing school resource officer positions and create new
33 positions under this provision shall not be eligible for reimbursement; and

34 (j) Categorical programs defined in subsections (a) through (g) shall be funded pursuant to

1 the transition plan in § 16-7.2-7.

2 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 amend the calculation of state funding provided to local education agencies
2 for special education services. The act would revise the calculation of extraordinary special
3 education costs in fiscal years 2026 and 2027, and would also provide additional funds for excess
4 costs for special education students who move into a district after a district has approved its fiscal
5 year budget.

6 This act would take effect upon passage.

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