

2012 -- H 8091

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LC02358  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

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

Introduced By: Representatives Baldelli-Hunt, Phillips, Brien, Blazejewski, and Slater

Date Introduced: April 25, 2012

Referred To: House 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. --** In addition to the foundation  
4 education aid provided pursuant to section 16-7.2-3 the permanent foundation education aid  
5 program shall provide direct state funding for:

6 (a) Excess costs associated with special education students. - Excess costs are defined  
7 when an individual special education student's cost shall be deemed to be "extraordinary."  
8 Extraordinary costs are those educational costs that exceed the state approved threshold based on  
9 an amount above five times the core foundation amount (total of core instruction amount plus  
10 student success amount) The department of elementary and secondary education shall prorate the  
11 funds available for distribution among those eligible school districts if the total approved costs for  
12 which school districts are seeking reimbursement exceed the amount of funding appropriated in  
13 any fiscal year; provided, however, that effective with the fiscal year commencing July 1, 2012,  
14 the department of elementary and secondary education shall be responsible for the education of  
15 those special education students who, as a direct result of their learning disability or other  
16 disability, require education services be provided entirely in a private school outside of the public  
17 school system. The department shall include the costs for educating such students in any budget  
18 proposal to the general assembly. Such costs, which shall also include transportation costs, shall

1 [all be deemed to be “extraordinary costs” and shall be calculated and funded pursuant to the](#)  
2 [permanent foundation education aid program;](#)

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

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

16 (d) Central Falls Stabilization Fund is established to assure that appropriate funding is  
17 available to support the community, including students from the community that attend the  
18 charter schools, Davies, and the Met Center pursuant to section 16-7.2-5, due to concerns  
19 regarding the city's capacity to meet the local share of education costs. This fund requires that the  
20 difference between education aid calculated pursuant to section 16-7.2-3 and education aid, as of  
21 the effective date of the formula, shall be shared between the state and the city of Central Falls.  
22 The state's share of the fund will be paid directly to the Central Falls school district upon  
23 verification that the city has transferred its share of the local contribution for education. At the  
24 end of the transition period defined in section 16-7.2-7, the municipality will continue its  
25 contribution pursuant to section 16-7-24; and

26 (e) Excess costs associated with transporting students to out of district non-public  
27 schools and within regional school districts. (1) This fund will provide state funding for the costs  
28 associated with transporting students to out of district non-public schools, pursuant to title 16,  
29 Chapter 21.1. The state will assume the costs of non-public out-of-district transportation for those  
30 districts participating in the statewide system; and (2) This fund will provide direct state funding  
31 for the excess costs associated with transporting students within regional school districts,  
32 established pursuant to title 16, chapter 3. This fund requires that the state and regional school  
33 district share equally the student transportation costs net any federal sources of revenue for these  
34 expenditures. The department of elementary and secondary education shall prorate the funds

1 available for distribution among those eligible school districts if the total approved costs for  
2 which school districts are seeking reimbursement exceed the amount of funding available in any  
3 fiscal year.

4 (f) Public school districts that are regionalized shall be eligible for a regionalization  
5 bonus as set forth below.

6 (1) As used herein, the term "regionalized" shall be deemed to refer to a regional school  
7 district established under the provisions of chapter 16-3 including the Chariho Regional School  
8 district.

9 (2) For those districts that are regionalized as of July 1, 2010, the regionalization bonus  
10 shall commence in FY 2012. For those districts that regionalize after July 1, 2010, the  
11 regionalization bonus shall commence in the first fiscal year following the establishment of a  
12 regionalized school district as set forth section 16-3, including the Chariho Regional School  
13 District.

14 (3) The regionalization bonus in the first fiscal year shall be two percent (2.0%) of the  
15 state's share of the foundation education aid for the regionalized district as calculated pursuant to  
16 sections 16-7.2-3 and 16-7.2-4 in that fiscal year.

17 (4) The regionalization bonus in the second fiscal year shall be one percent (1.0%) of the  
18 state's share of the foundation education aid for the regionalized district as calculated pursuant to  
19 sections 16-7.2-3 and 16-7.2-4 in that fiscal year.

20 (5) The regionalization bonus shall cease in the third fiscal year.

21 (6) The regionalization bonus for the Chariho regional school district shall be applied to  
22 the state share of the permanent foundation education aid for the member towns.

23 (7) The department of elementary and secondary education shall prorate the funds  
24 available for distribution among those eligible regionalized school districts if the total approve  
25 costs for which regionalized school districts are seeking a regionalization bonus exceed the  
26 amount of funding appropriated in any fiscal year.

27 (g) Categorical programs defined in (a) through (f) shall be funded pursuant to the  
28 transition plan in section 16-7.2-7.

29 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

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1           This act would provide that funding of the education of special education students with  
2 extraordinary needs who require private school placements would be done through the Rhode  
3 Island department of education. The entire cost of educating students in these placements would  
4 be deemed to be “extraordinary costs” and would be calculated and funded pursuant to the  
5 permanent foundation education aid program.

6           This act would take effect upon passage.

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