

2015 -- H 5275

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT

Introduced By: Representatives Ucci, Fellela, Costantino, and Carnevale

Date Introduced: February 04, 2015

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7-22 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 **16-7-22. Determination of average daily membership. --** Each community shall be
5 paid pursuant to the provisions of § 16-7-17 an amount based upon the following provisions:

6 (1) On or before September 1 of each year the average daily membership of each city
7 and town for the reference year shall be determined by the commissioner of elementary and
8 secondary education from data supplied by the school committee in each community in the
9 following manner: The aggregate number of days of membership of all pupils enrolled full time
10 in grade twelve (12) and below, except that pupils below grade one who are not full time shall be
11 counted on a full-time equivalent basis:

12 (i) Increased by the aggregate number of days of membership of pupils residing in the
13 particular city or town whose tuition in schools approved by the department of elementary and
14 secondary education in other cities and towns is paid by the particular city or town; and

15 (ii) Decreased by the aggregate number of days of membership of nonresident pupils
16 enrolled in the public schools of the particular city or town and further decreased by the aggregate
17 number of days of membership equal to the number of group home beds calculated for the
18 purposes of reimbursement pursuant to § 14-64-1.1; and

19 (iii) Decreased further, in the case of a city or town that is a member of a regional school

1 district during the first year of operation of the regional school district by the aggregate number of
2 days of membership of pupils residing in the city or town who would have attended the public
3 schools in the regional school district if the regional school district had been operating during the
4 previous year, divided by the number of days during which the schools were officially in session
5 during the reference year. The resulting figures shall be the average, daily membership for the
6 city or town for the reference year. For purposes of calculating the permanent foundation
7 education aid as described in § 16-7.2-3(1) and (2), the average, daily membership for school
8 districts shall exclude charter school and state school students, and beginning in school year
9 2014-2015, include an estimate to ensure that districts converting from a half-day to a full-day
10 kindergarten program pursuant to § 16-99-4 are credited on a full-time basis beginning in the first
11 year of enrollment and are funded ~~notwithstanding the transition plan~~ pursuant to § 16-7.2-7(c).

12 (2) The average daily membership of pupils attending public schools shall apply for the
13 purposes of determining the percentage of the state's share under the provisions of §§ 16-7-16(3),
14 16-7-16(10), 16-7-18, 16-7-19, 16-7-20, 16-7-21 and 16-7.2-4.

15 (3) In the case of regional school districts, the aggregate number of days of membership
16 by which each city or town is decreased in subdivision (1)(iii) of this section, divided by the
17 number of days during which the schools attended by the pupils were officially in session, shall
18 determine the average daily membership for the regional school district during the first year of
19 operation. After the first year of operation, the average, daily membership of each regional school
20 district, except the Chariho regional high school district, shall be determined by the commissioner
21 of elementary and secondary education from data supplied by the school committee of each
22 regional school district for the reference year in the manner provided in subdivision (1) of this
23 section.

24 SECTION 2. Section 16-7.2-7 of the General Laws in Chapter 16-7.2 entitled "The
25 Education Equity and Property Tax Relief Act" is hereby amended to read as follows:

26 **16-7.2-7. Transition plan.** -- (a) The general assembly shall annually determine the
27 appropriation of education aid pursuant to this chapter using a transition plan to begin in fiscal
28 year 2012, not to exceed seven (7) years for LEA's for whom the calculated education aid
29 pursuant to § 16-7.2-3 is more than the education aid the LEA is receiving as of the effective date
30 of the formula, and ten (10) years for LEA's for whom the calculated education aid pursuant to §
31 16-7.2-3 is less than the education aid the LEA is receiving as of the effective date of the formula.

32 (b) The local share of funding pursuant to § 16-7.2-5 shall be transitioned
33 proportionately over a period not to exceed five (5) years. The transition shall provide a
34 combination of direct aid to districts, funds for the categorical programs, and district savings

1 through state-assumed costs, as determined by the general assembly on an annual basis. Updates
2 to any components of the permanent foundation education aid formula, such as student data,
3 property values, and/or median family income, that result in an increase or decrease in state
4 education aid that impacts the total state and local contribution by more than three percent (3%)
5 shall be transitioned over a period of time not to exceed three (3) years.

6 (c) For districts that are converting from a half-day to a full-day kindergarten program
7 for the ~~2014-2015~~ 2015-2016 school year and after, as defined by § 16-99-4, the increase in aid
8 provided pursuant to the formula for the increased reference average daily membership due to the
9 conversion of the kindergarten students from 0.5 full-time equivalent to 1.0 full-time equivalent is
10 not subject to the transition plan in subsection (a); instead, the increased kindergarten full-time
11 equivalents will be funded at the fully transitioned value of the formula beginning in FY ~~2017~~
12 2016.

13 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT

1 This act would provide that funding for kindergartens that have been converted from
2 part-time to full-time beginning with the 2015-2016 school year would be fully funded beginning
3 in fiscal year 2016.

4 This act would take effect upon passage.

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