

2016 -- H 8268

LC006081

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO EDUCATION

Introduced By: Representatives McNamara, Diaz, Tobon, Bennett, and Amore

Date Introduced: May 27, 2016

Referred To: House Health, Education & Welfare

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 § 16-7.2-3 the permanent foundation education aid program  
5 shall provide direct state funding for:

6 (a) ~~Excess~~ Extraordinary costs associated with special education students. ~~Excess costs~~  
7 ~~are defined when an individual special education student's cost shall be deemed to be~~  
8 ~~"extraordinary."~~ ~~Extraordinary costs~~ are those educational costs that exceed the state approved  
9 threshold based on an amount ~~above~~ greater than five (5) times the core foundation amount (total  
10 of core instruction amount plus student success amount). Effective fiscal year 2018, the approved  
11 threshold shall be based on an amount greater than four (4) times the core foundation amount.

12 The department of elementary and secondary education shall prorate the funds available for  
13 distribution among those eligible school districts if the total approved costs for which school  
14 districts are seeking reimbursement exceed the amount of funding appropriated in any fiscal year;

15 (b) Career and technical education costs to help meet initial investment requirements  
16 needed to transform existing or create new comprehensive career and technical education  
17 programs and career pathways in critical and emerging industries and to help offset the higher  
18 than average costs associated with facilities, equipment maintenance and repair, and supplies  
19 necessary for maintaining the quality of highly specialized programs that are a priority for the

1 state. The department shall ~~recommend~~ develop criteria for the purpose of allocating any and all  
2 career and technical education funds as may be determined by the general assembly on an annual  
3 basis, in accordance with §§16-53-3(a)(4) and 16-53-3(a)(5). The department of elementary and  
4 secondary education shall prorate the funds available for distribution among those eligible school  
5 districts if the total approved costs for which school districts are seeking reimbursement exceed  
6 the amount of funding available in any fiscal year;

7 (c) Beginning in FY 2017, in the event the Rhode Island board of trustees on career and  
8 technical education established pursuant to chapter 45.1 of title 16 assumes the care, management  
9 and responsibility of a career and technical school pursuant to §16-53-3, said school shall be  
10 eligible for up to one million dollars (\$1,000,000) per year in additional state aid. The maximum  
11 amount of funding appropriated for this additional aid shall not exceed two million dollars  
12 (\$2,000,000) in any fiscal year.

13 ~~(e)~~(d) 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)~~(e) Central Falls, Davies, and the Met Center Stabilization Fund is established to  
17 assure that appropriate funding is available to support ~~the community, including their~~ students,  
18 Additional support for Central Falls is needed ~~from the community that attend the charter schools,~~  
19 ~~Davies, and the Met Center pursuant to § 16-7.2-5,~~ due to concerns regarding the city's capacity  
20 to meet the local share of education costs. ~~This fund requires that education aid calculated~~  
21 ~~pursuant to § 16-7.2-3 and funding for costs outside the permanent foundation education aid~~  
22 ~~formula, including but not limited to transportation, facility maintenance, and retiree health~~  
23 ~~benefits shall be shared between the state and the city of Central Falls. The fund shall be annually~~  
24 ~~reviewed to determine the amount of the state and city appropriation. The state's share of this~~  
25 ~~fund may be supported through a reallocation of current state appropriations to the Central Falls~~  
26 ~~school district. At the end of the transition period defined in § 16-7.2-7, the municipality will~~  
27 ~~continue its contribution pursuant to § 16-7-24~~ Additional support for the Davies and the Met  
28 Center is needed due to the costs associated with running a stand-alone high school offering both  
29 academic, career, and technical coursework. The department shall recommend criteria for the  
30 purpose of allocating any and all stabilization funds as may be determined by the general  
31 assembly; and

32 ~~(e)~~(f) Excess costs associated with transporting students to out of district non-public  
33 schools and within regional school districts. (1) This fund will provide state funding for the costs  
34 associated with transporting students to out of district non-public schools, pursuant to title 16,

1 Chapter 21.1. The state will assume the costs of non-public out-of-district transportation for those  
2 districts participating in the statewide system; and (2) This fund will provide direct state funding  
3 for the excess costs associated with transporting students within regional school districts,  
4 established pursuant to title 16, chapter 3. This fund requires that the state and regional school  
5 district share equally the student transportation costs net any federal sources of revenue for these  
6 expenditures. The department of elementary and secondary education shall prorate the funds  
7 available for distribution among those eligible school districts if the total approved costs for  
8 which school districts are seeking reimbursement exceed the amount of funding available in any  
9 fiscal year.

10 ~~(f)~~(g) Public school districts that are regionalized shall be eligible for a regionalization  
11 bonus as set forth below.

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

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

20 (3) The regionalization bonus in the first fiscal year shall be two percent (2.0%) of the  
21 state's share of the foundation education aid for the regionalized district as calculated pursuant to  
22 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year.

23 (4) The regionalization bonus in the second fiscal year shall be one percent (1.0%) of the  
24 state's share of the foundation education aid for the regionalized district as calculated pursuant to  
25 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year.

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

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

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

33 (h) Costs associated with English learners (EL). - The amount of support for EL students  
34 shall be determined by multiplying an EL factor of ten percent (10%) by the core instruction per

1 pupil amount defined in §16-7.2-3 and applying that amount to EL students identified using  
2 widely adopted, independent standards and assessments as determined by the commissioner. All  
3 categorical funds distributed pursuant to this subsection must be used to provide high-quality,  
4 research-based services to EL students and managed in accordance with requirements set forth by  
5 the commissioner of elementary and secondary education. The department of elementary and  
6 secondary education shall prorate the funds available for distribution among eligible recipients if  
7 the total calculated costs exceed the amount of funding available in any fiscal year.

8 ~~(g)~~(i) Categorical programs defined in (a) through (f) shall be funded pursuant to the  
9 transition plan in § 16-7.2-7.

10 SECTION 2. Section 16-53-3 of the General Laws in Chapter 16-53 entitled "Rhode  
11 Island State Advisory Council for Technical Vocational Education [See Title 16 Chapter 97 - The  
12 Rhode Island Board of Education Act]" is hereby amended to read as follows:

13 **16-53-3. Duties and responsibilities.** -- (a) The board of trustees shall:

14 (1) Advise the commissioner of elementary and secondary education and the board of  
15 education on the development of a biannual state plan for career and technical education;

16 (2) Advise the commissioner of elementary and secondary education so that he/she may  
17 make reports to the governor, the business community, and general public of the state,  
18 concerning:

19 (i) Policies the state should pursue to strengthen career and technical education;

20 (ii) Initiatives and methods the private sector could undertake to assist in the  
21 modernization of career and technical education programs;

22 (iii) The distribution of spending for career and technical education in the state and on  
23 the availability of career and technical education activities and services within the state; and

24 (3) Furnish consultation to the commissioner of elementary and secondary education and  
25 the board of education on the evaluation criteria and processes for career and technical education  
26 programs within the state as they pertain to:

27 (i) The establishment, continuation, and discontinuation of career preparation programs;

28 (ii) Incentives that promote and reward program excellence on the basis of performance;

29 (iii) Incentives that emphasize the needs of business and labor organizations;

30 (iv) Instructor preparation and qualifications in the areas of industry credentialing,  
31 development opportunities, and relevant field-based experiences;

32 (v) The integration of academic and technical instruction and skill attainment in career  
33 preparation programs; and

34 (vi) The management and distribution of state funding allocated for the express purpose

1 of establishing or improving career preparation program model sites.

2 (4) Provide advice and consent on the policy principles, ~~and~~ goals and programs that  
3 govern the distribution of financial assistance furnished under this chapter, particularly with the  
4 analysis of the distribution of financial assistance between secondary career and technical  
5 education programs and postsecondary career and technical education programs;

6 (5) Provide advice and consent on the allocation of any and all career and technical  
7 education funds that may be appropriated by the general assembly on an annual basis pursuant to  
8 §16-7.2-6(b).

9 ~~(5)~~(6) Report annually to the board of education on topics that include:

10 (i) Recommended procedures to ensure and enhance the participation of the public in the  
11 provision of career and technical education at the local level within the state, particularly the  
12 participation of local employers and local labor organizations; and

13 (ii) The extent to which the individuals described in former § 201(b) of United States  
14 Public Law 98-524, 20 U.S.C. § 2331(b), are provided with equal access to quality career and  
15 technical education programs;

16 ~~(6)~~(7) Furnish consultation to the commissioner of elementary and secondary education  
17 to evaluate, at least once every two (2) years, the career and technical education program delivery  
18 systems assisted under this chapter, and make recommendations to stakeholders on the adequacy  
19 and effectiveness of the coordination between career and technical education and the workforce  
20 demands of the Rhode Island economy and post-secondary workforce development;

21 ~~(7)~~(8) Comply with all federal statutes, requirements, regulations, and guidelines, and in  
22 particular, United States Public Law 98-524 and any amendments to it;

23 ~~(8)~~(9) Establish, support, and expand private-sector participation programs that enhance  
24 career and technical education at the local level within the state, particularly the participation of  
25 local employers and local labor organizations in providing funding, equipment, training,  
26 apprenticeships, work-study programs, and other services that will enhance student experiences.

27 ~~(9)~~(10) [Effective January 1, 2016.]Subject to the approval of the board of education,  
28 assume management and jurisdiction of state-owned-and-operated career and technical schools, at  
29 the request of the governing body of the school with a consultation from the executive director of  
30 the state-owned school, and assume management of such other career and technical schools as  
31 agreed to by local education districts and with a recommendation from the superintendent of  
32 schools.

33 (b) [Effective January 1, 2016.]In the event that the governing board of a state-owned-  
34 and-operated career and technical school, or a local education agency in accordance with ~~§ 16-53-~~

1 ~~3(a)(8)~~[§16-53-3](#), requests the board of trustees to assume management and jurisdiction of its  
2 career and technical school, then the board of education ~~may~~ [shall](#) assign the care management  
3 and responsibility of career and technical facilities to the board of trustees for the express purpose  
4 of providing coordinated career and technical educational services. Prior to the assignment of the  
5 care, management, and responsibility of the school, the trustees shall prepare a plan that shall  
6 examine and make recommendations over the:

7 (1) Management of the career and technical school, including, but not limited to:

8 (i) Including how the conversion from a separate school facility to a statewide system  
9 will impact:

10 (A) Personnel;

11 (B) Labor agreements, including existing, collective bargaining agreements;

12 (C) Contractual obligations outside of labor agreements;

13 (D) Management structure;

14 (E) Program offerings;

15 (F) Admission policies;

16 (G) Facilities; and

17 (H) Other items as requested by RIDE or the board of education.

18 (2) Management of other state-owned facilities for the sole purpose of offering career  
19 and technical programs; and

20 (3) Method of assuming ownership and management of career and technical facilities  
21 within the state that were transferred, including the integration of programs, curriculum,  
22 offerings, and the relationship of matching academic requirements to career and technical  
23 education to enhance student outcomes.

24 (c) [Effective January 1, 2016.]In the event the board of trustees assumes responsibility  
25 pursuant to ~~§ 16-53-3(b)~~ [§16-53-3](#), the board of trustees shall act with the same authority as a  
26 local school committee.

27 (d) [Effective January 1, 2016.]In the event the board of trustees assumes responsibility  
28 pursuant to ~~§ 16-53-3(a)(8)~~ [§16-53-3](#), the board of trustees shall recognize the collective  
29 bargaining representatives of all affected employees in each collective bargaining unit and shall  
30 recognize the collective bargaining agreements in effect for all affected employees.

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

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LC006081  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION

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1           This act would increase the authority of the board of trustees on career and technical  
2 education over career and technical education schools while modifying the formula for state  
3 financial aid to them.

4           This act would take effect upon passage.

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