

2016 -- H 8268 SUBSTITUTE A

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LC006081/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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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 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;

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

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

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

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

15 ~~(e)~~ Central Falls Stabilization Fund is established to assure that appropriate funding is
16 available to support the community, including students from the community that attend the
17 charter schools, Davies, and the Met Center pursuant to § 16-7.2-5, due to concerns regarding the
18 city's capacity to meet the local share of education costs. This fund requires that education aid
19 calculated pursuant to § 16-7.2-3 and funding for costs outside the permanent foundation
20 education aid formula, including but not limited to transportation, facility maintenance, and
21 retiree health benefits shall be shared between the state and the city of Central Falls. The fund
22 shall be annually reviewed to determine the amount of the state and city appropriation. The state's
23 share of this fund may be supported through a reallocation of current state appropriations to the
24 Central Falls school district. At the end of the transition period defined in § 16-7.2-7, the
25 municipality will continue its contribution pursuant to § 16-7-24; and

26 ~~(e)~~ (f) 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)~~(g) 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 §§ 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 §§ 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)~~(h) Categorical programs defined in (a) through (f) shall be funded pursuant to the
28 transition plan in § 16-7.2-7.

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

32 **16-53-3. Duties and responsibilities.** -- (a) The board of trustees shall:

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

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

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

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

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

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

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

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

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

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

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

19 (vi) The management and distribution of state funding allocated for the express purpose
20 of establishing or improving career preparation program model sites.

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

25 (5) Provide advice and consent on the allocation of any and all career and technical
26 education funds that may be appropriated by the general assembly on an annual basis pursuant to
27 §16-7.2-6(b).

28 ~~(5)~~(6) Report annually to the board of education on topics that include:

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

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

1 ~~(6)~~(7) Furnish consultation to the commissioner of elementary and secondary education
2 to evaluate, at least once every two (2) years, the career and technical education program delivery
3 systems assisted under this chapter, and make recommendations to stakeholders on the adequacy
4 and effectiveness of the coordination between career and technical education and the workforce
5 demands of the Rhode Island economy and post-secondary workforce development;

6 ~~(7)~~(8) Comply with all federal statutes, requirements, regulations, and guidelines, and in
7 particular, United States Public Law 98-524 and any amendments to it;

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

12 ~~(9)~~(10) [Effective January 1, 2016.]Subject to the approval of the board of education,
13 assume management and jurisdiction of state-owned-and-operated career and technical schools, at
14 the request of the governing body of the school with a consultation from the executive director of
15 the state-owned school, and assume management of such other career and technical schools as
16 agreed to by local education districts and with a recommendation from the superintendent of
17 schools.

18 (b) [Effective January 1, 2016.]In the event that the governing board of a state-owned-
19 and-operated career and technical school, or a local education agency in accordance with ~~§ 16-53-~~
20 ~~3(a)(8)~~ §16-53-3, requests the board of trustees to assume management and jurisdiction of its
21 career and technical school, then the board of education ~~may~~ shall assign the care management
22 and responsibility of career and technical facilities to the board of trustees for the express purpose
23 of providing coordinated career and technical educational services. Prior to the assignment of the
24 care, management, and responsibility of the school, the trustees shall prepare a plan that shall
25 examine and make recommendations over the:

- 26 (1) Management of the career and technical school, including, but not limited to:
- 27 (i) Including how the conversion from a separate school facility to a statewide system
28 will impact:
- 29 (A) Personnel;
 - 30 (B) Labor agreements, including existing, collective bargaining agreements;
 - 31 (C) Contractual obligations outside of labor agreements;
 - 32 (D) Management structure;
 - 33 (E) Program offerings;
 - 34 (F) Admission policies;

1 (G) Facilities; and

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

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

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

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

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

16 SECTION 3. 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

1 This act would increase the authority of the board of trustees on career and technical
2 education over allocation of education funds for career and technical education schools while
3 increasing aid to those schools which the board has assumed care, management and responsibility
4 of under state law.

5 This act would take effect upon passage.

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