

2023 -- S 0252

LC000346

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT

Introduced By: Senators Raptakis, F. Lombardi, Sosnowski, Ciccone, Tikoian, Ujifusa,  
Paolino, E Morgan, Burke, and LaMountain

Date Introduced: February 16, 2023

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7-20 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 **16-7-20. Determination of state's share.**

5 (a) For each community the state's share shall be computed as follows: Let

6  $R$  = state share ratio for the community.

7  $v$  = adjusted equalized weighted assessed valuation for the community, as defined  
8 in § 16-7-21(3).

9  $V$  = sum of the values of  $v$  for all communities.

10  $m$  = average daily membership of pupils in the community as defined in § 16-7-  
11 22(3).

12  $M$  = total average daily membership of pupils in the state.

13  $E$  = approved reimbursable expenditures for the community for the reference year  
14 minus the excess costs of special education, tuitions, federal and state receipts, and other income.

15 Then the state share entitlement for the community shall be  $RE$  where

16  $R = 1 - 0.5vM/(Vm)$  through June 30, 2011, and  $R = 1 - 0.475 vM/(Vm)$  beginning on  
17 July 1, 2011 and thereafter.

18 Except that in no case shall  $R$  be less than zero percent (0%). or shall the aid provided  
19 pursuant to the provisions of this chapter be less than the amount given to the community in the

1 [previous fiscal year.](#)

2 (b) Whenever any funds are appropriated for educational purposes, the funds shall be used  
3 for educational purposes only and all state funds appropriated for educational purposes must be  
4 used to supplement any and all money allocated by a city or town for educational purposes and in  
5 no event shall state funds be used to supplant, directly or indirectly, any money allocated by a city  
6 or town for educational purposes. The courts of this state shall enforce this section by writ of  
7 mandamus.

8 (c) Notwithstanding the calculations in subsection (a), the hospital school at the Hasbro  
9 Children's Hospital shall be reimbursed one hundred percent (100%) of all expenditures approved  
10 by the council on elementary and secondary education in accordance with currently existing rules  
11 and regulations for administering state aid, and subject to annual appropriations by the general  
12 assembly including, but not limited to, expenditures for educational personnel, supplies, and  
13 materials in the prior fiscal year.

14 (d) In the event the computation of the state's share for any local education agency as  
15 outlined in subsection (a) is determined to have been calculated incorrectly after the state budget  
16 for that fiscal year has been enacted, the commissioner of elementary and secondary education shall  
17 notify affected local education agencies, the senate president, and the speaker of the house within  
18 fifteen (15) days of the determination.

19 (e) Realignment of aid payments to the affected local education agencies pursuant to  
20 subsection (d) shall occur in the following fiscal year:

21 (1) If the determination shows aid is underpaid to the local education agency, any amounts  
22 owed shall be paid in equal monthly installments.

23 (2) If the determination shows aid was overpaid, the department of elementary and  
24 secondary education shall recapture some amount of the aid from the overpaid local education  
25 agency. The amount to be withheld shall be equal to the amount of the overpayment prorated to the  
26 number of full months remaining in the fiscal year when the notification required in subsection (d)  
27 was made.

28 (f) The above notwithstanding, in no event shall the total paid to a local education agency  
29 in the 2023 fiscal year pursuant to subsection (a) be reduced as a result of the implementation of  
30 subsection (e); provided, however, that for the 2022 fiscal year, the full amount of any payment  
31 due to an underpayment and realignment under subsection (e)(1) shall be made for fiscal year 2022.

32 (g) Data used for the calculation of the FY 2022 state share ratio shall also be used for the  
33 calculation of the FY 2023 state share ratio.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would provide that in determining local school aid, the state would annually  
2 provide each community no less than an amount equal to the aid given in the preceding fiscal year.

3           This act would take effect upon passage.

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