

2011 -- S 0596

=====
LC01823
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT

Introduced By: Senator Dennis L. Algieri

Date Introduced: March 10, 2011

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7-23 of the General Laws in Chapter 16-7 entitled "Foundation
2 Level School Support" is hereby amended to read as follows:
3 **16-7-23. Community requirements -- Adequate minimum budget provision. --** (a)
4 The school committee's budget provisions of each community for current expenditures in each
5 budget year shall provide for an amount from all sources sufficient to support the basic program
6 and all other approved programs shared by the state. Each community shall contribute local funds
7 to its school committee in an amount not less than its local contribution for schools in the
8 previous fiscal year except to the extent permitted by section 16-7-23.1; and except that this
9 provision shall not apply to the town of Westerly. Provided, that for the fiscal years 2010 and
10 2011 each community except for the town of Westerly shall contribute to its school committee in
11 an amount not less than ninety-five percent (95.0%) of its local contribution for schools for the
12 fiscal year 2009. Calculation of the annual local contribution shall not include Medicaid revenues
13 received by the municipality or district pursuant to chapter 8 of title 40. A community which has
14 a decrease in enrollment may compute maintenance of effort on a per pupil rather than on an
15 aggregate basis when determining its local contribution; furthermore, a community which
16 experiences a nonrecurring expenditure for its schools may deduct the nonrecurring expenditure
17 in computing its maintenance of effort. The deduction of nonrecurring expenditures shall be with
18 the approval of the commissioner. The courts of this state shall enforce this section by writ of
19 mandamus.

1 (b) Whenever any state funds are appropriated for educational purposes, the funds shall
2 be used for educational purposes only and all state funds appropriated for educational purposes
3 must be used to supplement any and all money allocated by a city or town for educational
4 purposes and, in no event, shall state funds be used to supplant, directly or indirectly, any money
5 allocated by a city or town for educational purposes. All state funds shall be appropriated by the
6 municipality to the school committee for educational purposes in the same fiscal year in which
7 they are appropriated at the state level even if the municipality has already adopted a school
8 budget. All state and local funds unexpended by the end of the fiscal year of appropriation shall
9 remain a surplus of the school committee and shall not revert to the municipality. Any surplus of
10 state or local funds appropriated for educational purposes shall not in any respect affect the
11 requirement that each community contribute local funds in an amount not less than its local
12 contribution for schools in the previous fiscal year, subject to subsection (a) of this section, and
13 shall not in any event be deducted from the amount of the local appropriation required to meet the
14 maintenance of effort provision in any given year. Provided, this requirement for a municipality
15 to contribute local funds to its school committee in an amount not less than its local contribution
16 for schools in the previous year shall not apply to the town of Westerly.

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

=====
LC01823
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT

1 This act would provide that the requirement under foundation level school support for a
2 community to contribute local funds to its school committee in an amount not less than its local
3 contribution for schools in the previous year would not apply to the town of Westerly.

4 This act would take effect upon passage.

=====
LC01823
=====