

2015 -- S 0087 SUBSTITUTE A AS AMENDED

LC000502/SUB A/4

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO EDUCATION - MAYORAL ACADEMIES

Introduced By: Senators Satchell, Lombardi, Gallo, Miller, and Pearson

Date Introduced: January 22, 2015

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7.2-7 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 **16-7.2-7. Transition plan.** -- (a) The general assembly shall annually determine the
4 appropriation of education aid pursuant to this chapter using a transition plan to begin in fiscal
5 year 2012, not to exceed seven (7) years for LEA's for whom the calculated education aid
6 pursuant to § 16-7.2-3 is more than the education aid the LEA is receiving as of the effective date
7 of the formula, and ten (10) years for LEA's for whom the calculated education aid pursuant to §
8 16-7.2-3 is less than the education aid the LEA is receiving as of the effective date of the formula.

9 (b) The local share of funding pursuant to § 16-7.2-5 shall be transitioned
10 proportionately over a period not to exceed five (5) years. Notwithstanding any provision of the
11 general laws to the contrary, in FY 2016 the local share, as defined in § 16-7.2-5, for charter
12 public schools shall not exceed the FY 2015 level. Each sending district will be obligated to pay
13 either the total aggregate amount paid to a given charter public school in FY 2015 or an amount
14 based on the per pupil calculation defined in § 16-7.2-5, whichever is less. The transition shall
15 provide a combination of direct aid to districts, funds for the categorical programs, and district
16 savings through state-assumed costs, as determined by the general assembly on an annual basis.
17 Updates to any components of the permanent foundation education aid formula, such as student
18 data, property values, and/or median family income, that result in an increase or decrease in state
19 education aid that impacts the total state and local contribution by more than three percent (3%)

1 shall be transitioned over a period of time not to exceed three (3) years.

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

8 SECTION 2. Section 16-77-5.1 of the General Laws in Chapter 16-77 entitled
9 "Establishment of Charter Public Schools [See Title 16 Chapter 97 - The Rhode Island Board of
10 Education Act]" is hereby amended to read as follows:

11 **16-77-5.1. Oversight by commissioner.** -- (a) Individuals or groups may complain to a
12 charter public school's governing body concerning any claimed violation of the provisions of this
13 chapter by the school. If, after presenting their complaint to the governing body, the individuals
14 or groups believe their complaint has not been adequately addressed, they may submit their
15 complaint to the commissioner who shall hear and decide the issue pursuant to §§ 16-39-1 and
16 16-39-2.

17 (b) Charter public school approval for establishment or continuation shall be for up to a
18 five (5) year period. In either case, ~~board of regents~~ approval by the council on elementary and
19 secondary education is required. Notwithstanding any provision of the general law to the
20 contrary, any proposal granted final approval after June 1, 2015, through June 30, 2016, for the
21 creation of a new charter public school or the expansion of an existing charter public school by
22 adding a new school site or grades not previously approved shall require approval from the school
23 committee and the city or town council of each of the sending school districts as identified in the
24 charter application. Such approval shall be provided either by resolution or ordinance following at
25 least one public hearing. However, the charter may be revoked at any time if the school:

- 26 (1) Materially violates provisions contained in the charter;
27 (2) Fails to meet or pursue the educational objectives contained in the charter;
28 (3) Fails to comply with fiscal accountability procedures as specified in the charter;
29 (4) Violates provisions of law that have not been granted variance by the board of
30 regents; or

31 (5) After three (3) consecutive years of operation, is not a "high-performing charter
32 school," defined as a charter public school that has demonstrated overall success, including: (i)
33 Substantial progress in improving student achievement; and (ii) The management and leadership
34 necessary to establish a thriving, financially viable charter public school.

1 (c) After denying or prior to non-renewing or revoking a charter, the department of
2 elementary and secondary education will hold a hearing on the issues in controversy under § 16-
3 39-1.

4 (d) The establishment of new charter public schools shall be contingent upon state
5 approval and appropriation.

6 SECTION 3. 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 level fund the FY 2016 local share for charter public schools at the FY
2 2015 level or less based on per pupil calculation for each sending district and would impose a
3 requirement for creation or expansion of charter schools after June 1, 2015, and prior to July 1,
4 2016, to be approved by the school committee and municipal council of each sending district
5 either by resolution or ordinance following at least one public hearing.

6 This act would take effect upon passage.

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