

**ARTICLE 8**

RELATING TO EDUCATION

SECTION 1. Sections 16-7.2-3 and 16-7.2-6 of the General Laws in Chapter 16-7.2 entitled "The Education Equity and Property Tax Relief Act" are hereby amended to read as follows:

**16-7.2-3. Permanent foundation education aid established.**

(a) Beginning in the 2012 fiscal year, the following foundation education-aid formula shall take effect. The foundation education aid for each district shall be the sum of the core instruction amount in subdivision (a)(1) and the amount to support high-need students in subdivision (a)(2), which shall be multiplied by the district state-share ratio calculated pursuant to § 16-7.2-4 to determine the foundation aid.

(1) The core-instruction amount shall be an amount equal to a statewide, per-pupil core-instruction amount as established by the department of elementary and secondary education, derived from the average of northeast regional expenditure data for the states of Rhode Island, Massachusetts, Connecticut, and New Hampshire from the National Center for Education Statistics (NCES) that will adequately fund the student instructional needs as described in the basic education program and multiplied by the district average daily membership as defined in § 16-7-22. Expenditure data in the following categories: instruction and support services for students, instruction, general administration, school administration, and other support services from the National Public Education Financial Survey, as published by NCES, and enrollment data from the Common Core of Data, also published by NCES, will be used when determining the core-instruction amount. The core-instruction amount will be updated annually. For the purpose of calculating this formula, school districts' resident average daily membership shall exclude charter school and state-operated school students.

(2) The amount to support high-need students beyond the core-instruction amount shall be determined by:

(i) ~~multiplying~~ Multiplying a student success factor of forty percent (40%) by the core instruction per-pupil amount described in subdivision (a)(1) and applying that amount for each resident child whose family income is at or below one hundred eighty-five percent (185%) of federal poverty guidelines, hereinafter referred to as "poverty status." By October 1, 2022, as part of its budget submission pursuant to § 35-3-4 relative to state fiscal year 2024 and thereafter, the

1 department of elementary and secondary education shall develop and utilize a poverty measure that  
2 in the department's assessment most accurately serves as a proxy for the poverty status referenced  
3 in this subsection and does not rely on the administration of school nutrition programs. The  
4 department shall utilize this measure in calculations pursuant to this subsection related to the  
5 application of the student success factor, in calculations pursuant to § 16-7.2-4 related to the  
6 calculation of the state share ratio, and in the formulation of estimates pursuant to subsection (b)  
7 below. The department may also include any recommendations which seek to mitigate any  
8 disruptions associated with the implementation of this new poverty measure or improve the  
9 accuracy of its calculation. Beginning with the FY 2024 calculation, students whose family income  
10 is at or below one hundred eighty-five percent (185%) of federal poverty guidelines will be  
11 determined by participation in the supplemental nutrition assistance program (SNAP). The number  
12 of students directly certified through the department of human services shall be multiplied by a  
13 factor of 1.6; and

14 (ii) Multiplying a multilingual learner (MLL) factor of twenty percent (20%) by the core  
15 instruction per-pupil amount described in subsection (a)(1) of this section, applying that amount  
16 for each resident child identified in the three lowest proficiency categories using widely adopted,  
17 independent standards and assessments in accordance with subsection (f)(1) of this section and as  
18 identified by the commissioner and defined by regulations of the council on elementary and  
19 secondary education.

20 (b) The department of elementary and secondary education shall provide an estimate of the  
21 foundation education aid cost as part of its budget submission pursuant to § 35-3-4. The estimate  
22 shall include the most recent data available as well as an adjustment for average daily membership  
23 growth or decline based on the prior year experience.

24 (c) In addition, the department shall report updated figures based on the average daily  
25 membership as of October 1 by December 1.

26 (d) Local education agencies may set aside a portion of funds received under subsection  
27 (a) to expand learning opportunities such as after school and summer programs, full-day  
28 kindergarten and/or multiple pathway programs, provided that the basic education program and all  
29 other approved programs required in law are funded.

30 (e) The department of elementary and secondary education shall promulgate such  
31 regulations as are necessary to implement fully the purposes of this chapter.

32 (f)(1) By October 1, 2023, as part of its budget submission pursuant to § 35-3-4 relative to  
33 state fiscal year 2025, the department of elementary and secondary education shall evaluate the  
34 number of students by district who qualify as multilingual learner (MLL) students and MLL

1 students whose family income is at or below one hundred eighty-five percent (185%) of federal  
2 poverty guidelines. The submission shall also include segmentation of these populations by levels  
3 as dictated by the WIDA multilingual learner assessment tool used as an objective benchmark for  
4 English proficiency. The department shall also prepare and produce expense data sourced from the  
5 uniform chart of accounts to recommend funding levels required to support students at the various  
6 levels of proficiency as determined by the WIDA assessment tool. Utilizing this information, the  
7 department shall recommend a funding solution to meet the needs of multilingual learners; this may  
8 include but not be limited to inclusion of MLL needs within the core foundation formula amount  
9 through one or multiple weights to distinguish different students of need or through categorical  
10 means.

11 (2) By October 1, 2024, as part of its budget submission pursuant to § 35-3-4 relative to  
12 state fiscal year 2026, the department of elementary and secondary education shall develop  
13 alternatives to identify students whose family income is at or below one hundred eighty-five percent  
14 (185%) of federal poverty guidelines through participation in state-administered programs,  
15 including, but not limited to, the supplemental nutrition assistance program (SNAP), and RiteCare  
16 and other programs that include the collection of required supporting documentation. The  
17 department may also include any recommendations that seek to mitigate any disruptions associated  
18 with implementation of this new poverty measure or improve the accuracy of its calculation.

19 (3) The department shall also report with its annual budget request information regarding  
20 local contributions to education aid and compliance with §§ 16-7-23 and 16-7-24. The report shall  
21 also compare these local contributions to state foundation education aid by community. The  
22 department shall also report compliance to each city or town school committee and city or town  
23 council.

24 **16-7.2-6. Categorical programs, state funded expenses.**

25 In addition to the foundation education aid provided pursuant to § 16-7.2-3, the permanent  
26 foundation education-aid program shall provide direct state funding for:

27 (a) Excess costs associated with special education students. Excess costs are defined when  
28 an individual special education student's cost shall be deemed to be "extraordinary." Extraordinary  
29 costs are those educational costs that exceed the state-approved threshold based on an amount  
30 above four times the core foundation amount (total of core-instruction amount plus student success  
31 amount). The department of elementary and secondary education shall prorate the funds available  
32 for distribution among those eligible school districts if the total approved costs for which school  
33 districts are seeking reimbursement exceed the amount of funding appropriated in any fiscal year;  
34 and the department of elementary and secondary education shall also collect data on those

1 educational costs that exceed the state-approved threshold based on an amount above two (2), three  
2 (3), and five (5) times the core-foundation amount;

3 (b) Career and technical education costs to help meet initial investment requirements  
4 needed to transform existing, or create new, comprehensive, career and technical education  
5 programs and career pathways in critical and emerging industries and to help offset the higher-  
6 than-average costs associated with facilities, equipment maintenance and repair, and supplies  
7 necessary for maintaining the quality of highly specialized programs that are a priority for the state.  
8 The department shall develop criteria for the purpose of allocating any and all career and technical  
9 education funds as may be determined by the general assembly on an annual basis. The department  
10 of elementary and secondary education shall prorate the funds available for distribution among  
11 those eligible school districts if the total approved costs for which school districts are seeking  
12 reimbursement exceed the amount of funding available in any fiscal year;

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

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

30 (e) Excess costs associated with transporting students to out-of-district non-public schools.  
31 This fund will provide state funding for the costs associated with transporting students to out-of-  
32 district non-public schools, pursuant to chapter 21.1 of this title. The state will assume the costs of  
33 non-public out-of-district transportation for those districts participating in the statewide system.  
34 The department of elementary and secondary education shall prorate the funds available for

1 distribution among those eligible school districts if the total approved costs for which school  
2 districts are seeking reimbursement exceed the amount of funding available in any fiscal year;

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

11 (g) Public school districts that are regionalized shall be eligible for a regionalization bonus  
12 as set forth below:

13 (1) As used herein, the term “regionalized” shall be deemed to refer to a regional school  
14 district established under the provisions of chapter 3 of this title, including the Chariho Regional  
15 School district;

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

21 (3) The regionalization bonus in the first fiscal year shall be two percent (2.0%) of the  
22 state’s share of the foundation education aid for the regionalized district as calculated pursuant to  
23 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

24 (4) The regionalization bonus in the second fiscal year shall be one percent (1.0%) of the  
25 state’s share of the foundation education aid for the regionalized district as calculated pursuant to  
26 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

27 (5) The regionalization bonus shall cease in the third fiscal year;

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

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

34 (h) ~~Additional state support for English learners (EL). The amount to support EL students~~

1 ~~shall be determined by multiplying an EL factor of fifteen percent (15%) by the core instruction~~  
2 ~~per pupil amount defined in § 16-7.2-3(a)(1) and applying that amount of additional state support~~  
3 ~~to EL students identified using widely adopted, independent standards and assessments identified~~  
4 ~~by the commissioner. All categorical funds distributed pursuant to this subsection must be used to~~  
5 ~~provide high quality, research based services to EL students and managed in accordance with~~  
6 ~~requirements set forth by the commissioner of elementary and secondary education. The~~  
7 ~~department of elementary and secondary education shall collect performance reports from districts~~  
8 ~~and approve the use of funds prior to expenditure. The department of elementary and secondary~~  
9 ~~education shall ensure the funds are aligned to activities that are innovative and expansive and not~~  
10 ~~utilized for activities the district is currently funding;~~

11 (i) State support for school resource officers. For purposes of this subsection, a school  
12 resource officer (SRO) shall be defined as a career law enforcement officer with sworn authority  
13 who is deployed by an employing police department or agency in a community-oriented policing  
14 assignment to work in collaboration with one or more schools. School resource officers should have  
15 completed at least forty (40) hours of specialized training in school policing, administered by an  
16 accredited agency, before being assigned. Beginning in FY 2019, for a period of three (3) years,  
17 school districts or municipalities that choose to employ school resource officers shall receive direct  
18 state support for costs associated with employing such officers at public middle and high schools.  
19 Districts or municipalities shall be reimbursed an amount equal to one-half (½) of the cost of  
20 salaries and benefits for the qualifying positions. Funding will be provided for school resource  
21 officer positions established on or after July 1, 2018, provided that:

22 (1) Each school resource officer shall be assigned to one school:

23 (i) Schools with enrollments below one thousand two hundred (1,200) students shall  
24 require one school resource officer;

25 (ii) Schools with enrollments of one thousand two hundred (1,200) or more students shall  
26 require two school resource officers;

27 (2) School resource officers hired in excess of the requirement noted above shall not be  
28 eligible for reimbursement; and

29 (3) Schools that eliminate existing school resource officer positions and create new  
30 positions under this provision shall not be eligible for reimbursement; and

31 (j) Categorical programs defined in subsections (a) through (g) shall be funded pursuant to  
32 the transition plan in § 16-7.2-7.

33 SECTION 2. Section 16-7-17 of the General Laws in Chapter 16-7 entitled "Foundation  
34 Level School Support [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is

1 hereby amended to read as follows:

2 **16-7-17. Time of payment of state's share of the basic program and approved**  
3 **expenditures.**

4 There shall be paid by the state to each community in twelve (12) monthly installments an  
5 amount as determined by law to be the state's share of the cost of the basic program for the reference  
6 year and all approved expenditures in excess of the basic program for the reference year, provided,  
7 however, that these payments to a community shall be reduced by the amount of funds deposited  
8 by the department into the local education agency EPSDT account in accordance with § 40-8-18  
9 on behalf of the community. The July payment shall be two and fifty-four hundredths percent  
10 (2.54%) of the state's share based upon the estimated pupil data, valuation data, and expenditure  
11 data for the reference year and the August through June payments shall each be eight and eighty-  
12 six hundredths percent (8.86%) of the aid due and payable based upon the data for the reference  
13 year, ~~except for the city of East Providence which shall be paid during October and April in~~  
14 ~~accordance with chapter 344 of the Public Laws of 1982.~~ This payment schedule of twelve (12)  
15 monthly installments shall also apply to the city of East Providence, notwithstanding any provisions  
16 to the contrary contained in Pub. L. 2012, ch. 241, art. 12, § 5.

17 SECTION 3. Sections 16-8-10 and 16-8-10.1 of the General Laws in Chapter 16-8 entitled  
18 "Federal Aid [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" are hereby  
19 amended to read as follows:

20 **16-8-10. Mandatory school lunch programs.**

21 All public elementary and secondary schools shall be required to make ~~type-A~~ federally  
22 reimbursable lunches available to students attending those schools through the USDA's National  
23 School Lunch Program (NSLP) in accordance with federal regulation as well as rules and  
24 regulations adopted from time to time by the department of elementary and secondary education.  
25 To the extent that federal, state, and other funds are available, free and ~~reduced-price type-A~~  
26 reimbursable lunches shall be provided to all students from families that meet the current specific  
27 criteria established by federal and state regulations to qualify for free or reduced-price meals. The  
28 State of Rhode Island shall provide additional funds to public schools in an amount equal to the  
29 difference between the federal reimbursement rate for a free lunch and the federal reimbursement  
30 rate received for each student eligible for a reduced-price lunch and receiving lunch. The  
31 requirement that ~~type-A~~ reimbursable lunches be provided shall apply to locally managed school  
32 lunch programs, and school lunch programs administered directly by the department of elementary  
33 and secondary education or by any other public agency whether using school facilities or a  
34 commercial catering service. The department of elementary and secondary education is further

1 authorized to expand the school lunch program to the extent that federal, state, and/or local funds  
2 are available by the utilization of one or more food preparation centers for delivery to participating  
3 schools for the purpose of providing meals to students on a more economical basis than could be  
4 provided by a community acting individually.

5 **16-8-10.1. Mandatory school breakfast programs.**

6 (a) All public elementary and secondary schools shall be required to make ~~a~~ federally  
7 reimbursable school breakfast ~~breakfasts~~ program available to students attending ~~the school~~ those  
8 schools through the USDA's School Breakfast Program (SBP) in accordance with federal  
9 regulation as well as. ~~The breakfast meal shall meet any~~ rules and regulations that are adopted by  
10 ~~the commissioner~~ from time to time by the department of elementary and secondary education. To  
11 the extent that federal, state, and other funds are available, free reimbursable breakfasts shall be  
12 provided to all students from families that meet the current specific criteria established by federal  
13 and state regulations to qualify for free or reduced-price meals. The State of Rhode Island shall  
14 provide additional funds to public schools in an amount equal to the difference between the federal  
15 reimbursement rate received for a free breakfast and the federal reimbursement rate received for  
16 each student eligible for a reduced-price breakfast and receiving breakfast.

17 (b) The state of Rhode Island shall provide school districts a per breakfast subsidy for each  
18 breakfast served to students. The general assembly shall annually appropriate some sum and  
19 distribute it based on each district's proportion of the number of breakfasts served in the prior  
20 school year relative to the statewide total in the same year. This subsidy shall augment the nonprofit  
21 school food service account and be used for expenses incurred in providing nutritious breakfast  
22 meals to students.

23 SECTION 4. The title of Chapter 16-70 of the General Laws entitled "The College Crusade  
24 Scholarship [See Title 16 Chapter 97 — the Rhode Island Board of Education Act]" is hereby  
25 amended to read as follows:

26 ~~CHAPTER 16-70~~

27 ~~The College Crusade Scholarship [See Title 16 Chapter 97 — the Rhode Island Board of~~  
28 ~~Education Act]~~

29 CHAPTER 16-70

30 THE ONWARD WE LEARN SCHOLARSHIP ACT

31 SECTION 5. Sections 16-70-1, 16-70-3, 16-70-4, 16-70-5 and 16-70-6 of the General  
32 Laws in Chapter 16-70 entitled "The College Crusade Scholarship [See Title 16 Chapter 97 — the  
33 Rhode Island Board of Education Act]" are hereby amended to read as follows:

34 **16-70-1. Short title.**



1 This chapter shall be known and may be cited as ~~the “College Crusade Scholarship Act.”~~  
2 ["The Onward We Learn Scholarship Act"](#).

3 **16-70-3. ~~Program for the support of the college crusade established.~~ Program for the**  
4 **support of the onward we learn scholarship established.**

5 The council on postsecondary education is empowered to establish and provide as part of  
6 the operation of the office of the postsecondary commissioner methods and procedures for the  
7 state’s support of the ~~college crusade~~ [onward we learn](#) scholarship and provide financial and  
8 technical assistance as needed.

9 **16-70-4. Council on postsecondary education support program — Powers and duties.**

10 The council on postsecondary education shall have the following powers and duties:

11 (1) To prepare with the assistance of the commissioner of postsecondary education and to  
12 present annually to the state budget officer in accordance with § 35-3-4, as part of the state higher  
13 education budget, a line-item budget request specifically designated as the state’s share of support  
14 for ~~the college crusade of Rhode Island~~ [the onward we learn scholarship program](#). The budget shall  
15 be designated as a specific, line-item budget request and shall be presented as part of the budget of  
16 the postsecondary commissioner.

17 (2) To provide, through its office of the postsecondary commissioner, the authority to  
18 designate ~~the college crusade of Rhode Island~~ [the onward we learn scholarship program](#), a 501(c)(3)  
19 nonprofit organization registered with the Rhode Island secretary of state, as the entity that will  
20 administer and operate all program services and manage scholarship resources [associated with the](#)  
21 [federal GEAR UP program](#).

22 **16-70-5. Budget and appropriations.**

23 The general assembly shall annually appropriate any sums as it deems necessary as the  
24 state’s share for the support and maintenance of ~~the college crusade~~ [the onward we learn](#)  
25 [scholarship program](#), including operational and scholarship support, and the state controller is  
26 authorized and directed to draw his or her orders upon the general treasurer for the payment of the  
27 appropriations upon receipt by him or her of the proper voucher the office of the postsecondary  
28 commissioner may provide. The office of the postsecondary commissioner shall present the  
29 voucher to the state controller no later than the last day of the first month of the fiscal year for  
30 which the appropriation is made and this appropriation shall be remitted to the accounts of ~~the~~  
31 ~~college crusade of Rhode Island~~ [the onward we learn scholarship program](#) by the state treasurer no  
32 later than the last day of the second month of the fiscal year.

33 **16-70-6. Audit requirements.**

34 ~~The college crusade of Rhode Island~~ [The onward we learn scholarship program](#) shall

1 complete an annual audit completed by prior to the employment of private auditors. Audit work  
2 papers of the private auditors shall be made available upon request to the auditor general and/or the  
3 director of administration for their review, at the completion of the audit.

4 SECTION 6. Sections 16-113-7 and 16-113-10 of the General Laws in Chapter 16-113  
5 entitled "Rhode Island Hope Scholarship Pilot Program Act" are hereby amended to read as  
6 follows:

7 **16-113-7. Reporting and disbursement.**

8 (a) On or before November 10, 2023, and on or before November 10 and May 10 thereafter  
9 for every year through and including calendar year ~~2028~~ 2030, Rhode Island college shall submit  
10 a report to the director of the office of management and budget, the state budget officer, the house  
11 fiscal advisor, the senate fiscal advisor, the commissioner of postsecondary education, and the chair  
12 of the council on postsecondary education, detailing the following:

13 (1) The number of students eligible to participate in the scholarship program;

14 (2) The amount of federal and institutional financial aid anticipated to be received by  
15 recipient students;

16 (3) The aggregate tuition and mandatory fee costs attributable to recipient students;

17 (4) The resulting total cost of the scholarship program to the state; and

18 (5) The report shall contain such data for both the current fiscal year and the most up-to-  
19 date forecast for the following fiscal year. Data reported shall be subdivided by student-year cohort  
20 and shall be accompanied by a written explanation detailing the estimating methodology utilized  
21 and any impact(s) the forecasted data may present to institutional capacity, operational costs, and  
22 the tuition/fee revenue base of the institution.

23 (b) ~~On or before July 1, 2024, and on or before July 1 thereafter for every year through and~~  
24 ~~including calendar year 2028, Rhode Island college, in conjunction with the office of the~~  
25 ~~postsecondary commissioner, shall submit a report evaluating the program to the governor, speaker~~  
26 ~~of the house, and the president of the senate.~~ On or before July 1, 2030, Rhode Island college and  
27 the commissioner of postsecondary education shall submit a report evaluating the program based  
28 on all cohorts to the governor, speaker of the house, and the president of the senate. This evaluation  
29 shall include the following:

30 (1) The number of students who started in each cohort;

31 (2) The number of students in each cohort who have attained a degree or certification in an  
32 on-time manner;

33 (3) The number of students in each cohort who have not attained a degree or certification  
34 in an on-time manner and an analysis of why that has happened;

1 (4) The number of students in each cohort who began the program but have been unable to  
2 continue or complete the program and an analysis of why that has happened;

3 (5) The costs of the program and the costs of continuing the program;

4 (6) Suggestions for ways to increase the success of the program;

5 (7) Recommendations as to modifying, continuing, expanding, curtailing, or discontinuing  
6 the program; and

7 (8) Any such other recommendations or information as Rhode Island college and the  
8 commissioner of postsecondary education deem appropriate to include in the evaluation.

9 (c) The office of management and budget, in consultation with the office of the  
10 postsecondary commissioner, shall oversee the apportionment and disbursement of all funds  
11 appropriated for the purpose of the scholarship program.

12 **16-113-10. Funding of and sunset of pilot program.**

13 The Rhode Island hope scholarship pilot program shall be funded from July 1, 2023,  
14 through and including ~~July 1, 2028~~ June 30, 2030. There shall be no further funding of the pilot  
15 program without further action of the general assembly. Any final reports due pursuant to this  
16 chapter shall be filed pursuant to the dates set forth herein.

17 SECTION 7. Section 42-72.8-2 of the General Laws in Chapter 42-72.8 entitled  
18 "Department of Children, Youth and Families' Higher Education Opportunity Incentive Grant" is  
19 hereby amended to read as follows:

20 **42-72.8-2. Administration of program.**

21 (a) ~~Each year the~~ The department annually shall notify, identify and ~~recommend from~~  
22 ~~among outreach to those~~ youth in its legal custody, ~~or who were in the Department's legal custody~~  
23 ~~on their eighteenth (18th) birthday, those students who may be eligible to apply for a~~ beginning at  
24 age fourteen (14) and until the youth exits care, who may satisfy the eligibility requirements  
25 prescribed in § 42-72.8-2.1 for the Higher Education Opportunity Incentive Grant. ~~The department~~  
26 ~~of elementary and secondary education shall afford all appropriate assistance to the department in~~  
27 ~~the identification of youth who may be eligible for such grants.~~ Each ~~selected~~ qualified applicant  
28 will receive ~~grants~~ a grant, to the extent of available funding, to supplement federal, state, private  
29 and institutional scholarships, grants and ~~loans~~ work-study opportunities awarded to the higher  
30 education institution for the applicant in an amount not to exceed the full cost of attendance  
31 including, but not limited to: tuition, fees ~~and room and board charges~~ books, academic support,  
32 transportation, food and housing: The department shall request from the higher education institution  
33 the qualified applicant's unmet need calculated in accordance with federal and state laws and the  
34 institution's policies. For the workforce development incentive grant, each qualified applicant shall

1 receive a grant, to the extent of available funding, in an amount not to exceed the full cost of  
2 attendance including, but not limited to: training, fees, books, transportation, food, and housing  
3 calculated by the department, in collaboration with the Community College of Rhode Island.  
4 Payments pursuant to this chapter shall be disbursed in accordance with the requirements of the  
5 higher education institution.

6 ~~(b) A grant period shall be limited to two (2) years of full-time study at the Community~~  
7 ~~College of Rhode Island, four (4) years of full-time study at Rhode Island College, and the~~  
8 ~~University of Rhode Island, and in no instance shall the grant period exceed a period of four (4)~~  
9 ~~years. Grant recipients shall be enrolled full-time and shall continue to make satisfactory progress~~  
10 ~~toward an academic certificate or degree as determined by the school in which they are enrolled;~~

11 ~~(c) The department shall make recommendations for grant awards from among those youth~~  
12 ~~who:~~

13 ~~(1) Have not yet reached the age of eighteen (18) on the day of recommendation, are in the~~  
14 ~~legal custody of the department on the day of recommendation and have remained in such custody~~  
15 ~~for at least twenty-four (24) months prior to the day of recommendation; or, for former foster care,~~  
16 ~~have reached the age of eighteen (18) prior to the date of recommendation, have not yet reached~~  
17 ~~the age of twenty-one (21) and were in the custody of the department from their sixteenth (16th) to~~  
18 ~~their eighteenth (18th) birthdays; and~~

19 ~~(2) Have graduated from high school or received the equivalent of a high school diploma~~  
20 ~~not more than one year prior to the date of recommendation; and~~

21 ~~(3) Has not reached his/her twenty-first (21st) birthday; except that youth who are~~  
22 ~~participating in this program on the date before his/her twenty-first (21st) birthday may remain~~  
23 ~~eligible until his/her twenty-third (23rd) birthday, as long as he/she continues to be considered a~~  
24 ~~full-time student by Community College of Rhode Island, Rhode Island College or University of~~  
25 ~~Rhode Island, and is making satisfactory progress, as determined by the school in which he/she is~~  
26 ~~enrolled, toward completion of his/her degree program.~~

27 SECTION 8. Chapter 42-72.8 of the General Laws entitled "Department of Children,  
28 Youth and Families' Higher Education Opportunity Incentive Grant" is hereby amended by adding  
29 thereto the following section:

30 **42-72.8-2.1. Eligibility.**

31 (a) To be eligible for a Higher Education Opportunity Incentive Grant, a youth:

32 (1) Must have been in foster care in Rhode Island through the department for at least six  
33 (6) months on or after their fourteenth birthday. The six (6) months can be non-consecutive periods  
34 of foster care placement or participation in the voluntary extension of care pursuant to §14-1-6;

1           (2) Must be no older than twenty-three (23) years of age;  
2           (3) Must have graduated from high school or received a high school equivalency diploma;  
3           (4) Must be admitted to, and must enroll, attend, and make satisfactory progress towards  
4 the completion of a degreed program of study at the Community College of Rhode Island, Rhode  
5 Island College or the University of Rhode Island on a full-time or part-time basis enrolled in no  
6 less than six (6) credits per semester; and

7           (5) Must complete the FAFSA and any required FAFSA verification, or for persons who  
8 are legally unable to complete the FAFSA, must complete a comparable form created by the  
9 institution by the applicable deadline for each year in which the student seeks to receive funding  
10 under the aforesaid incentive grant;

11           (b) To be eligible for a Workforce Development Incentive Grant, a youth:

12           (1) Must have been in foster care in Rhode Island through the department for at least six  
13 (6) months on or after their fourteenth birthday. The six (6) months can be non-consecutive periods  
14 of foster care placement or participation in the voluntary extension of care pursuant to § 14-1-6;

15           (2) Must be no older than twenty-three (23) years of age;

16           (3) Must have graduated from high school or received a high school equivalency diploma;  
17 and

18           (4) Must be enrolled and attend a workforce development program at the community  
19 college of Rhode Island approved by the commissioner of postsecondary education;

20           (c) Youth shall only be eligible for one of the incentive grants per academic year.

21           (d) Youth who meet the eligibility requirements in subsection (a) or (b) and who are  
22 adopted or placed in guardianship through the department after their sixteenth birthday are eligible  
23 to receive the incentive grant.

24           SECTION 9. Sections 42-72.8-3 and 42-72.8-4 of the General Laws in Chapter 42-72.8  
25 entitled "Department of Children, Youth and Families' Higher Education Opportunity Incentive  
26 Grant" are hereby amended to read as follows:

27           **42-72.8-3. Selection of grant recipients.**

28           ~~(a) There shall be a grant award selection committee which shall consist of a representative~~  
29 ~~from each of the institutions of higher education appointed by their respective presidents, two (2)~~  
30 ~~representatives from the department of children, youth and families appointed by the director, one~~  
31 ~~representative from the department of elementary and secondary education appointed by the~~  
32 ~~commissioner, and one representative from the office of higher education appointed by the~~  
33 ~~commissioner and representatives of other organizations that the director of department of children,~~  
34 ~~youth and families believes can help further the goals of the program. Grant awards shall be made~~

1 by the department pursuant to its policies, procedures, rules and regulations.

2 (b) ~~Grant awards shall be made on the basis of scholastic record, aptitude, financial need~~  
3 ~~and general interest in higher education. Recipients must comply with all application deadlines and~~  
4 ~~criteria for admission to the institution to which the recipient is making application and, further,~~  
5 ~~the recipient must have been granted admission by the admissions office of the institution.~~

6 Cumulative grant awards shall not exceed available appropriations in any fiscal year. The  
7 department shall adopt policies, procedures, rules ~~and~~ or regulations, which are reasonably  
8 necessary to implement the provisions of this chapter.

9 **42-72.8-4. Appropriation.**

10 The general assembly shall appropriate no less than the sum of ~~\$ 50,000 for the fiscal year~~  
11 ~~ending June 30, 2000; \$ 100,000 for the fiscal year ending June 30, 2001; \$ 150,000 for the fiscal~~  
12 ~~year ending June 30, 2002; and two hundred thousand dollars (\$ 200,000) annually for the fiscal~~  
13 ~~year ending June 30, 2003 and thereafter.~~ No later than September 1, 2024, and annually thereafter,  
14 the department shall provide an annual report to the governor, the speaker of the house of  
15 representatives and the president of the senate regarding the funds distributed pursuant to this  
16 chapter. The report shall include:

17 (1) The total number of applicants in relation to the total number of grants authorized by  
18 the department by school and approved workforce development program;

19 (2) The average unmet need for each grant recipient by each school and approved  
20 workforce development program;

21 (3) The average award amount by grant program; and

22 (4) The total amount of funding distributed to each grant program.

23 The department annually shall present the report and an update regarding the higher  
24 education opportunity incentive grant and workforce development incentive grant to the youth  
25 advisory board and key partners.

26 SECTION 10. This article shall take effect upon passage.

27