




Legislative Wrap-Up

2014 Session of the Rhode Island General Assembly

Selected laws and budget appropriations affecting children in the areas of early learning, K-12 education, economic well-being, health, and safety.

Early Learning

VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Extends the pilot Child Care Transition Program (cliff effect policy) by two years, enabling low-income, working families to maintain eligibility for the Child Care Assistance Program (CCAP) as family income increases up to 225% FPL.
- ◆ Expands the State Pre-K Program through the education funding formula.
- ◆ Supports expansion of full-day kindergarten by continuing funding for the Full-Day Kindergarten Incentive Fund, and adjusting state education aid so that all districts transitioning from half-day to full-day kindergarten will receive full funding beginning in Fall 2016.

Child Care Assistance Program (CCAP): The FY 2015 budget extends the Child Care Transition Program pilot by two years (until September 30, 2016), allowing currently participating families to remain eligible as their income grows above 180% FPL up to 225% FPL. The Child Care for Training Pilot Program, which provides child care assistance to low-income unemployed families engaged in approved job training was also extended by six months (until June 30, 2015).

Legislation did not pass that would have restored eligibility for CCAP to all low-income working families with income up to 225% FPL, repealed the asset test and narrowed the child support enforcement requirement to just focus on the child(ren) applying for CCAP, or allowed low-income working families currently participating in CCAP to use additional hours of child care to cover time when they are engaged in education or training.

Pre-K: The State Pre-K Program was funded at \$3 million for FY 2015 (a \$1 million increase as part of education funding formula expansion plan).

Head Start: State funding for Head Start remained stable at \$1 million for FY 2015, with \$800,000 in general revenue funds plus \$200,000 in state-directed federal resources.

Full-Day Kindergarten: The Full-Day Kindergarten Accessibility Act (passed in 2012) has renewed funding of \$250,000 to support one-time, start-up costs for districts transitioning to full-day kindergarten. State education aid funding will be adjusted beginning in Fall 2016 so that all districts transitioning from half-day to full-day kindergarten will receive full funding.

Education

VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Increases funding for education through the funding formula, including Pre-K.
- ◆ Increases funding for higher education, preventing tuition increases.
- ◆ Restores state support for the administration of the School Breakfast Program.

Education Funding Formula: The fourth year of the education funding formula was funded for FY 2015, with an additional \$34.2 million over FY 2014. Planned increases for categorical programs were funded, including \$1 million for the State Pre-K program, \$500,000 for high-cost special education, \$500,000 for career and technical education, and \$1.1 million for transportation.

High School Graduation Requirements: Legislation passed that put a three-year moratorium on the use of standardized tests to determine a student's eligibility to graduate from high school. This moratorium applies to seniors graduating prior to the Class of 2017, including students who did not graduate in 2014 because they did not meet the standardized test portion of the graduation requirements.

Teacher Evaluation: Legislation passed that reduces the frequency that teachers are evaluated so that those rated highly effective are evaluated every three years and teachers rated effective are evaluated every two years. Teachers with lower ratings and teachers in their first three years of teaching in a district will continue to be evaluated every year.

School Breakfast Program: The General Assembly restored \$270,000 in state support for the administration of the School Breakfast Program. Federal funds are used for the breakfast food.

Teacher Layoff Notification: Legislation passed that moves the teacher layoff notification date from March 1 to June 1, allowing school committees more time to review budgets and accurately project their staffing needs.

School Housing Aid: The FY 2015 budget extends the school housing aid moratorium enacted in 2011 to May 1, 2015. Until then, school housing aid projects will be approved only if necessary for health and safety reasons.

Suspensions: Legislation did not pass that would have required that the RI Department of Education develop

a method for analyzing local district discipline data to determine if disciplinary actions have a disproportionate impact on students based on their race or ethnicity and that in-school suspensions (rather than out-of-school suspensions) be used unless the conduct of the student rises to the level that presents a threat to others.

GED Fees: Legislation passed that requires the RI Board of Education to consider other states' recognition of the test, portability, alignment with the state's standards, and other factors when determining which high school equivalency tests will be recognized by the state. This legislation also requires the Board of Education to offer fee waivers to low-income students.

Higher Education: The FY 2015 budget includes a \$10 million increase in funding to the state's public colleges and universities to prevent tuition increases.

In-State Tuition: Legislation did not pass that would have put into law the regulations passed by the RI Board of Governors for Higher Education that allow undocumented students who have attended a Rhode Island high school for at least three years, graduated from high school, been admitted to college, and agreed to take steps to legalize their immigration to pay the same tuition and fees as Rhode Island residents.

Board of Education: The FY 2015 budget includes a provision that increases the Board of Education membership from 11 to 17 with two councils (one responsible for elementary and secondary education and the other for higher education).

Economic Well-Being

VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Increases the minimum wage to \$9.00 per hour.
- ◆ Establishes a dedicated funding stream for affordable housing, homelessness prevention, and lead hazard abatement.
- ◆ Eliminates the six-month limit on adult education and work readiness program participation for parents receiving RI Works.

Minimum Wage: The General Assembly approved a \$1 increase in the minimum wage from \$8.00 per hour to \$9.00 per hour, to take effect on January 1, 2015.

Earned Income Tax Credit (EITC): The FY 2015 budget includes a decrease in the EITC from 25% to 10% of the

federal tax credit, but also makes the credit fully refundable (was previously only 15% refundable), benefitting the lowest income families with no tax liability.

Affordable Housing: The FY 2015 budget increases the real estate conveyance tax from \$2.00 to \$2.30 per \$500 and allocates the estimated \$2.8 million in new revenue per year to the Housing Resources Commission for housing subsidies, homelessness prevention, housing retention, and lead hazard abatement.

Tenant Protections: Legislation passed that provides tenants of foreclosed properties greater protections against eviction by prohibiting the foreclosing owner from evicting a tenant who continues to pay rent, except for just cause or if another party is purchasing the property.

Rhode Island Works Program: Legislation passed that eliminates the six-month limit on adult education work readiness programs for RI Works recipients, allowing parents with low literacy levels to meet their work requirements through such programs for as long as needed.

Supplemental Nutrition Assistance Program (SNAP): The FY 2015 budget eliminates the \$100,000 SNAP Outreach Project contract, which identifies eligible Rhode Islanders and assists them with the application process.

Payday Lending: Legislation did not pass that would protect borrowers from high-interest payday loans by lowering the allowable interest rate on payday loans to 36% (from the current 260%).

Health

VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Establishes a dedicated funding stream for lead hazard abatement, affordable housing, and homelessness prevention.
- ◆ The Katie Beckett program will continue to be available at no cost to children with significant special health care needs.

Katie Beckett: The General Assembly did not approve the Governor's proposed \$250 monthly cost-sharing fee for families with children with special health care needs who receive Medical Assistance through the Katie Beckett program. The FY 2015 budget does authorize the state to collect annual tax and other financial information for families with children in the program, but cannot use it to determine to eligibility.

RIte Care: The FY 2015 budget projects savings of \$29.5 million (all funds) due to accelerated renewals for 42,000 families with RIte Care coverage. Renewals must be completed between July and December 2014, instead of in 2015.

Coverage for Pregnant and Postpartum Women: The FY 2015 budget grants the state the authority to supplement pregnant and postpartum women who are income-eligible for RIte Care, but already covered through an employer or HealthSource RI commercial health insurance, with Medicaid wrap-around services and out-of-pocket subsidies to allow women to keep their private coverage and reduce churn.

Childhood Lead Poisoning: The FY 2015 budget increases the real estate conveyance tax from \$2.00 to \$2.30 per \$500 and allocates \$2.8 million in annual new revenue to the Housing Resources Commission (HRC) for lead hazard abatement, affordable housing, and homelessness prevention. A \$600,000 settlement from the Attorney General also restores funding for HRC's lead hazard reduction program.

E-Cigarettes: Legislation passed that classifies electronic cigarettes as an electronic nicotine delivery system rather than a tobacco product, prohibits the sale of e-cigarettes to minors, and includes law enforcement provisions such as licensing, compliance checks, and penalties.

Children's Health Account & Immunizations: The FY 2015 budget revises the funding mechanisms for childhood (and adult) immunizations and the Children's Health Account (which supports Medicaid-funded services for children with special health care needs). Starting in 2016, a new per-enrollee fee will be assessed to fully-insured and self-insured plans, which will broaden the payer base for these programs while maintaining level funding.

Behavioral Health Parity: Legislation passed that strengthens parity of coverage for mental health and substance use disorders and treatments, while also calling for comprehensive model hospital discharge planning that better connects patients with opioid and other substance use disorders to clinically appropriate follow-up care.

Dental: Legislation did not pass that would have allowed dental hygienists to perform certain dental hygiene services without the direct supervision of a dentist in schools, Head Start programs, and other public health settings in order to increase access to care.

Pregnancy and Child Birth Accommodations:

Legislation did not pass that would have required employers to make reasonable accommodations to employees for conditions related to pregnancy and child birth (including breast feeding).

Safety

VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Establishes an advisory committee to the Office of the Child Advocate to review treatment and services and make systemic improvements.

RI Department of Children, Youth and Families

(DCYF) Budget: A \$210.6 million budget was appropriated to DCYF for FY 2015, \$5.4 million less than the revised FY 2014 budget. This reduction includes an \$850,000 cut in funding for the Family Care Community Partnerships, services designed to help prevent child abuse and neglect. DCYF was given an additional \$1.5 million in its current FY 2014 budget to address deficits related to the System of Care Phase Two.

Educational Continuity for Youth at the Training

School: Legislation did not pass that would have provided educational continuity to youth detained at or sentenced to the Training School by requiring that these youth remain on the rosters of their home school districts during the time they are at the facility.

Educational Stability for Children and Youth in

Foster Care: Legislation did not pass that would have promoted educational stability for children and youth in foster care by ensuring that they had the right to attend school in the school district where they previously resided.

Sex Offense Registration and Notification:

Legislation did not pass that would have implemented the federal *Sexual Offender Registration and Notification Act (SORNA)* in Rhode Island, replacing the existing registration and notification system. Several states have declined to adopt *SORNA* because its mandatory sex offender registration requirements are contrary to state policies for the treatment of juvenile offenders and may limit opportunities for rehabilitation and re-integration.

Restoring Foster Care to Age 21:

Legislation did not pass that would allow youth in foster care to remain under the jurisdiction of the Family Court until age 21. Rhode Island provided foster care services until age 21 until

July 1, 2007, when the upper age limit a youth could remain in foster care was lowered to age 18.

Advisory Committee to the Child Advocate:

Legislation passed establishing an advisory committee to the Office of the Child Advocate, charged with providing advice and support to the Office by regularly reviewing treatment and services for children and making recommendations about systemic improvements.

Gang Sentence Enhancement: Legislation passed allowing an additional 10-year prison term to be added to the sentence of individuals (include juveniles) convicted of being involved in street gang activity. The legislation does not require that person be a member of the gang to receive the enhanced sentence, only that their activities assisted the gang.

Gun Safety: Legislation passed that allows the District Court to submit information to the National Instant Criminal Background Check System about individuals who are involuntarily committed for mental health treatment. The legislation also creates a board to review appeals for individuals denied a firearm because of a mental health commitment.

Legislation did not pass that would have banned the sale and possession of assault weapons and magazines holding more than ten rounds of ammunition; prohibited individuals convicted of misdemeanor domestic violence from purchasing, owning, carrying, or transporting guns; or instituted penalties for individuals who provide a gun to a minor and the gun is used during a crime of violence.

Fiscal Year 2015 Budget

The Rhode Island General Assembly enacted a FY 2015 budget in the amount of \$8.8 billion. The budget consists of \$3.4 billion in state general revenue, \$3.1 billion in federal funds, \$283.1 million in restricted receipts, and \$2.0 billion in other funds.



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