

The

SMITH HILL REPORT



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Budget Approved By House

On a vote of 64 yeas, 10 nays, and 1 members not voting, the House of Representatives approved a state budget for the 2022 Fiscal Year on Thursday, June 24th. The State Budget is the most important bill considered by the General Assembly every year. The budget contained numerous changes in state law, called Budget Articles, to accompany the appropriations in the legislation. The Budget will be considered by the Senate this week before being sent to the Governor for his signature. Among the highlights of the FY 2022 State Budget on issues important to RIFTHP members are:

Support for Rhode Island College

The Budget increased state funding for Rhode Island College by \$5.9 million. At the outset of the budget process, Rhode Island College asked for sufficient funds to cover projected expenses, including negotiated pay raises and recall of certain staff who had been laid off. When the Governor did not support the RIC request, RIC advocates lobbied to increase the state appropriation by \$5.9 million to support the institution. RIC/AFT, the union of Rhode Island College faculty, organized an advocacy campaign in support of increasing the RIC budget. [Click here](#) to view the Fact Sheet used by the union to support its advocacy campaign. The advocacy work was a success and RIC's state appropriation was increased by the full \$5.9 million.

Direct Support Professional Pay Increase

Under pressure of a federal judicial consent decree, the Governor urged the House Finance Committee to amend his initial budget request by adding \$39.7 million to the BHDDH budget in support of a pay raise for Direct Support Professionals who support approximately 4,000 Rhode Islanders with intellectual and developmental disabilities. The RIFTHP represents DSPs at the J. Arthur Trudeau Center and had offered testimony in support of the pay raise.

The additional state funding will support a significant pay raise of approximately \$2.50 for DSPs. The RIFTHP supported this change in the state budget to support the pay raise to address chronic staff shortages in the field and to recognize the importance of the work DSPs perform on a daily basis.

Education Funding

The proposed school education funding as presented by Governor McKee in March remained largely intact when the House adopted the state budget bill. The Assembly created a provision to prevent school districts from losing money due to lower student enrollment many Districts experienced due to Covid-19. The RIFTHP supported the move to prevent school districts from losing state funding because the funding formula is driven by enrollment calculations.

The Budget as approved by the House also included additional school district funding for those districts that have experienced a 5% increase in charter enrollment. The provision, known as density aid, required an additional \$1 million in state funds to offset funding loss due to charter school expansion. Providence schools will gain a large portion of the new funding stream.

Education Statute Changes

[Article 10](#) of the State Budget contains several statutory changes related to education. Article 10 contains the amendments to the funding formula and charter school density aid mentioned above. The article also contains language that adds a definition of the Basic Education Program (BEP) in state law. The BEP is the comprehensive set of education regulations adopted by the Council on Elementary and Secondary Education. Article 10 requires the Council to consider an education standard for limited English proficient students in revisions to the BEP. The Article also requires calculations on costs to districts to comply with the BEP. Finally, Article 10 contains revisions to the Advanced Placement testing section of state law, requiring additional data collection on AP participation.

Immigrant Student Tuition Bill Advances

On Wednesday, June 23rd, the Senate Education Committee heard testimony on legislation by Rep. Grace Diaz that would ensconce in state law a policy that provides for in-state tuition for Rhode Island high school graduates who lack legal immigration status. The bill, [H5238](#), requires that the Rhode Island high school graduate have at least three years in Rhode Island schools prior to being eligible for the in-state tuition.

The RIFTHP offered written testimony in support of the legislation. In his letter ([click here](#)), RIFTHP lobbyist James Parisi urged passage of the bill. Parisi noted that all of society benefits when individuals who want higher education have access to college at an affordable price. The Committee voted to hold the bill for further study, but passed the bill in a subsequent meeting held on Monday, June 28th.

BILLS ON THE MOVE

The following bills have passed one chamber of the legislature and have now been referred to the other chamber for approval.

Medicaid Reimbursement - School Psychologists and Social Workers

[H5067](#), which was introduced by Representative McNamara, passed the House on 6/15/2021 with a vote of 69 yeas, 1 nays, and 5 members not voting.

This bill would direct that services provided by school social workers and certified school psychologists would be included as health care related services eligible for federal Medicaid reimbursement.

Higher Education - Compensation of Athletes

[H5082](#), which was introduced by Representative Solomon, passed the House on 5/18/2021 with a vote of 73 yeas, 0 nays, 2 members not voting, and 0 members recused.

This bill would expressly allow college athletes, while they are students, to personally profit from the use of their name, image, and likeness, and prohibit the NCAA from preventing these practices.

School Waste Recycling Program

[H5328 Sub A](#), which was introduced by Representative Carson, passed the House on 6/16/2021 with a vote of 60 yeas, 10 nays, and 5 members not voting.

[S0104 Sub A](#), which was introduced by Senator Valverde, passed the Senate on 6/22/2021 with a vote of 38 yeas, 0 nays, and 0 members not voting.

These bills would require schools to comply with composting and recycling laws, would promote the donation of unspoiled nonperishable food by schools, would promote the selection of local food service companies for school food service contracts and the selection of vendors who recycle organic-waste at appropriate facilities.

Computer Science Graduation Requirement

[H5517](#), which was introduced by Representative Tobon, passed the House on 6/22/2021 with a vote of 72 yeas, 0 nays and 3 members not voting.

This bill would require that commencing with the graduating class of 2023 all high school students attending public schools demonstrate proficiency in computer science.

State Licensure - Moral Turpitude

[H5599](#), which was introduced by Representative Ajello, passed the House on 6/16/2021 with a vote of 69 yeas, 0 nays, and 6 members not voting.

This bill would delete as a cause for refusal to issue a license to accountants, private security guards, engineers, land surveyors, veterinarians, podiatrists, chiropractors, dentists and dental hygienists, medical

personnel, acupuncturists and those practicing oriental medicine, occupational therapists, speech pathologists and audiologists, hearing aid dealers and fitters, landscape architects, physicians assistants, cesspool designers, athletic trainers, telephone sales solicitors, home inspectors, chemical dependency professionals, uniform athlete agents, medical waste generators, transporters, explosive technicians and dealers, off track betting employees, state lottery sales agents, and police and fire personnel, the words crime of moral turpitude.

Loan Forgiveness - STEM Teachers

[S0045](#), which was introduced by Senator Pearson, passed the Senate on 6/15/2021 with a vote of 35 yeas, 2 nays, and 1 member not voting.

This bill would expand the Wavemaker Fellowship Program to include public school teachers in the high-need fields of science, technology, engineering, and mathematics.

Individual LEA Education Benchmarks

[S0085](#), which was introduced by Senator Seveney, passed the Senate on 6/8/2021 with a vote of 37 yeas, 0 nays, and 1 member not voting.

This bill would require that benchmarks specific to each local education authority (LEA) be developed by the Department of Education to improve cost controls, efficiencies, and program effectiveness. Further, this bill would require that the department propose an incentive fund structure to provide for the state to share in an LEA's non-core costs.

Advanced Placement Courses

[S0209 Sub A](#), which was introduced by Senator Lawson, passed the Senate on 6/15/2021 with a vote of 36 yeas, 1 nays, and 1 member not voting.

This bill would expand the reach of access to advanced placement courses to ensure that the opportunity to participate in the advanced placement program and gain college credit is available to the greatest amount of students as practicable.

Dual Language Immersion Curriculum Development

[S0355](#), which was introduced by Senator Quezada, passed the Senate on 4/27/2021 with a vote of 36 yeas, 0 nays, and 2 members not voting.

This bill would require the Department of Education to create a model policy and timeline to assist local education agencies in implementing a dual language immersion program. This model policy and timeline would be sent to the President of the Senate and the Speaker of the House.

State Support for School Mental Health Workers

[S0757 Sub A as amended](#), which was introduced by Senator Cano, passed the Senate on 6/22/2021 with a vote of 35 yeas, 0 nays, 2 members not voting, and 1 member recused.

This bill would establish state support for school-based mental health services.

School Health Clinic Regulations

[S0791 Sub A as amended](#), which was introduced by Senator Goodwin, passed the Senate on 6/22/2021 with a vote of 38 yeas, 0 nays, and 0 members not voting.

This bill would require the Department of Health to promulgate rules and regulations by January 1, 2022 for the licensing and operation of school-based health centers operating in elementary and secondary schools. The bill further provides that school-based health centers in elementary and secondary schools employ a certified nurse-teacher.e public transportation service provider utilizing electric buses.

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