



# Legislative Wrap-Up

## 2019 Session of the Rhode Island General Assembly

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

### Economic Well-Being

#### VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ The state's 24-month periodic time limit for the Rhode Island Works program was repealed.
- ◆ The FY 2020 budget includes \$500,000 to ensure that the state conducts the outreach needed to have an accurate and complete count in the 2020 Census.

***Rhode Island Works:*** The FY 2020 budget simplifies the Rhode Island Works program, the state's cash assistance or TANF program, by repealing the state's 24-month periodic time limit and retaining the 48-month lifetime time limit.

***Complete Count Initiative:*** The FY 2020 budget includes \$500,000 to ensure that the state conducts the outreach needed to have an accurate and complete count in the 2020 Census. This is \$350,000 more than recommended by the Governor.

***No Student Hungry Initiative:*** The FY 2020 budget does not include \$55,000 for the Governor's proposed No Student Hungry Initiative. This initiative would have required that all eligible schools participate in the Community Eligibility Provision (a federal option which allows schools with high

percentages of low-income or at-risk students to offer free school breakfast and lunch to all students) and required that all schools with 70% or more students eligible for free or reduced-price meals offer breakfast after the bell (sometimes called breakfast in the classroom or grab-and-go breakfast), a strategy that has been shown to increase school breakfast participation.

***Housing Discrimination:*** Legislation did not pass that would have prohibited landlords from discriminating against potential renters who have a lawful source of income, including child support, Veteran's benefits, Social Security, a Section 8 (Housing Choice) voucher, or any other type of rental assistance, etc.

***Earned Income Tax Credit (EITC):*** Legislation did not pass that would have increased the state's EITC from 15% to 20% to make it a higher percentage of the federal EITC and more in line with neighboring states.

***Minimum Wage:*** Legislation did not pass that would have increased the minimum wage for hourly employees from \$10.50 to \$11.10 per hour beginning January 1, 2020.

***Payday lending:*** Legislation did not pass that would have repealed payday lenders' special exemption which allows them to charge interest rates up to 260% on short-term loans secured by a borrower's paycheck.

## Early Learning & Development

### VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ \$8.6 million increase in state general revenue funds to add approximately 320 new seats and sustain existing Rhode Island State Pre-K classrooms after federal funding expires.
- ◆ Infants and toddlers enrolled in family child care were added to the state's tiered quality rates system for the Child Care Assistance Program, paying higher rates for higher quality care.
- ◆ Policies were changed in statute to streamline family access and improve payment policies for the Child Care Assistance Program.

**State Pre-K Program:** The FY 2020 budget includes an \$8.6 million increase in state general revenue funds for the Rhode Island State Pre-K program bringing total state funding to \$14.9 million, more than doubling the state investment in Pre-K. Federal funding for the State Pre-K program has expired. In 2019-2020 the RI State Pre-K program will provide high-quality early education to 1,400 four-year-old children, a 30% increase in the number of children served. The program will continue to prioritize enrollment of low-income children. Statutory language was not adopted establishing a goal to fund Universal Pre-K for all four-year-olds.

**Child Care Assistance Program (CCAP):** The FY 2020 budget adds \$150,000 to increase and establish tiered quality rates for children under age three enrolled in family child care through CCAP. The funding increase will mean up to a 23% increase in rates to help families with infants and toddlers access high-quality family child care. CCAP payment rates were not increased for preschool or school-age children in child care centers, where rates remain substantially below the federal benchmark for equal access to quality programs. A restriction was removed from the law that required the state to pay no higher than the lowest rate charged private paying parents. Two statutory requirements for family eligibility were eased – the family asset limit was increased to meet new federal requirements, and the child support enforcement requirement was narrowed to only apply to the children in the family for whom they are applying for child care assistance and not

to all children in the family. The budget did not include funding to allow families pursuing post-secondary education to qualify for child care assistance.

**Child Care Licensing:** Responsibility for managing child care licensing will be transferred from the RI Department of Children, Youth, and Families to the RI Department of Human Services on or before July 1, 2020 to improve coordination with federal child care requirements. The statute also was changed to update background check requirements for child care providers.

**Head Start:** The FY 2020 budget provides level funding for Head Start at \$1.2 million, covering the cost for 130 low-income children to participate in the program statewide.

**Family Home Visiting:** New state funding for evidence-based home visiting programs for the state's most vulnerable families was not included in the FY 2020 budget. The Governor had proposed \$650,000 in state funding which would have been eligible for Medicaid matching funds in the approved 1115 waiver and which was needed to sustain existing programs as federal funding declines. Without this funding, enrollment of new families will be restricted starting in September 2020. The budget also did not include new funding for the First Connections program which would have been expanded to provide prenatal visits.

**Connecting Early Childhood Programs to Early Elementary Grades:** Proposed statutory language was not adopted to support the continued development of an Early Care and Education Data System, to improve the transition to kindergarten, or to improve alignment of curriculum between Pre-K and the early elementary grades.

**Paid Family Leave:** Legislation did not pass that would have improved the state's paid family leave program, Temporary Caregiver's Insurance (TCI). Proposed legislation would have expanded the number of weeks of TCI coverage from four to eight weeks and increased the wage replacement rate. The existing program was preserved since proposed bills to allow employees to opt out of the Temporary Disabilities Insurance and TCI programs did not pass.

## Education

### VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ A \$2.3 million increase in funding to support the needs of English learners.
- ◆ \$250,000 in funding to support reading instruction for students with dyslexia.
- ◆ A series of education reform bills were passed to address the state's poor performance on the *Rhode Island Comprehensive Assessment System*.

**Education Funding Formula:** The ninth year of the education funding formula was fully funded for FY 2020 with an additional \$33.4 million in funding over FY 2019. Funding includes an additional \$8.6 million for the State Pre-K program, \$250,000 for transportation, and \$2.3 million for English learners (ELs) bringing the total funding to support ELs in FY 2020 to \$5 million.

**School Housing Aid:** The FY 2020 budget includes \$79 million for traditional School Housing Aid and \$1 million for the School Building Authority Capital Fund. In 2018, a bond was passed providing \$250 million in funds for school construction, renovation, and rehabilitation with enhanced incentives for high-priority projects.

**Curriculum Alignment and Standards:** Legislation passed that requires the Rhode Island Department of Education (RIDE) to identify at least five examples of high-quality curricula for each of the core subjects and for school districts to select and implement these curricula with support from RIDE to help access, implement, and provide professional development to support the curricula selected.

**Education Accountability Act:** Legislation passed that expands the duties of principals and school improvement teams, giving increased school-based management to principals, teachers, students, parents, and community members and requires evaluations, assessments, and education review reports on the performance of school districts and individual schools.

**School Support Positions:** The FY 2020 budget includes \$270,000 to fund two positions at RIDE, one to support school principals and increase principal and teacher diversity and one to support school improvement teams, strategic plans, and the district review process.

**Dyslexia:** The FY 2020 budget includes \$250,000 in funding to support students with dyslexia, including authorization for one FTE position at RIDE. The *Rhode Island Right to Read Act* passed and requires school districts to provide professional development to all elementary school teachers so they become proficient in scientific reading and structured literacy instruction. RIDE is required to assist school districts in developing awareness of dyslexia and providing evidence-based interventions to students with dyslexia and related reading disorders. Teacher preparation programs are required to incorporate information about evidence-based interventions for students with dyslexia into their elementary teacher and reading specialist preparation programs. A research commission will be created to study the feasibility of establishing schools dedicated to the instruction of children with dyslexia and provide professional development to other schools on high-quality reading instruction.

**Dual Language Immersion:** Legislation did not pass that would have provided \$200,000 in funding to RIDE to establish a dual language program fund and hire a specialist in world language and dual language instruction.

**Teachers of Color:** The Rhode Island House of Representatives passed a resolution to create a commission to study and provide recommendations for encouraging more people of color to enter the field of education.

**Class Size Caps for Kindergarten – Grade 2:** Legislation did not pass that would have established a maximum class size of 20 children for kindergarten, first-grade, and second-grade classrooms in public schools statewide.

**Child Opportunity Zones (COZs):** The FY 2020 budget includes an additional \$50,000 (total FY 2020 funding of \$395,000) in funding for COZs to provide integrated education, health, and social services to students attending school in ten school districts.

**School-Based Mental Health Services:** The FY 2020 budget does not include \$590,000 as recommended by the Governor to provide training and curricula for teachers to teach behavioral health skills and to intervene when behavioral health challenges are seen.

**School Threat Assessment Teams:** Legislation passed that requires school boards to adopt policies for school threat assessments and to establish threat assessment teams.

**Dual Enrollment:** The FY 2020 budget includes \$2.3 million, \$500,000 more than in FY 2019, for Prepare RI's dual/concurrent enrollment initiative that allows qualified students to earn college credit at their high school or at state public higher education institutions at no cost.

**P-TECH:** The FY 2020 budget includes \$200,000 to sustain the Pathways in Technology Early College High School (P-TECH) Initiative, which supports partnerships among high schools, colleges, and businesses that help students earn both high school diplomas and associate degrees in five or six years while participating in mentorships and internships that prepare them for employment.

**Advanced Course Network:** The FY 2020 budget includes \$450,000 (\$150,000 from general revenue and \$300,000 from permanent school funds) to support the Advanced Course Network, a program that helps middle and high school students access personalized, advanced coursework opportunities that may not be available at their schools. This amount is consistent with the FY 2019 budget but \$250,000 less than the Governor recommended.

**Computer Science Education:** The FY 2020 budget includes \$200,000 to provide computer science education, consistent with the FY 2019 budget but \$50,000 less than the Governor recommended.

**RI Promise Scholarship:** The FY 2020 budget includes \$7.0 million from general revenues to support the third year of the RI Promise Scholarship at the Community College of Rhode Island (CCRI), a reduction of \$900,000 from the Governor's recommendation, and is based on enrollment and attrition rates of the first two

cohorts. The Governor's proposed expansions of the RI Promise Scholarship to Rhode Island College students in their third and fourth years and to adult students ages 25 and older pursuing degrees and certificates from CCRI were not included in the FY 2020 budget.

**Student Loan Bill of Rights:** Legislation passed that establishes guidelines for the Attorney General's Consumer Protection Unit to receive and review complaints from student loan borrowers.

**Last Dollar Scholarship:** The FY 2020 budget includes \$9.6 million for the Last Dollar Scholarship, including \$1.6 million to restore funding to Rhode Island College and \$1.5 million to provide scholarships to students attending private institutions, \$500,000 less than in FY 2019.

**Wavemaker Fellowship:** The FY 2020 budget includes \$1.2 million to support the Wavemaker Fellowship, a competitive student loan reimbursement program for college and university graduates working in science, technology, engineering, and medicine.

**CCRI SNAP Scholarship:** The FY 2020 budget does not include \$235,000 as recommended by the Governor to provide low-income college students who qualify for the Supplemental Nutrition Assistance Program need-based aid to pay for transportation, books, child care, and other non-tuition costs and funds to support a work study program.

**In-State Tuition for Undocumented Students:** Legislation did not pass that would have put into law current regulations 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 status to pay the same tuition and fees as Rhode Island residents at the state's public higher education institutions.

**Constitutional Right to an Adequate Education:** A joint resolution did not pass that would have proposed a ballot referendum to the Rhode Island voters for their approval to amend the state's Constitution to include the right to an adequate education.



## Health

### VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Current RIte Care eligibility and benefits were preserved.
- ◆ Feminine hygiene products will be exempt from the sales and use tax.

**Tobacco Age to 21:** Legislation did not pass that would have increased the age of sale for tobacco products and electronic nicotine delivery systems from age 18 to 21.

**Local Tobacco Control Act:** Legislation did not pass that would have given local communities the authority to enforce tobacco regulations in the interest and safety of their community, specifically as it relates to youth and e-cigarette purchases.

**Cigarette, Cigar, and E-Cigarette Tax:** The FY 2020 budget did not include the Governor's proposal to increase the cigarette tax by \$0.25 from \$4.25 to \$4.50 per pack and increase the cigar tax by \$0.30 from \$0.50 to \$0.80. The budget also does not include the Governor's proposal to impose taxes on electronic nicotine delivery systems at the rate of 40% of the wholesale cost. The proposed new and increased taxes were projected to generate \$4.6 million in revenue.

**Healthy Beverages:** Legislation did not pass that would have required children's meals offered by restaurants to include certain healthy beverage options if the beverage is automatically included in the meal. Legislation also did not pass that would have created a tax on sugary drinks and created a dedicated revenue source for programs designed to benefit public health.

**Insurance for Pregnant Women:** Legislation did not pass that would have allowed pregnant women with an annual income above current Medicaid income limits to be eligible to purchase health insurance through one of the Medicaid managed care plans.

### **Health Insurance Mandate and Reinsurance Program:**

The FY 2020 budget includes a state-level Shared Responsibility Payment Penalty for failure to maintain minimum essential health insurance coverage. The penalty is designed to keep the State's uninsured rate low and promote stability in the health insurance market and will fund the Health Insurance Market Integrity Fund.

**Consumer Protections:** Legislation did not pass that would have codified consumer protections included in the *Affordable Care Act*, including prohibiting pre-existing condition exclusions, coverage of essential benefits such as pediatric dental and vision benefits, and no co-pays for preventive health care.

**RIte Care:** The FY 2020 budget preserves RIte Care eligibility and benefits at current levels for children, parents, and pregnant women.

**Medicaid Employer Assessment:** The FY 2020 budget did not include the Governor's proposal to impose a fee on large, for-profit companies with 300 or more employees enrolled in Medicaid. The fee would have created an estimated \$14.5 million in new general revenue.

**Childhood Lead Poisoning Prevention Program:** The FY 2020 budget does not include the Governor's recommendation to increase funding for the Childhood Lead Prevention Project by \$190,000.

**Feminine Hygiene Products:** The FY 2020 budget exempts feminine hygiene products from the sales and use tax effective October 1, 2019.

## Safety

### VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Legislation passed to expand domestic abuse protections.
- ◆ Legislation passed to expand the statute of limitations for victims of childhood sexual abuse to 35 years after reaching adulthood.

**DCYF Budget:** The FY 2020 budget was essentially level funded at \$229 million, compared to a FY 2019 enacted budget of \$227 million and a FY 2019 final budget of \$249 million. The budget includes \$500,000 for DCYF to apply for accreditation by the Council on Accreditation with a requirement that DCYF begin this process by September 1, 2019.

**Article 2:** This article requires the state controller not to make payments for additional staff, contracts or purchases requested by a state agency that is on track to run a deficit in the current fiscal year, unless the spending is necessitated by immediate health and safety reasons.

**Fatality and Near Fatality Reporting:** Legislation passed that requires the Child Advocate to review case records of fatalities or near fatalities if there is abuse or neglect present and the family had prior contact with DCYF.

**Expanded Domestic Abuse Protection:** Legislation passed that would allow plaintiffs seeking a domestic abuse protective order in court to include any of their minor children or a plaintiff parent's minor children who are not related to the defendant by blood or marriage within the same complaint and restraining order.

**Statute of Limitations for Childhood Sexual Abuse:** Legislation passed extending the statute of limitations for victims of childhood sexual abuse from seven years to 35 years after reaching adulthood.

**Students in Foster Care:** Legislation did not pass that would have required an annual report on academic achievement of foster care youth.

**Lead Inspections for Foster Homes:** The FY 2020 budget does not include language proposed by the Governor to remove the requirement for a comprehensive lead inspection and demonstration/certification of lead safe or lead free from foster home licensing requirements.

**Juvenile Life without Parole:** Legislation did not pass that would have made youth who have been sentenced to life sentences without parole for crimes they committed before the age of 18 eligible for a parole hearing after serving 15 years of their term.

**Caseload Estimating Conference:** Legislation did not pass that would have required the participation of DCYF and BHDDH in the Caseload Estimating Conference.

**Gun Safety:** Legislation did not pass that would have banned individuals with permits to carry concealed pistols or revolvers from carrying them on school grounds and that would have banned the sale/possession of feeding devices holding more than 10 rounds of ammunition.

**The Parentage Act:** Legislation did not pass that would have created a process for married and unmarried parents to complete adoption to confirm their parentage of children born into their relationships with mutual intent and through assisted reproduction.

## Fiscal Year 2020 Budget

The Rhode Island General Assembly enacted a FY 2020 budget in the amount of \$10.0 billion. The budget consists of \$4.1 billion in state general revenue, \$3.3 billion in federal funds, \$311 million in restricted receipts, and \$2.3 billion in other funds.



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