




# Legislative Wrap-Up

## 2015 Session of the Rhode Island General Assembly

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

### Economic Well-Being

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

- ◆ Increases the Earned Income Tax Credit (EITC) to 12.5% of the federal EITC.
- ◆ Provides flexibility for RI Works two-parent families to meet their work requirements.
- ◆ Increases the minimum wage to \$9.60 per hour and increases the base rate for tipped workers to \$3.39 as of January 1, 2016.

***Earned Income Tax Credit (EITC):*** The FY 2016 budget includes an increase in the Earned Income Tax Credit (EITC) from 10% of the federal tax credit to 12.5%, while maintaining full refundability.

***Minimum Wage:*** The General Assembly approved a 60 cent increase in the minimum wage from \$9.00 per hour to \$9.60 per hour, to take effect on January 1, 2016. The General Assembly also approved an increase in the minimum hourly base rate for tipped workers from \$2.89 per hour to \$3.39 per hour on January 1, 2016 and \$3.89 per hour on January 1, 2017.

***Pregnancy and Childbirth Accommodations:*** Legislation passed that prohibits job discrimination based on pregnancy, childbirth, and related medical conditions. It requires employers to make reasonable accommodations for workers for conditions related to pregnancy and childbirth, including breastfeeding.

***Affordable Housing:*** The FY 2016 budget provides \$3.0 million to finance the production and preservation of affordable housing for young workers, seniors, and other residents.

***Homeless Shelter Standards:*** The Senate passed a resolution to create a legislative commission to study and develop model legislation and recommendations necessary to regulate and enforce the proper operation of homeless shelters for individuals and families.

***Rhode Island Works Program:*** Legislation passed that would allow two-parent families receiving RI Works cash assistance to meet their work requirements by either having one parent participate in allowable work activities for 35 hours or by having both parents participate in allowable work activities for a combined total of at least 35 hours. Previously, one parent had to meet all work requirements on his or her own.

***Paid Family Leave:*** Legislation did not pass that would limit access to the state's paid family leave program (Temporary Caregivers Insurance) by allowing employees to opt-out of the Temporary Disability Insurance (TDI) program.

***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

- ◆ Maintains HealthSource RI as a state-based exchange, ensuring streamlined access to affordable health insurance options, including RItE Care.
- ◆ Increases access to oral health care for children by allowing dental hygienists to perform approved services in public health settings.

**RItE Care:** The FY 2016 budget preserves current RItE Care eligibility and benefits. It includes \$2 million in state savings from improved care coordination for children with special health care needs by transitioning services into managed care and modifying CEDARR services.

**HealthSource RI:** The FY 2016 budget codifies HealthSource RI in statute as a state-based exchange within the RI Department of Administration, replacing the original Executive Order. Authorizes an assessment on individual and small group health and dental insurers that mirrors and cannot exceed the federal exchange assessment. Appropriates \$2.6 million of general revenue for transition costs and maintains an advisory board.

**Reinventing Medicaid:** The FY 2016 budget includes Reinventing Medicaid initiatives that result in \$58.2 million in general revenue reductions (\$112.7 million in all funds). Those relating to children include removing private insurance caps for Early Intervention and Autism Services, reducing neonatal intensive care unit rates, expanding a home and health stabilization program, and piloting a delivery reform initiative.

**Cigarette tax:** The FY 2016 budget increases the cigarette tax by \$0.25, from \$3.50 to \$3.75 per 20-pack, effective August 1, 2015.

**Access to Dental Care:** Legislation passed that allows 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.

**Children with Disabilities:** Legislation passed that enables the creation of Achieving a Better Life Experience (ABLE) tax-free saving accounts for people with disabilities who become disabled before age 26.

**Obesity:** Legislation did not pass that would have aligned state school nutrition standards with the federal *Healthy, Hunger-Free Kids Act of 2010* and would have prohibited unhealthy food and beverage school advertisements.

## Safety

### VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Adds a non-discrimination clause to the Children's Bill of Rights.
- ◆ Improves transition planning by the DCYF and BHDDH for all children under the jurisdiction of the Family Court who are developmentally delayed or seriously emotionally disturbed.
- ◆ Prevents youth from being held at the RI Training School for violating a valid court order without a court hearing and determination.

### **Department of Children, Youth and Families (DCYF)**

**Budget:** The FY 2016 budget includes \$9.8 million in additional FY 2015 DCYF funding to address cost overruns. DCYF's FY 2016 budget of \$216.6 million is above the enacted FY 2015 budget of \$210.6 million, but below the FY 2015 final budget of \$225.4 million.

**Children's Bill of Rights:** Legislation passed adding a non-discrimination clause to the Rhode Island Children's Bill of Rights, which protects the legal and civil rights of children in DCYF care.

**Transition Planning:** Legislation passed that improves transition planning by DCYF and Behavioral Health, Developmental Disabilities and Hospitals (BHDDH) for all children under the jurisdiction of the Family Court who are developmentally delayed or seriously emotionally disturbed and are transitioning into adulthood.

**Violation of a Valid Court Order:** Legislation passed that prevents youth from being held at the RI Training School for violating a valid court order unless a hearing is conducted and the court determines that the child intentionally violated the order and the violation involves the failure of the child to engage in services or activities intended to protect or promote the child's health or safety, or the health or safety of others.

**Minimum Age for Youth at the Training School:** Legislation did not pass that would have prohibited any child age 12 or younger from being held in pre-trial detention or sentenced to the RI Training School unless s/he is charged with certain serious offenses. Although this legislation passed the House of Representatives and was voted out of the Senate Judiciary Committee, it was not voted on by the full Senate.

**Juvenile Life Without Parole:** Legislation did not pass that would have banned life without parole sentences for those who commit offenses while under age 18.

**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.

**Gun Safety:** The General Assembly did not pass legislation that would have banned the sale and possession of assault weapons and magazines holding more than 10 rounds of ammunition; banned individuals with permits to carry concealed pistols or revolvers from carrying them on school grounds; or prohibited those convicted of misdemeanor domestic violence from purchasing, owning, carrying, or transporting guns.

## Early Learning & Development

### VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Provides a 3% rate increase for child care providers serving children in CCAP.
- ◆ Asks the RI Department of Human Services (DHS) to develop a plan for tiered reimbursement rates and quality improvement for child care.
- ◆ Lifts the sunset provision on the Child Care During Training program.
- ◆ Expands access to the State Pre-K Program through the education funding formula.
- ◆ Requires full-day kindergarten for all districts as of August 2016 and allocates \$1.4 million for seven remaining districts to transition to full-day K.

**Child Care Assistance Program (CCAP):** The FY 2016 budget provides a 3% rate increase for child care providers serving children in CCAP. This is the first rate increase since 2008. In addition to the 3% increase, family child care providers will also get a \$10 per week increase for infants and toddlers. The FY 2016 budget also removes the sunset provision for the Child Care During Training pilot, making permanent the program that allows low-income unemployed families engaged in approved job training to participate in CCAP. The Senate

passed a resolution requesting that DHS develop a plan for tiered reimbursement rates and quality improvement supports to increase access to high-quality child care.

Legislation did not pass that would restore eligibility for CCAP to all low-income working families with incomes up to 225% FPL or would have extended eligibility for CCAP to families enrolled in higher education.

**Pre-Kindergarten:** The State Pre-K Program is funded at \$4 million for FY 2016 (a \$1 million increase as part of the education funding formula Pre-K expansion plan). Combined with new federal grant funding, this state investment will allow 558 four-year-olds to enroll in State Pre-K in September 2015 (up from 306 children in 2014).

**Head Start:** State funding for Head Start remains stable at \$1 million for FY 2016, with \$800,000 in general revenue and \$200,000 in state-directed federal resources. This funding will allow 130 children to continue to participate in Head Start programs.

**Full-Day Kindergarten:** Allocates \$1.4 million in the FY 2016 budget so that all seven remaining districts in Rhode Island that do not offer universal full-day kindergarten can implement it by August 2016. All districts are required to provide universal full-day kindergarten beginning in the 2016-2017 school year.

**Evidence-Based Family Home Visiting:** Legislation did not pass that would codify key elements of the state's family home visiting program in statute. This bill passed the Senate and was voted out of the House Health Education and Welfare Committee but was not voted on by the full House.

## Education

### VICTORIES FOR CHILDREN AT-A-GLANCE

- ◆ Increases funding for education through the funding formula, including Pre-K.
- ◆ Increases funding for school housing aid.
- ◆ Creates a "last dollar" grant and scholarship program for students with strong academic performance and financial need.

**Pre-K-12 Education Funding:** The fifth year of the education funding formula is funded for FY 2016, with an additional \$35.8 million over FY 2015. Funding includes \$12.3 million for the categorical programs that are part of the education funding formula (including an additional \$1 million for the State Pre-K program),

\$1 million for high-cost special education, \$2 million for transportation, and level funding for career and technical education. The RI Department of Education's core operating budget is reduced by \$800,000.

**School Housing Aid:** The FY 2016 budget includes \$70.9 million in school housing aid to districts and an additional \$20.0 million to finance a new School Building Authority Capital Fund. The RI Department of Education will oversee distribution of these funds based on need.

**Charter Schools:** Legislation did not pass that would have required city or town council approval for a new charter school or expansion of an existing charter school, established a moratorium on the establishment of new charter schools or the unplanned expansion of existing charter schools, limited local funding to FY 2015 levels, or directed the Council on Elementary and Secondary Education to consider the negative effects of a charter school on the finances and/or academic performance of sending districts before approving a new charter school or the expansion of an existing charter school.

**Suspensions:** Legislation did not pass that would have prohibited the use of suspensions unless a child's behavior poses a physical risk or serious disruption that cannot be dealt with by other means and would have required school districts to evaluate the discipline data they already collect annually, identify any racial, ethnic or disability disparities, and come up with a plan to reduce any disparities.

**Competency-Based Learning:** Legislation did not pass that would have required the Board of Education's Council on Elementary and Secondary Education to adopt a competency-based learning policy and model district policy.

**Diverse Teacher Workforce:** The FY 2016 budget passed by the General Assembly does not include the Governor's request for \$250,000 in grant funding for approved teacher preparation programs to recruit and train more diverse teachers.

**Dual Enrollment:** The FY 2016 budget includes \$1.3 million for Prepare RI, a dual enrollment initiative that will allow qualified students to earn credit at their high school and at state public higher education institutions, at no cost to students or families.

**College and Career Readiness:** The FY 2016 budget authorizes the Executive Office of Commerce to grant funds for partnerships among high schools, colleges, and businesses that allow students to get both high school diplomas and associate's degrees in five or six years while participating in mentorships and internships.

**Higher Education Funding:** The FY 2016 budget includes a \$7.5 million increase in funding to the state's public colleges and universities.

**Scholarships and Grants for College:** The FY 2016 budget incorporates the RI Higher Education Assistance Authority (RIHEAA) into the Office of the Postsecondary Commissioner, and creates a \$10.1 million "last dollar" grant and scholarship program for students with proven academic performance but for whom college may otherwise be out of reach for financial reasons.

**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.

**College Persistence and Completion:** Legislation did not pass that would have established statewide goals for college completion and begun developing performance funding tied to these goals.

## Children's Cabinet

The FY 2016 budget re-establishes a children's cabinet within the executive branch. The cabinet is charged with producing a comprehensive five-year statewide plan and a proposed budget for an integrated state child service system by December 1, 2015. The cabinet is also charged with developing a strategic plan to coordinate and share data to foster interagency communication and increase service delivery efficiency.

## Fiscal Year 2016 Budget

The Rhode Island General Assembly enacted a FY 2016 budget in the amount of \$8.7 billion. The budget consists of \$3.6 billion in state general revenue, \$2.9 billion in federal funds, \$245.5 million in restricted receipts, and \$1.9 billion in other funds.



Rhode Island KIDS COUNT  
One Union Station  
Providence, RI 02903

Phone: (401) 351-9400  
rikids@rikidscount.org  
www.rikidscount.org

