



**RIPEC**

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March 14, 2024

The Honorable Evan Shanley  
Chairperson, House Committee on State Government and Elections  
Room 101  
Rhode Island State House  
Providence, RI 02903

Re: Testimony on House Resolution 7396

Dear Chairperson Shanley,

I am writing on behalf of the Rhode Island Public Expenditure Council (RIPEC) in support of House Resolution 7396, which proposes to submit to the electors an amendment to the state constitution guaranteeing an education that is “adequate and meaningful” to all students in Rhode Island. It is RIPEC’s position that, in the absence of an organized effort to enact urgently needed reforms to Rhode Island’s K-12 education system, a judicially enforceable guarantee to an adequate education in the state’s constitution is necessary to focus attention on the issues within this system that have reached crisis levels.

The serious shortcomings in Rhode Island’s K-12 education system can be seen in recent standardized test results showing that Rhode Island students fail to demonstrate proficiency on a wide scale. On the 2022 National Assessment of Educational Progress (NAEP) test, only about a quarter or fewer Rhode Island 4<sup>th</sup> and 8<sup>th</sup> grade students showed proficiency in math and reading.<sup>1</sup> Similarly, the Rhode Island Comprehensive Assessment System (RICAS) results from 2022-23 showed that only one in three or fewer 3<sup>rd</sup> through 8<sup>th</sup> grade students statewide were proficient in English Language Arts (ELA) and math.<sup>2</sup> These poor outcomes endure even though Rhode Island has a well-funded K-12 education system relative to other states.<sup>3</sup>

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<sup>1</sup> The Nation’s Report Card, [State Profiles, Rhode Island](#).

<sup>2</sup> R.I. Dept. of Education, [Assessment Data Portal](#).

<sup>3</sup> Of the 50 states and Washington D.C., Rhode Island ranked tenth highest in per pupil elementary and secondary school revenue in FY 2021, the most recent year for which data are available. State revenues per pupil of \$21,445

Although outcomes are poor statewide, students from districts with high concentrations of poverty are significantly behind their peers in Rhode Island. Despite the efforts of Rhode Island’s education funding formula to increase the state’s overall share of education revenue and direct greater resources to districts with limited fiscal capacity and a higher concentration of students living in poverty, some of the neediest communities in the state continue to have low per pupil expenditures relative to the state overall. For instance, Pawtucket, West Warwick, and Woonsocket all have per pupil expenditures below the statewide total and Pawtucket has lower per pupil expenditures than all but five other districts.<sup>4</sup> The funding gap in Rhode Island is moreover worse than the vast majority of the country, with one recent national study finding that the Ocean State has a greater funding gap between its higher- and lower-poverty districts than all but two other states.<sup>5</sup>

The consequences of the relative lack of resources in some of the state’s neediest districts are evident. Woonsocket, West Warwick, and Pawtucket had RICAS proficiency rates well below those of the state and, in each district, fewer than one in five students demonstrated proficiency in math or ELA. Despite the state’s takeover of its schools over four years ago following reports of systemic failures, Providence—the state’s largest district—had a 13 percent proficiency rate in math and a 15 percent proficiency rate in ELA.<sup>6</sup> Most students in these districts are not reading at grade level and have not mastered math concepts.

The poor outcomes produced by our K-12 education system are a threat to the state’s future prosperity. Students from disadvantaged households and communities are not being afforded opportunities to succeed.

While there are many well-intentioned efforts by state officials, local school administrators, teachers, and community leaders to improve our schools, education reform is not being approached with the urgency needed to address the crisis affecting our K-12 system. A constitutional right to education may be able to stimulate the bold action required to meet this challenge. For this reason, RIPEC supports HR 7396.

Amending the state’s constitution to include a judicially enforceable standard of adequacy in K-12 education is not a cure-all and does not come without risks. Court-mandated reforms lack accountability and can force wholesale changes that could have unpredictable effects on state and municipal finances across Rhode Island. Should the proposed amendment be made to Rhode Island’s constitution, RIPEC would urge policymakers to preempt a potential judicial intervention by acting on education reform with the urgency that the current situation demands. Indeed, research suggests that states that enact stronger constitutional language on public K-12 education see greater

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were about \$4,000 greater than the U.S. total of \$17,448. U.S. Census Bureau, [2021 Annual Survey of School System Finances](#).

<sup>4</sup> The state total in per pupil expenditures was \$20,582 in FY 2022, the most recent year for which data are available. Woonsocket, West Warwick, and Pawtucket had respective per pupil expenditures of \$20,119, \$19,715, and \$18,376. R.I. Dept. of Education, [FY 2022 Per Pupil Expenditure Chart](#).

<sup>5</sup> School Finance Indicators Database, “[State School Finance Profile: Rhode Island](#),” 2021-22 School Year.

<sup>6</sup> R.I. Dept. of Education, [Assessment Data Portal](#).

legislative attention paid to education reform, and often successfully enact reforms that result in higher per pupil spending, smaller class sizes, and better student performance on standardized tests.<sup>7</sup> Court mandated reforms, however, have a much more mixed record. While successful education litigation has often led to higher per pupil expenditures, in some cases these increases were smaller than in states without court-mandated education reform.<sup>8</sup>

A judicially enforceable adequacy standard for education in the state’s constitution is not a silver bullet that will solve the critical problems with Rhode Island’s education system on its own. Indeed, the hard questions about what reforms are needed to bring Rhode Island students in line with their New England peers and prepare them to be successful will not change regardless of whether the state amends its constitution. However, if meaningful reform is not otherwise forthcoming, it is important that judicial intervention be on the table to force the changes needed to turn around the system for the benefit of Rhode Island students, and the future of the state. I think we can all agree that every student in Rhode Island deserves a high-quality education.

I appreciate your consideration of these comments and RIPEC’s support for HR 7396.

Sincerely,



Michael DiBiase  
President & CEO  
Rhode Island Public Expenditure Council

*RIPEC is a nonpartisan and nonprofit public policy research organization dedicated to providing objective research and analysis that addresses the critical challenges surrounding public finance and economic opportunity in Rhode Island.*

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<sup>7</sup> Scott Dallman, Anusha Nath, and Filip Premik, “[The Effect of Constitutional Provisions on Education Policy and Outcomes](#),” *Federal Reserve Bank of Minneapolis* (2021).

<sup>8</sup> Jason Kopanke, “[A Contemporary Understanding of the Effects of the Third Wave of School Finance Litigation](#),” University of Northern Colorado (2020); Stephen Q. Cornman, Esq., “[Do Equity and Adequacy Court Decisions and Policies Make a Difference for At-Risk Students following Abbott, Rose, McDuffy, and Hancock? Longitudinal Evidence from New Jersey](#),” Columbia University (2017). William J. Glenn, “[School Finance Adequacy Litigation and Student Achievement: A Longitudinal Analysis](#),” *Journal of Education Finance* 34, no. 3 (2009): 247–66.