

ORIGINAL HOUSE
BILL NO. HB0039

ENROLLED ACT NO. 22, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

AN ACT relating to resident tuition reimbursement for K-12 public schools; modifying payment for resident students to attend school out of state as specified; making conforming amendments; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 21-4-504, 21-4-505(a) and 21-13-309(m) (v) (E) (V) are amended to read:

21-4-504. Cost of maintaining pupil attending school outside district of residence.

A school district admitting a pupil from a nonunified school district in the state under W.S. 21-4-501 or providing for the enrollment of a pupil in a school within a school district in another state under W.S. 21-4-505 shall, in accordance with rules and regulations of the state department, be reimbursed from the school foundation program account for expenditures for maintaining that pupil in the admitting district for any length of time the pupil is required to reside in the admitting district. Reimbursement under this subsection shall be subject to and reported in accordance with rule and regulation of the state department and shall be administered as if the district's total foundation program amount computed under W.S. 21-13-309(p) is increased by the amount of the expenditure for maintenance during the preceding year for a school district admitting a pupil from a nonunified school district in the state under W.S. 21-4-501 and in the current school year for pupils attending a school in another state under W.S. 21-4-505.

21-4-505. Payment of tuition for pupil attending school in another state; admission of out-of-state pupils.

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(a) Whenever it shall appear to the board of trustees of any school district within the state that instruction for any pupil residing in the district can be more advantageously or economically furnished by a public school maintained by another state, the board of trustees of such Wyoming district may enter into an agreement for the instruction of such pupils at rates of tuition specified in the agreement. The Wyoming district shall be reimbursed for the full amount of tuition assessed by the out of state district ~~from the school foundation program account administered as if the district's total foundation program amount computed under W.S. 21-13-309 for that year was increased by the amount of the tuition paid during the preceding~~current school year. subject to the following:

(i) Effective school year 2017-2018 and each year thereafter, the Wyoming school district shall submit a report to the department of education in the manner and form and at times specified by department rule and regulation, documenting the number of pupils attending a public school maintained by another state and verifying payments to such districts for educational services;

(ii) From amounts appropriated by the legislature from the public school foundation program account for purposes of this subsection, the department of education shall distribute payments to eligible districts in accordance with this subsection on or before May 15 of the applicable school year, together with the district's foundation payment under W.S. 21-13-313(c), if applicable;

(iii) The district shall not include a pupil attending a school within an out of state school district within its average daily membership (ADM) for purposes of

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computing its foundation program amount under W.S. 21-13-309.

21-13-309. Determination of amount to be included in foundation program for each district.

(m) In determining the amount to be included in the foundation program for each district, the state superintendent shall:

(v) Based upon ADM computations and identified school configurations within each district pursuant to paragraph (iv) of this subsection, compute the foundation program amount for each district as prescribed by the education resource block grant model adopted by the Wyoming legislature as defined under W.S. 21-13-101(a)(xiv), as contained within the spreadsheets and accompanying reports referenced under W.S. 21-13-101(a)(xvii), on file with the secretary of state and maintained by the state superintendent pursuant to W.S. 21-2-202(e). The following criteria shall be used by the state superintendent in the administration of the education resource block grant model:

(E) Amounts computed under the education resource block grant model for each school district based upon amounts generated by each school within the district and based upon amounts generated at the district level for that district within the block grant model, shall be adjusted by adding the following amounts:

(V) An amount for any tuition and maintenance payments made by the district pursuant to W.S. 21-4-501(d) ~~7~~ and 21-4-504. ~~and 21-4-505(a).~~

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Section 2. Notwithstanding any other provision of law, for school year 2016-2017 only, amounts payable to a school district pursuant to W.S. 21-4-505 for resident students attending an out of state public school shall, upon the request of the school district, be paid by the Wyoming department of education no later than thirty (30) days after request for reimbursement. Any request for reimbursement by a school district under this section shall be made in the manner and form required by the department. Payment under this section shall be made no later than June 30, 2017 for expenses incurred during school year 2016-2017.

ORIGINAL HOUSE
BILL NO. HB0039

ENROLLED ACT NO. 22, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk