

SENATE FILE NO. SF0059

School finance-vocational education.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to school finance; establishing a cost-
2 based adjustment to the education resource block grant
3 model for vocational education; providing for grants to
4 districts to assist with initiating and expanding
5 vocational education programs; defining terms; imposing
6 funding conditions and criteria; delegating rulemaking
7 authority to and imposing specified duties upon the state
8 department of education and the school audit section of the
9 department of audit; imposing reporting requirements upon
10 school districts; providing for recognition of program
11 delivery; providing for data collection of post-secondary
12 education program data; providing appropriations and
13 authorizing position; and providing for effective dates.

14

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

16

1 **Section 1.** W.S. 21-12-105 and 21-13-329 are created
2 to read:

3

4 **21-12-105. Career-vocational education program**
5 **grants; application; criteria; limitations; expiration.**

6

7 (a) A school district may apply to the state
8 department of education for state assistance to fund
9 expenses associated with the planning, development and
10 implementation of a new or the expansion of an existing
11 career-vocational education program within any high school
12 in the district. As used in this section, "career-
13 vocational education program" shall be as defined by W.S.
14 21-13-329(a)(i). Amounts awarded under this section shall
15 be used to fund curricular development and program design
16 costs, employ certified teachers to provide course
17 instruction during the introductory year and to fund
18 initial purchases of equipment and supplies necessary for
19 program delivery. Any amount awarded to a district under
20 this section shall be in addition to and not be considered
21 in determining the vocational education adjustment to the
22 education resource block grant model under W.S. 21-13-329.
23 No grant awarded under this section shall exceed fifty
24 thousand dollars (\$50,000.00) for the expansion of any

1 existing program nor more than one hundred thousand dollars
2 (\$100,000.00) for the implementation of any new program,
3 and no one (1) district is eligible for a grant within two
4 (2) years after receiving a grant award under this section.
5 In addition, preference for grants awarded under this
6 section shall be given to those school districts which have
7 applied for and used other grants for vocational education.

8

9 (b) Application for a grant under this section shall
10 be on a form and in a manner specified by rule and
11 regulation of the department, shall be filed with the
12 department on or before June 30 to secure a grant during
13 the immediately succeeding school year, and shall at
14 minimum include:

15

16 (i) A proposal documenting the need for
17 introducing the proposed career-vocational education
18 program;

19

20 (ii) Labor market information detailing the need
21 for instruction in the proposed program;

22

23 (iii) The purposes and plan for expenditure of
24 grant amounts;

1

2 (iv) An outline of the course curriculum for the
3 proposed program; and

4

5 (v) Other necessary information required by the
6 state department.

7

8 (c) Not later than August 15 of the applicable school
9 year and following review of applications submitted under
10 this section, the department shall notify applicant
11 districts of its decision and shall provide each applicant
12 district a written statement of reasons for approving or
13 denying the application. In determining and establishing
14 an amount for any grant award to an applicant district
15 under this section, the department shall consider funds
16 available to the district from the termination of any
17 career-vocational education program by the district prior
18 to the application filing date. If the application is
19 approved, the department shall award the grant from amounts
20 made available by legislative appropriation within the
21 school foundation program account for purposes of this
22 section.

23

1 (d) Each recipient district shall report to the
2 department on the expenditure of amounts awarded under this
3 section and shall provide other information as required by
4 rule and regulation of the department to implement this
5 section.

6

7 (e) The department shall promulgate rules and
8 regulations necessary to carry out this section.

9

10 (f) The grant program established under this section
11 shall terminate June 30, 2008.

12

13 **21-13-329. Vocational education; qualification and**
14 **limitations on funding eligibility; adjustment to**
15 **foundation program formula.**

16

17 (a) As used in this section:

18

19 (i) "Career-vocational education program" means
20 a program offered in grades nine (9) through twelve (12)
21 consisting of a sequence of three (3) or more vocational
22 courses in an occupational area or career cluster that
23 provides the student with the technical knowledge, skills
24 or proficiencies necessary to obtain employment in current

1 or emerging occupations or to pursue advanced skill
2 training;

3

4 (ii) "Vocational course" means instruction in
5 career-vocational education programs offered in grades nine
6 (9) through twelve (12) by districts pursuant to W.S.
7 21-9-101(b)(i)(J) that is aligned with state content and
8 performance standards prescribed by the state board of
9 education under W.S. 21-2-304(a)(iii), and is provided by a
10 teacher certified by the Wyoming professional teaching
11 standards board for the vocational subject area associated
12 with the course;

13

14 (iii) "Vocational education student" means a
15 student enrolled in grade nine (9), ten (10), eleven (11)
16 or twelve (12) and participating in career-vocational
17 education programs on a full-time equivalency (FTE) basis,
18 as computed in accordance with guidelines established by
19 the state department of education;

20

21 (iv) "Vocational education teacher" means a
22 teacher certified by the Wyoming professional teaching
23 standards board to provide instruction at the high school
24 level for vocational education courses comprising career-

1 vocational education programs and is employed by a Wyoming
2 school district for high school career-vocational education
3 program instruction on a full-time equivalency basis (FTE)
4 as computed in accordance with guidelines prescribed by the
5 department of education. Nothing in this paragraph shall
6 require a district to employ teachers certified for high
7 school vocational education instruction on a full-time
8 basis or to require teachers to teach only high school
9 vocational education courses on a full-time basis.

10

11 (b) The adjustment for vocational education pursuant
12 to W.S. 21-13-309(n)(xii) shall be computed as prescribed
13 by this section.

14

15 (c) The prototypical school model amount for grades
16 nine (9) through twelve (12) computed under W.S.
17 21-13-309(m)(ii)(C) shall be reduced for each district by
18 the following amounts:

19

20 (i) The vocational education amount within the
21 teacher salaries and benefits component, as recalibrated
22 for the 2001-2002 school year; and

23

1 (ii) The vocational education amount within the
2 equipment and supplies component, as recalibrated for the
3 2001-2002 school year.

4

5 (d) An amount shall be computed for each high school
6 within each school district in accordance with the
7 following:

8

9 (i) Any high school in the school district that
10 is located within a five (5) mile radius of another high
11 school in that district shall for purposes of computations
12 under this subsection, be combined and considered as one
13 (1) high school;

14

15 (ii) A weight factor of one and twenty-nine
16 hundredths (1.29) shall be multiplied by each full-time
17 equivalent (FTE) vocational education student for that
18 school for the immediately preceding school year, as
19 computed in accordance with guidelines prescribed by the
20 department;

21

22 (iii) The amount computed under paragraph (ii)
23 of this subsection shall be multiplied by the vocational
24 education amount contained within the teacher salaries and

1 benefits component of the prototypical school model for
2 grades nine (9) through twelve (12), as specified under
3 W.S. 21-13-309(m) (ii) (C), as recalibrated for the 2001-2002
4 school year, subject to reallocation limitations imposed by
5 the education resource block grant model for school year
6 2001-2002;

7

8 (iv) In addition to the amount computed under
9 paragraph (iii) of this subsection for a school, the number
10 of full-time equivalent (FTE) vocational education teachers
11 computed for that school for the immediately preceding
12 school year, as computed pursuant to guidelines prescribed
13 by the department, shall be multiplied by the vocational
14 education amount contained within the equipment and
15 supplies component of the prototypical school model for
16 grades nine (9) through twelve (12), as prescribed by W.S.
17 21-13-309(m) (ii) (C), as recalibrated for the 2001-2002
18 school year;

19

20 (v) In addition to the amount computed under
21 paragraph (iv) of this subsection for vocational education
22 equipment and supplies, an amount shall be computed for
23 that school for vocation education equipment replacement
24 and enhancement by multiplying the number of full-time

1 equivalent (FTE) teachers computed for that school for the
2 preceding school year under guidelines prescribed by the
3 department, by an amount within the education resource
4 block grant model which is based upon an adjustment factor
5 for vocational education equipment replacement and
6 enhancement;

7

8 (vi) Notwithstanding paragraphs (iii) and (iv)
9 of this subsection, the one and twenty-nine hundredths
10 (1.29) weight factor specified under paragraph (ii) of this
11 subsection and the number computed for full-time equivalent
12 (FTE) vocational education teachers under paragraph (iv) of
13 this subsection for any school shall be increased to the
14 level specified by the education resource block grant model
15 to fund the additional costs necessary to provide a minimum
16 program quality standard of two (2) career-vocational
17 education programs within that school. The minimum program
18 quality standard of two (2) shall be applied to each school
19 to the extent prior student participation rates in career-
20 vocational education programs and vocational education
21 equipment and supply amounts provided that school support
22 the two (2) program minimum standard.

23

1 (e) The amount computed for each high school within
2 each school district for the vocational education
3 adjustment under paragraphs (d)(iii) and (iv) or (vi) of
4 this section, as applicable, and the amount computed under
5 paragraph (d)(v) of this section, shall be added for that
6 district and divided by the district's total average daily
7 membership (ADM) for the applicable school year as computed
8 under W.S. 21-13-309(q).

9

10 (f) Upon written application filed by a school
11 district, the department of education may exempt a
12 vocational course from the certified teacher requirements
13 imposed under paragraph (a)(i) of this section, or a
14 career-vocational education program from the sequential
15 course or cluster course requirements imposed under
16 paragraph (a)(ii) of this section, if the district verifies
17 the alignment of the proposed course or program with the
18 state content and performance standards for career-
19 vocational education programs, documents the additional
20 costs associated with the proposed course or program
21 including class size and specialized equipment needs and if
22 applicable, clearly states the experiences and education of
23 the noncertified teacher that would otherwise qualify the
24 teacher to instruct the proposed course. Application shall

1 be in a manner and form and subject to a schedule
2 established by rule and regulation of the department. An
3 exemption granted under this subsection shall allow
4 students participating in the course or program to be
5 included in the full-time equivalency (FTE) computations
6 under this section.

7

8 **Section 2.** W.S. 9-1-513(b) by creating a new
9 paragraph (ix), 21-2-202(a) by creating new paragraphs
10 (xxiii) through (xxvi), 21-2-203(c) by creating a new
11 paragraph (viii), 21-2-307, 21-3-110(a) by creating a new
12 (xxviii) and 21-13-309(n) by creating a new paragraph (xii)
13 are amended to read:

14

15 **9-1-513. School finance audits and management**
16 **studies.**

17

18 (b) The school finance section within the department
19 established under subsection (a) of this section shall:

20

21 (ix) In addition to paragraph (i) of this
22 subsection, conduct periodic audits of vocational education
23 information and computations submitted by districts in
24 accordance with W.S. 21-13-329 and include audit findings

1 in the report to the department of education required under
2 paragraph (iv) of this subsection and the report to the
3 legislature required under paragraph (viii) of this
4 subsection. Each district shall be audited for purposes of
5 this paragraph not less than once every three (3) years.

6
7 **21-2-202. Duties of the state superintendent.**

8
9 (a) In addition to any other duties assigned by law,
10 the state superintendent shall:

11
12 (xxiii) Establish criteria and guidelines for
13 the identification of vocational education courses by
14 districts, for the computation of full-time equivalent
15 (FTE) students participating in vocation education courses
16 and for the determination of full-time equivalent (FTE)
17 vocational education teachers, and provide for the annual
18 collection of information necessary to implement and
19 administer W.S. 21-13-329;

20
21 (xxiv) Develop a process and procedures
22 necessary for consideration of district waivers authorized
23 under W.S. 21-13-329 for specified instructional and
24 career-vocational education program requirements, including

1 incentives encouraging teacher certification and program
2 course sequencing compliance;

3
4 (xxv) Establish necessary procedural and
5 monitoring requirements for implementation of the
6 vocational education grant program authorized under W.S.
7 21-12-105, including consideration of prior funds generated
8 by any vocational education programs terminated by the
9 district;

10
11 (xxvi) By rule and regulation, provide for the
12 reporting of district vocational education expenditures of
13 amounts distributed under W.S. 21-13-329.

14
15 **21-2-203. School district data collection; division**
16 **established; duties and responsibilities specified.**

17
18 (c) The duties of the division are, in accordance
19 with rules promulgated by the state superintendent, to:

20
21 (viii) Assist the state superintendent in
22 implementing W.S. 21-13-329 and assist districts with
23 computations necessary for reporting student vocational

1 education participation and vocational education
2 instruction information.

3
4 **21-2-307. State board of vocational education;**
5 **duties.**

6
7 (a) The state board of education acts as the state
8 board of vocational education and may promulgate rules
9 necessary to implement this section. The executive
10 director of the community college commission is designated
11 an ex officio member of the state board of vocational
12 education.

13
14 (b) In addition to other duties assigned under W.S.
15 21-2-304, the state board shall review career-vocational
16 education programs offered by school districts to ensure
17 the programs satisfactorily serve the needs of students
18 within the state and are aligned with state content and
19 performance standards prescribed in accordance with W.S.
20 21-2-304(a)(iii).

21
22 **21-3-110. Duties of boards of trustees.**

1 (a) The board of trustees in each school district
2 shall:

3

4 (xxviii) Annually report to the state
5 superintendent on the expenditure of amounts distributed to
6 the district under W.S. 21-13-329, broken down by school,
7 and submitted in a manner and form required by rule and
8 regulation of the state superintendent.

9

10 **21-13-309. Determination of amount to be included in**
11 **foundation program for each district.**

12

13 (n) For each district, the district total amount per
14 ADM computed under subsection (m) of this section shall be
15 adjusted as follows to result in a revised amount per ADM
16 for each district. Unless otherwise specified in this
17 subsection, the adjustments under this subsection shall be
18 determined as specified in the education resource block
19 grant model:

20

21 (xii) The amount shall be adjusted for
22 vocational education students in each district as provided
23 by W.S. 21-13-329.

24

1 **Section 3.**

2

3 (a) Notwithstanding W.S. 21-13-329(d)(iii) and (iv)
4 or (vi) as created under section 1 of this act and for
5 school years 2003-2004 through 2007-2008 only, the
6 following computations shall be made for each district:

7

8 (i) The teacher salary and benefits component
9 and the equipment and supply component of the prototypical
10 school model for grades nine (9) through twelve (12) as
11 prescribed under W.S. 21-13-309(m)(ii)(C), adjusted under
12 W.S. 21-13-329(d)(iii) and (iv) or (vi), shall be
13 multiplied by the district's ADM in grades nine (9) through
14 twelve (12) for the applicable school year;

15

16 (ii) The teacher salary and benefits component
17 and the equipment and supply component of the prototypical
18 school model for grades nine (9) through twelve (12) as
19 prescribed under W.S. 21-13-309(m)(ii)(C) and as
20 recalibrated for the 2001-2002 school year, shall be
21 multiplied by the district's ADM in grades nine (9) through
22 twelve (12) for the 2001-2002 school year.

23

1 (b) If for any school year subject to this section,
2 the amount computed under paragraph (a)(ii) of this section
3 is greater than the amount computed under paragraph (a)(i)
4 of this section, the amount computed under paragraph
5 (a)(ii) of this section shall be used in lieu of the amount
6 computed under W.S. 21-13-329(d)(iii) and (iv) or (vi) for
7 purposes of the vocational education adjustment computation
8 under W.S. 21-13-329(e).

9

10 **Section 4.**

11

12 (a) The state department of education shall provide
13 recognition of best practices for delivering quality
14 vocational education programs in the state. This
15 recognition shall be for programs offered during school
16 year 2003-2004, shall recognize career awareness and
17 development activities commencing with grade eight (8) and
18 shall recognize programs providing for and encouraging
19 district cooperative efforts in delivering vocational
20 education programs and opportunities.

21

22 (b) The state department shall report on activities
23 conducted under subsection (a) of this section to the joint

1 education interim committee following completion of school
2 year 2003-2004, but in any event prior to November 1, 2004.

3

4 **Section 5.**

5

6 (a) The state department of education, with the
7 assistance of the school finance section of the department
8 of audit, shall review the data used in establishing the
9 components of the vocational education adjustment provided
10 by this act and ensure that the data accurately reflects
11 career-vocational education program requirements, student
12 participation levels and other criteria imposed under this
13 act for the proper implementation of the adjustment.

14

15 (b) On or before November 1, 2003, and based upon the
16 review undertaken pursuant to subsection (a) of this
17 section, the state department of education shall report to
18 the joint education interim committee on findings regarding
19 the accuracy of the vocational education data used in
20 developing the vocational education adjustment, and present
21 any recommended modifications to the adjustment based upon
22 its review of the data.

23

24 **Section 6.**

1

2 (a) The Wyoming community college commission shall
3 compile information on vocational education programs
4 provided in Wyoming community colleges, including community
5 college programs open to enrollment by high school
6 students, and shall compile information on vocational
7 education programs provided by boards of cooperative
8 educational services. Information collected under this
9 section shall include student participation data, program
10 content and program expenditure information.

11

12 (b) The community college commission, with the
13 assistance of the state department of education, shall
14 develop and conduct information collection efforts under
15 subsection (a) of this section in such a manner that
16 information relates to and may be used in conjunction with
17 information collected and compiled pursuant to 2002 Wyoming
18 Session Laws, Chapter 76, Section 4.

19

20 (c) On or before November 1, 2003, results of this
21 effort shall be summarized and reported to the joint
22 education interim committee and the joint appropriations
23 interim committee.

24

1 (d) Boards of cooperative educational services shall
2 assist the community college commission with data
3 collection efforts required under subsection (a) of this
4 section.

5

6 **Section 7.**

7

8 (a) Two hundred fifty thousand dollars (\$250,000.00)
9 is appropriated from within the public school foundation
10 program account for distribution by the state department of
11 education to school districts as career-vocational
12 education grants authorized under W.S. 21-12-105 as created
13 under section 1 of this act.

14

15 (b) Seventy-nine thousand three hundred fifty-two
16 dollars (\$79,352.00) is appropriated from the general fund
17 to the state superintendent of public instruction for one
18 (1) full-time permanent position for purposes of
19 implementing the career-vocational education grant program
20 established under this act. On or before July 1, 2004, the
21 state superintendent shall report to the joint education
22 interim committee and the joint appropriations committee on
23 the expenditure of funds appropriated under this section,
24 the position filled and the status of this position. The

1 position and associated funding shall expire upon
2 termination of the grant program.

3

4 (c) The state superintendent shall as soon as
5 reasonably possible, notify school districts of the
6 reporting and informational requirements imposed under W.S.
7 21-13-329.

8

9 **Section 8.**

10

11 (a) Except as provided by subsection (b) of this
12 section, this act is effective July 1, 2003.

13

14 (b) Notwithstanding subsection (a) of this section,
15 W.S. 21-12-105 as created under section 1 of this act and
16 sections 5, 6 and 7 of this act are effective immediately
17 upon completion of all acts necessary for a bill to become
18 law as provided by Article 4, Section 8 of the Wyoming
19 Constitution.

20

21

(END)