

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 vocational education
5 programs; defining terms; imposing funding conditions and
6 criteria; delegating rulemaking authority to and imposing
7 specified duties upon the state department of education and
8 the school audit section of the department of audit;
9 imposing reporting requirements upon school districts;
10 providing appropriations and authorizing positions; and
11 providing for effective dates.

12

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

14

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

17

1 **21-12-105. Career-vocational education program**
2 **grants; application; criteria; limitations.**

3

4 (a) A school district may apply to the state
5 department of education for state assistance to fund
6 expenses associated with the planning, development and
7 implementation of a new career-vocational education program
8 within any high school in the district. As used in this
9 section, "career-vocational education program" shall be as
10 defined by W.S. 21-13-329(a)(i). Amounts awarded under
11 this section shall be used to fund curricular development
12 and program design costs, employ certified teachers to
13 provide course instruction during the introductory year and
14 to fund initial purchases of equipment and supplies
15 necessary for program delivery. Any amount awarded to a
16 district under this section shall be in addition to and not
17 be considered in determining the vocational education
18 adjustment to the education resource block grant model
19 under W.S. 21-13-329. No grant awarded under this section
20 shall exceed fifty thousand dollars (\$50,000.00) for the
21 implementation of any one (1) proposed program and no one
22 (1) district is eligible for a grant within two (2) years
23 after receiving a grant award under this section.

24

1 (b) Application for a grant under this section shall
2 be on a form and in a manner specified by rule and
3 regulation of the department, shall be filed with the
4 department on or before June 30 to secure a grant during
5 the immediately succeeding school year, and shall at
6 minimum include:

7

8 (i) A proposal documenting the need for
9 introducing the proposed career-vocational education
10 program;

11

12 (ii) Labor market information detailing the need
13 for instruction in the proposed program;

14

15 (iii) The purposes and plan for expenditure of
16 grant amounts;

17

18 (iv) An outline of the course curriculum for the
19 proposed program; and

20

21 (v) Other necessary information required by the
22 state department.

23

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

16
17 (d) Each recipient district shall report to the
18 department on the expenditure of amounts awarded under this
19 section and shall provide other information as required by
20 rule and regulation of the department to implement this
21 section.

22
23 (e) The department shall promulgate rules and
24 regulations necessary to carry out this section.

1

2 **21-13-329. Vocational education; qualification and**
3 **limitations on funding eligibility; adjustment to**
4 **foundation program formula.**

5

6 (a) As used in this section:

7

8 (i) "Career-vocational education program" means
9 a program offered in grades nine (9) through twelve (12)
10 consisting of a sequence of three (3) or more vocational
11 courses in an occupational area or career cluster that
12 provides the student with the technical knowledge, skills
13 or proficiencies necessary to obtain employment in current
14 or emerging occupations or to pursue advanced skill
15 training;

16

17 (ii) "Vocational course" means instruction in
18 career-vocational education programs offered in grades nine
19 (9) through twelve (12) by districts pursuant to W.S.
20 21-9-101(b)(i)(J) that is aligned with state content and
21 performance standards prescribed by the state board of
22 education under W.S. 21-2-304(a)(iii), and is provided by a
23 teacher certified by the Wyoming professional teaching

1 standards board for the vocational subject area associated
2 with the course;

3

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

10

11 (iv) "Vocational education teacher" means a
12 teacher certified by the Wyoming professional teaching
13 standards board to provide instruction at the high school
14 level for vocational education courses comprising career-
15 vocational education programs and is employed by a Wyoming
16 school district for high school career-vocational education
17 program instruction on a full-time equivalency basis (FTE)
18 as computed in accordance with guidelines prescribed by the
19 department of education. Nothing in this paragraph shall
20 require a district to employ teachers certified for high
21 school vocational education instruction on a full-time
22 basis or to require teachers to teach only high school
23 vocational education courses on a full-time basis.

24

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

4
5 (c) The prototypical school model amount for grades
6 nine (9) through twelve (12) computed under W.S.
7 21-13-309(m)(ii)(C) shall be reduced for each district by
8 the following amounts:

9
10 (i) The vocational education amount within the
11 teacher salaries and benefits component, as recalibrated
12 for the 2001-2002 school year; and

13
14 (ii) The vocational education amount within the
15 equipment and supplies component, as recalibrated for the
16 2001-2002 school year.

17
18 (d) An amount shall be computed for each high school
19 within each school district in accordance with the
20 following:

21
22 (i) Any high school in the school district that
23 is located within a five (5) mile radius of another high
24 school in that district shall for purposes of computations

1 under this subsection, be combined and considered as one
2 (1) high school;

3

4 (ii) A weight factor of one and twenty-nine
5 hundredths (1.29) shall be multiplied by each full-time
6 equivalent (FTE) vocational education student for that
7 school for the immediately preceding school year, as
8 computed in accordance with guidelines prescribed by the
9 department;

10

11 (iii) The amount computed under paragraph (ii)
12 of this subsection shall be multiplied by the vocational
13 education amount contained within the teacher salaries and
14 benefits component of the prototypical school model for
15 grades nine (9) through twelve (12), as specified under
16 W.S. 21-13-309(m)(ii)(C), as recalibrated for the 2001-2002
17 school year, subject to reallocation limitations imposed by
18 the education resource block grant model for school year
19 2001-2002;

20

21 (iv) In addition to the amount computed under
22 paragraph (iii) of this subsection for a school, the number
23 of full-time equivalent (FTE) vocational education teachers
24 computed for that school for the immediately preceding

1 school year, as computed pursuant to guidelines prescribed
2 by the department, shall be multiplied by the vocational
3 education amount contained within the equipment and
4 supplies component of the prototypical school model for
5 grades nine (9) through twelve (12), as prescribed by W.S.
6 21-13-309(m)(ii)(C), as recalibrated for the 2001-2002
7 school year;

8

9 (v) In addition to the amount computed under
10 paragraph (iv) of this subsection for vocational education
11 equipment and supplies, an amount shall be computed for
12 that school for vocation education equipment replacement
13 and enhancement by multiplying the number of full-time
14 equivalent (FTE) teachers computed for that school for the
15 preceding school year under guidelines prescribed by the
16 department, by an amount within the education resource
17 block grant model which is based upon an adjustment factor
18 for vocational education equipment replacement and
19 enhancement;

20

21 (vi) Notwithstanding paragraphs (iii) and (iv)
22 of this subsection, the one and twenty-nine hundredths
23 (1.29) weight factor specified under paragraph (ii) of this
24 subsection and the number computed for full-time equivalent

1 (FTE) vocational education teachers under paragraph (iv) of
2 this subsection for any school shall be increased to the
3 level specified by the education resource block grant model
4 to fund the additional costs necessary to provide a minimum
5 program quality standard of two (2) career-vocational
6 education programs within that school. The minimum program
7 quality standard of two (2) shall be applied to each school
8 to the extent prior student participation rates in career-
9 vocational education programs and vocational education
10 equipment and supply amounts provided that school support
11 the two (2) program minimum standard.

12

13 (e) The amount computed for each high school within
14 each school district for the vocational education
15 adjustment under paragraphs (d)(iii) and (iv) or (vi) of
16 this section, as applicable, and the amount computed under
17 paragraph (d)(v) of this section, shall be added for that
18 district and divided by the district's total average daily
19 membership (ADM) for the applicable school year as computed
20 under W.S. 21-13-309(q).

21

22 (f) Upon written application filed by a school
23 district, the department of education may exempt a
24 vocational course from the certified teacher requirements

1 imposed under paragraph (a)(i) of this section, or a
2 career-vocational education program from the sequential
3 course or cluster course requirements imposed under
4 paragraph (a)(ii) of this section, if the district verifies
5 the alignment of the proposed course or program with the
6 state content and performance standards for career-
7 vocational education programs, documents the additional
8 costs associated with the proposed course or program
9 including class size and specialized equipment needs and if
10 applicable, clearly states the experiences and education of
11 the noncertified teacher that would otherwise qualify the
12 teacher to instruct the proposed course. Application shall
13 be in a manner and form and subject to a schedule
14 established by rule and regulation of the department. An
15 exemption granted under this subsection shall allow
16 students participating in the course or program to be
17 included in the full-time equivalency (FTE) computations
18 under this section.

19

20 **Section 2.** W.S. 9-1-513(b) by creating a new
21 paragraph (ix), 21-2-202(a) by creating new paragraphs
22 (xxiii) through (xxvi), 21-2-203(c) by creating a new
23 paragraph (viii), 21-2-307, 21-3-110(a) by creating a new

1 (xxviii) and 21-13-309(n) by creating a new paragraph (xii)
2 are amended to read:

3

4 **9-1-513. School finance audits and management**
5 **studies.**

6

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

9

10 (ix) In addition to paragraph (i) of this
11 subsection, conduct periodic audits of vocational education
12 information and computations submitted by districts in
13 accordance with W.S. 21-13-329 and include audit findings
14 in the report to the department of education required under
15 paragraph (iv) of this subsection and the report to the
16 legislature required under paragraph (viii) of this
17 subsection. Each district shall be audited for purposes of
18 this paragraph not less than once every three (3) years.

19

20 **21-2-202. Duties of the state superintendent.**

21

22 (a) In addition to any other duties assigned by law,
23 the state superintendent shall:

24

1 (xxiii) Establish criteria and guidelines for
2 the identification of vocational education courses by
3 districts, for the computation of full-time equivalent
4 (FTE) students participating in vocation education courses
5 and for the determination of full-time equivalent (FTE)
6 vocational education teachers, and provide for the annual
7 collection of information necessary to implement and
8 administer W.S. 21-13-329;

9
10 (xxiv) Develop a process and procedures
11 necessary for consideration of district waivers authorized
12 under W.S. 21-13-329 for specified instructional and
13 career-vocational education program requirements, including
14 incentives encouraging teacher certification and program
15 course sequencing compliance;

16
17 (xxv) Establish necessary procedural and
18 monitoring requirements for implementation of the
19 vocational education grant program authorized under W.S.
20 21-13-329, including consideration of prior funds generated
21 by any vocational education programs terminated by the
22 district;

23

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

4
5 **21-2-203. School district data collection; division**
6 **established; duties and responsibilities specified.**

7
8 (c) The duties of the division are, in accordance
9 with rules promulgated by the state superintendent, to:

10
11 (viii) Assist the state superintendent in
12 implementing W.S. 21-13-329 and assist districts with
13 computations necessary for reporting student vocational
14 education participation and vocational education
15 instruction information.

16
17 **21-2-307. State board of vocational education;**
18 **duties.**

19
20 (a) The state board of education acts as the state
21 board of vocational education and may promulgate rules
22 necessary to implement this section. The executive
23 director of the community college commission is designated

1 an ex officio member of the state board of vocational
2 education.

3
4 (b) In addition to other duties assigned under W.S.
5 21-2-304, the state board shall review career-vocational
6 education programs offered by school districts to ensure
7 the programs satisfactorily serve the needs of students
8 within the state and are aligned with state content and
9 performance standards prescribed in accordance with W.S.
10 21-2-304(a)(iii).

11

12 **21-3-110. Duties of boards of trustees.**

13

14 (a) The board of trustees in each school district
15 shall:

16

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

22

23 **21-13-309. Determination of amount to be included in**
24 **foundation program for each district.**

1

2 (n) For each district, the district total amount per
3 ADM computed under subsection (m) of this section shall be
4 adjusted as follows to result in a revised amount per ADM
5 for each district. Unless otherwise specified in this
6 subsection, the adjustments under this subsection shall be
7 determined as specified in the education resource block
8 grant model:

9

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

13

14 **Section 3.**

15

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

20

21 (i) The teacher salary and benefits component
22 and the equipment and supply component of the prototypical
23 school model for grades nine (9) through twelve (12) as
24 prescribed under W.S. 21-13-309(m)(ii)(C), adjusted under

1 W.S. 21-13-329(d)(iii) and (iv) or (vi), shall be
2 multiplied by the district's ADM in grades nine (9) through
3 twelve (12) for the applicable school year;

4
5 (ii) The teacher salary and benefits component
6 and the equipment and supply component of the prototypical
7 school model for grades nine (9) through twelve (12) as
8 prescribed under W.S. 21-13-309(m)(ii)(C) and as
9 recalibrated for the 2001-2002 school year, shall be
10 multiplied by the district's ADM in grades nine (9) through
11 twelve (12) for the 2001-2002 school year.

12
13 (b) If for any school year subject to this section,
14 the amount computed under paragraph (a)(ii) of this section
15 is greater than the amount computed under paragraph (a)(i)
16 of this section, the amount computed under paragraph
17 (a)(ii) of this section shall be used in lieu of the amount
18 computed under W.S. 21-13-329(d)(iii) and (iv) or (vi) for
19 purposes of the vocational education adjustment computation
20 under W.S. 21-13-329(e).

21

22 **Section 4.**

23

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

9

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

18

19 **Section 5.**

20

21 (a) Two hundred fifty thousand dollars (\$250,000.00)
22 is appropriated from within the public school foundation
23 program account for distribution by the state department of
24 education to school districts as career-vocational

1 education grants authorized under W.S. 21-12-105 as created
2 under section 1 of this act.

3

4 (b) One hundred eighty-five thousand sixty-seven
5 dollars (\$185,067.00) is appropriated from the general fund
6 to the state superintendent of public instruction as
7 necessary to implement and administer this act. In
8 addition, the state superintendent is authorized an
9 additional one (1) full-time permanent position and one (1)
10 part-time at-will employee contract (AWEC) position for
11 purposes of implementing this act. On or before July 1,
12 2004, the state superintendent shall report to the joint
13 education interim committee and the joint appropriations
14 committee on the expenditure of funds appropriated under
15 this section, the positions filled and the status of these
16 positions.

17

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

22

23 **Section 6.**

24

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

3

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

10

11

(END)