

HOUSE BILL NO. HB0105

School finance-summer school programs.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to school finance; establishing a grant  
 2 program for school districts providing summer school  
 3 remediation and intervention programs; prescribing program  
 4 criteria and administration; granting districts authority;  
 5 imposing duties upon and delegating rulemaking authority to  
 6 the department of education as specified; providing an  
 7 appropriation; and providing for an effective date.

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

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11 **Section 1.** W.S. 21-13-333 is created to read:

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13 **21-13-333. Summer school grant program; established;**  
 14 **application; criteria; award payment computation;**  
 15 **administration; annual reporting.**

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1           (a) The summer school grant program is established to  
2 provide financial assistance to districts for the provision  
3 of intervention and remediation instruction to students  
4 beyond the required school year specified by law under W.S.  
5 21-4-301 and 21-13-307(a)(ii). For districts operating  
6 schools on a year-round basis, intersession programs shall  
7 be considered a summer school program for purposes of this  
8 section. Assistance made available under the grant program  
9 shall supplement district intervention and remediation  
10 programs and shall be made available to students requiring  
11 additional instruction to master statewide content and  
12 performance standards prescribed by the state board of  
13 education under W.S. 21-2-304(a)(iii) or otherwise seeking  
14 credit recovery for promotion to the subsequent grade  
15 level. Summer school programs eligible for assistance  
16 under this section shall also:

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18           (i) At minimum, provide each participating  
19 student the opportunity to receive remediation and  
20 intervention instruction in mathematics and reading and  
21 language arts;

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23           (ii) Provide a minimum of sixty (60)  
24 instructional hours to each elementary school student

1 during the summer school session, and a minimum of sixty  
2 (60) instructional hours per subject to each middle and  
3 high school student unless the middle or high school  
4 student otherwise demonstrates proficiency prior to  
5 receiving the full sixty (60) hours of instruction;

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7 (iii) Except as provided under subsection (c) of  
8 this section and to the extent practical and reasonable,  
9 limit class size to not more than ten (10) students for  
10 elementary level programs and to not more than fifteen (15)  
11 students for middle and high school level programs;

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13 (iv) Require the development of an individual  
14 student learning plan for each participating student;

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16 (v) Require program instructors to receive  
17 training in research-based strategies focusing on  
18 individualized instruction at the level, duration and  
19 content specified by rule and regulation of the department  
20 of education;

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22 (vi) To assure effectiveness of teaching and  
23 program quality, provide for program monitoring by a school  
24 principal or superintendent trained in research-based

1 instructional strategies for at-risk students as prescribed  
2 by rule and regulation of the department of education.

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4 (b) To receive grant assistance under this section, a  
5 district shall apply to the department of education on or  
6 before March 1 of the school year immediately preceding the  
7 summer school session for which a grant is requested.  
8 Application to the department shall be in a manner and form  
9 prescribed by the department and shall include:

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11 (i) An estimate of the number of students to be  
12 enrolled in the summer school intervention and remediation  
13 program for which a grant is requested, broken down by  
14 grade level;

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16 (ii) A description of program content including  
17 subjects offered and additional information depicting  
18 compliance with program requirements specified under  
19 subsection (a) of this section;

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21 (iii) Evidence of specific professional  
22 development and training for each summer school instructor;

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1           (iv) Other information determined necessary to  
2 implement this section as prescribed by department rule and  
3 regulation.

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5           (c) Notwithstanding paragraph (a)(iii) of this  
6 section, a district with less than five (5) students  
7 participating in an intervention and remediation program at  
8 any school level, elementary or secondary, may apply to the  
9 department for reimbursement of individual tutoring  
10 expenses. In addition to other information which may be  
11 required by the department, application for reimbursement  
12 under this subsection shall provide evidence of program  
13 content and individual student learning plans, a  
14 description of subjects for which instruction is provided  
15 and verification of instructor qualifications and training.

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17           (d) School districts may choose to emphasize a  
18 preventative strategy using before-school, after-school and  
19 Saturday school enhanced instruction to bring students up  
20 to state content and performance standards by presenting  
21 their plans to the department of education requesting use  
22 of a percentage of the funds otherwise available under  
23 funding provided for summer school programs, not to exceed  
24 a maximum level established by rule and regulation of the

1 department. Plans submitted to the department under this  
2 subsection shall be filed within the time specifications  
3 imposed upon the applicant district for summer school  
4 grants and shall be subject to program requirements and  
5 criteria imposed by rule and regulation of the department.

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7 (e) Following review and not later than thirty (30)  
8 days following receipt of an application filed under this  
9 section, the department shall notify each applicant  
10 district in writing if the application met the requirements  
11 of this section and if so, shall provide the district an  
12 estimate of the grant amount available for eligible  
13 district programs based upon estimated student attendance  
14 for the applicable grant period, subject to the ten percent  
15 (10%) maximum limitation specified under paragraph (f)(i)  
16 of this section. Grants awarded to each eligible district  
17 shall be from a separate appropriation made by the  
18 legislature to the school foundation program account for  
19 this purpose and shall be in addition to the foundation  
20 program amount under W.S. 21-13-309(p). If insufficient  
21 funds are appropriated for purposes of this section, the  
22 department shall make a pro rata reduction in the payments  
23 to districts for each student unless other funding sources  
24 are identified by the legislature.

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2 (f) Grant payments shall be determined for each  
3 recipient district following completion of the summer  
4 school programs based upon the larger of the following  
5 amounts:

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7 (i) Multiply the number of students within the  
8 district enrolled and participating in the summer school  
9 program by five hundred dollars (\$500.00), subject to a per  
10 district maximum amount computed by multiplying five  
11 hundred dollars (\$500.00) times a number equal to ten  
12 percent (10%) of the district's elementary or secondary  
13 school enrollment, as applicable, for the school year  
14 immediately preceding the summer school session for which  
15 the grant is requested; or

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17 (ii) One (1) of the following minimum amounts,  
18 as applicable:

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20 (A) Five thousand five hundred thirty  
21 dollars (\$5,530.00) if an elementary summer school program;

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23 (B) Seven thousand nine hundred thirty  
24 dollars (\$7,930.00) if a secondary summer school program;

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(C) Twelve thousand ten dollars (\$12,010.00) if a combined elementary and secondary summer school program.

(iii) Notwithstanding paragraphs (i) and (ii) of this subsection, an intersession intervention and remediation program qualifying for a grant under this section shall be awarded an amount in accordance with criteria and guidelines prescribed by rule and regulation of the department of education, which in no event shall exceed the amounts prescribed under paragraphs (i) and (ii) of this subsection.

(g) The department of education shall administer the summer school grant program established under this section, shall promulgate necessary rules and regulations to implement this program and shall annually report to the joint education interim committee on the program, including recommendations for program effectiveness, continuation and improvements. The department may request additional information prior to awarding a grant under this section to ascertain programs comply with the requirements of this section. Upon completion of the summer school program,



1 each recipient district shall report to the department any  
2 statistical, expenditure and program evaluation information  
3 as may be required by department rule and regulation prior  
4 to receiving grant amounts computed under this section.

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6 **Section 2.** W.S. 21-3-111(a) by creating a new  
7 paragraph (xxi) is amended to read:

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9 **21-3-111. Powers of boards of trustees.**

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11 (a) The board of trustees in each school district  
12 within the state may:

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14 (xxi) Establish summer school intervention and  
15 remediation programs for students requiring additional  
16 assistance to master the uniform student content and  
17 performance standards prescribed by the state board of  
18 education pursuant to W.S. 21-2-304(a)(iii), which programs  
19 shall be included as a critical remedial component of the  
20 district's educational program.

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22 **Section 3.**

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1           (a) As soon as reasonably possible following the  
2 effective date of this act and notwithstanding W.S.  
3 21-13-333(b) as created under section 1 of this act, the  
4 department of education shall notify school districts of  
5 the availability of assistance under the summer school  
6 grant program established under this act and of the  
7 requirements imposed upon districts to obtain a grant  
8 award. For the summer school session following school year  
9 2003-2004 only, application by school districts to the  
10 department for grant assistance shall be submitted by May  
11 1, 2004. Application review by the department shall be  
12 completed by June 1, 2004. On or before June 1, 2004,  
13 districts shall be notified by the department of any  
14 estimated grant amount to be made available to the district  
15 during the 2004 summer school session.

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17           (b) On or before December 1, 2004, the department  
18 shall review and report to the joint education interim  
19 committee on summer school remediation and intervention  
20 programs funded under this act, evaluate program  
21 effectiveness and provide recommendations for program  
22 improvement. The report shall also provide recommendations  
23 for the statewide evaluation of programs including the

1 development of a uniform, statewide instrument for the  
2 evaluation of district programs and students.

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4       **Section 4.** Four million five hundred thousand dollars  
5 (\$4,500,000.00) is appropriated from the school foundation  
6 program account to the department of education to fund the  
7 summer school grant program established under this act for  
8 the period beginning on the effective date of this act and  
9 ending June 30, 2005. Of this appropriation, one hundred  
10 thousand dollars (\$100,000.00) shall be available to the  
11 department for administration of this act.

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13       **Section 5.** This act is effective immediately upon  
14 completion of all acts necessary for a bill to become law  
15 as provided by Article 4, Section 8 of the Wyoming  
16 Constitution.

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(END)