

HOUSE BILL NO. HB0070

School audits.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to school district audits; modifying
2 sanctions imposed upon districts failing to provide
3 required school data and reports; specifying a closure date
4 for adjustment of school district fiscal information for
5 school foundation program computation purposes; providing
6 an appropriation and authorizing additional positions; and
7 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. 21-2-203(e) (intro), (ii) (intro) and
12 (A) and 21-13-313(c) are amended to read:

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

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2 (e) On and after July 1, ~~2000~~2005, the following
3 shall apply:

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5 (ii) If a district superintendent fails to
6 provide data or reports in compliance with law or rules
7 regarding timeliness, format, completeness or accuracy,
8 without good cause, the state superintendent ~~may then take~~
9 ~~any action authorized under this paragraph. In determining~~
10 ~~what action is appropriate, the state superintendent shall~~
11 ~~consider the severity of the noncompliance, the~~
12 ~~circumstances under which it occurred, and whether there~~
13 ~~have been prior instances of noncompliance by the same~~
14 ~~district superintendent under this section~~ shall:

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16 (A) Advise the district's board of trustees of
17 the noncompliance and require the district's board to
18 submit a plan to correct the noncompliance and prevent
19 future instances of noncompliance. ~~†~~

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21 **21-13-313. Distribution of funds from foundation**
22 **account; property tax and cash reserve adjustment;**
23 **regulations.**

24

1 (c) One-third (1/3) of each district's entitlement
2 shall be paid to the district on August 15 of each year.
3 Subject to any recalculation under W.S. 21-13-309(q) and
4 adjustment under subsections (d) and (e) of this section,
5 on or about the fifteenth day of October and February, the
6 balance of the entitlements shall be distributed in equal
7 payments. If, after March 1 and before March 31, the state
8 superintendent determines that the entitlement paid to a
9 district for that school year is not accurate, the state
10 superintendent shall make additional payments to or require
11 payments from that district as necessary to correct the
12 inaccuracy as soon as practicable. After April 1 of any
13 school year, the state superintendent shall not adjust any
14 district's entitlement or fiscal information used to
15 compute a district's entitlement for that school year, and
16 the entitlement or fiscal information shall only be
17 adjusted thereafter in accordance with audit review
18 pursuant to W.S. 9-1-513.

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20 **Section 2.** W.S. 21-2-203(e)(ii)(B) and (C) is
21 repealed.

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23 **Section 3.** For the period commencing July 1, 2005,
24 and ending June 30, 2006, two hundred ninety-two thousand

1 three hundred thirty-eight dollars (\$292,338.00) is
2 appropriated from the general fund to the department of
3 audit for the administration of W.S. 9-1-513. In addition
4 and for this purpose, the department is authorized four (4)
5 additional full-time positions. The appropriation and
6 positions authorized in this act shall be reduced by any
7 positions and any amount of funding for K-12 public school
8 auditors provided in general session 2005 Senate File 1, as
9 enacted into law.

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11 **Section 4.** This act is effective July 1, 2005.

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(END)